

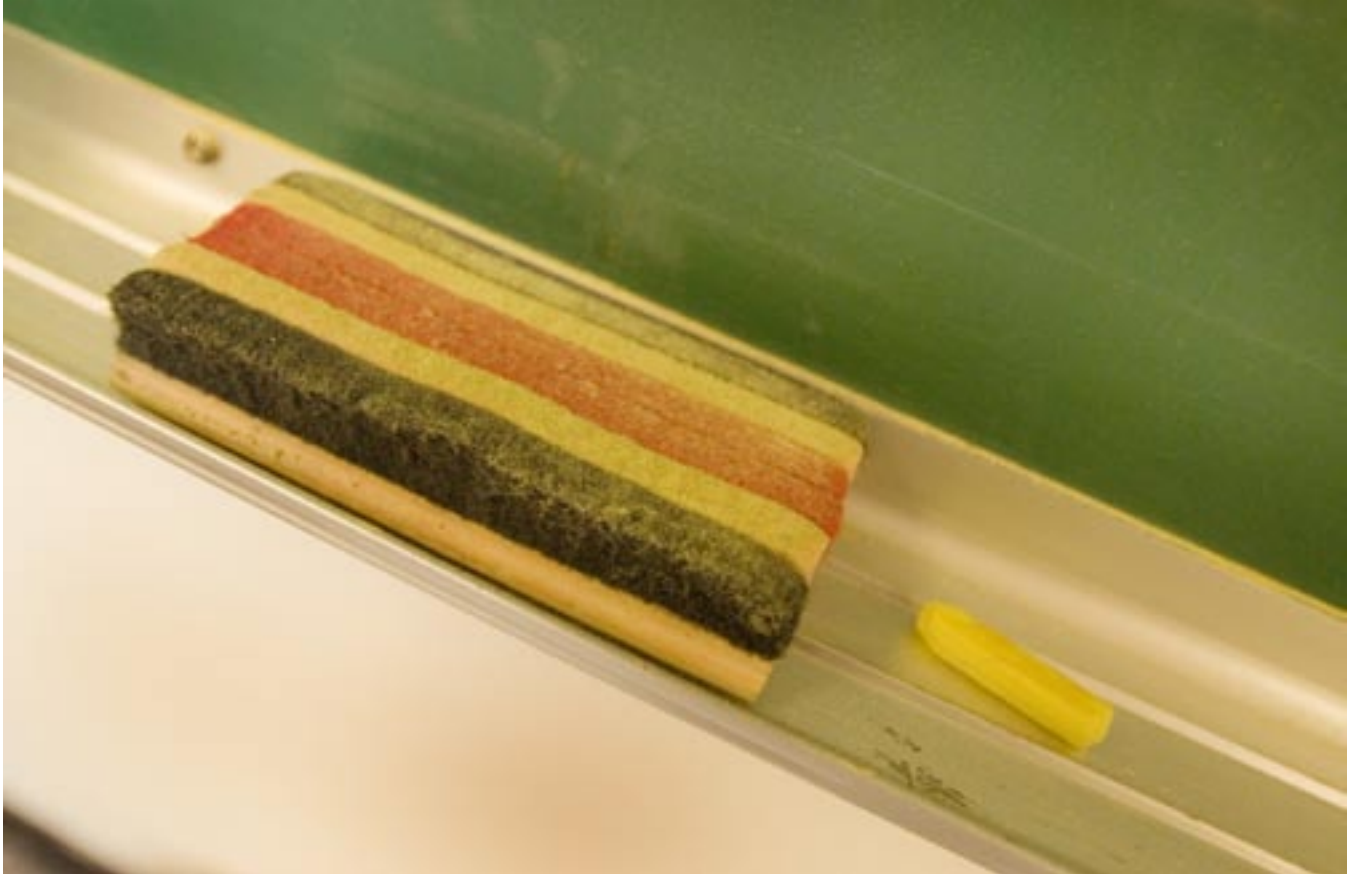


Education Reform Project

FINAL REPORT



EDUCATION
REFORM PROJECT



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EDUCATION
REFORM PROJECT

December 2007

Dear Reader;

The Executive Committee of the Education Reform Project is pleased to present the Education Reform Project Final Report.

The purpose of the project is to engage First Nations governments, citizens and other partners in education to effect positive, sustainable change in the education system in the Yukon for the benefit of all Yukoners.

The following report identifies and examines many of the issues in Yukon education and offers insight and direction on possible changes and enhancements to the system.

Through our discussions we recognized that the process of education is always evolving and will continue to change and develop to best meet the needs of learners and the community. We trust that this report, and the processes used to create it, will assist in helping Yukon's education system to respond to the needs of today and tomorrow.

The value of education cannot be overstated; the future of our cultures, communities, languages, economic well-being, and environment is at stake. And we recognize that a responsive, involving education system is essential to our continued success.

We would like to thank the Project Team for their hard work and dedication to the Education Reform process. Their insight and expertise has brought forward many thoughtful and novel approaches.

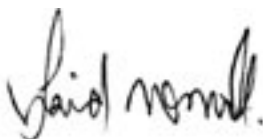
We would also like to thank our partners in Education, including First Nation governments, organizations, educators, parents and students, who contributed to the development of this report. Their contribution is essential to the success of Yukon's education system.

We look forward to the evolution of Yukon's education system in order to assist each student to achieve their personal best and to build health and strong communities.

Regards,



Joe Linklater
Chair of Yukon Chiefs Council
on Education



Liard McMillan
Chief, Liard First Nation



Patrick Rouble
Minister of Education
Government of Yukon

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INTRODUCTION

The Yukon has a history of striving for excellence in education. The Department of Education has excellent capital facilities and an enviable student-teacher ratio. The *Education Act* provides for community involvement in the territory's schools. Despite this, however, the Yukon's education system is not meeting the needs of many of its students. It is perceived as unresponsive and non-inclusive by many people, particularly the First Nations population.

From 2002 to 2004 a review of the Yukon's *Education Act* involved extensive consultation with Yukoners. Its mandate was to hear from Yukoners about how to make the education system better. A large proportion of these comments did not focus on the Act itself, but related to other aspects of the education system. As these comments were outside of the mandate of the review, many Yukoners were left with the sense that the review process was incomplete. Yukon First Nations left the process, primarily for this reason.

This was the impetus for the formation of the Education Reform Project (ERP), and completion of the review process was one of the ERP's goals. The ERP team examined the Education Act Review Committee (EARC) recommendations, particularly in the context of the emergence of self-governing First Nations. The goal was to establish a structure and a culture of education that is open to all partners.

Addressing the gap between First Nations and non-First Nations student outcomes was central to the mandate of the ERP. The team had several other goals as well: an education system that meets the needs of all Yukoners and ensures that students can participate successfully in work, post-secondary education, training and life-long learning; increased involvement by First Nations in schools and in the education decision-making process; and ways in which the federal government can provide additional funding for education in the Yukon.

The ERP team identified four areas that would be essential to meet these goals:

1. a workable and inclusive model of public school governance;
2. the decentralization of decision-making and the empowerment of school councils and communities;
3. a strategy to address Aboriginal language revitalization and retention; and
4. initiatives to address the social and community aspects of Yukoners' educational needs.

The ERP team, under the guidance of its Executive Committee, engaged in pre-consultation with First Nations and consultation with targeted partners, groups and individuals, and carried out an extensive review of past consultations, educational studies and subsequent recommendations. The intent was to gather existing data and information prior to engaging in further consultation. The team also made extensive use of individual researchers and focus groups to provide advice and direction in specific study areas.

This preliminary work established recurring themes. These themes were then matched with what the team members heard during the consultation phase. The intent was to find practical and inclusive solutions to these issues. This reflects the overall ERP team's belief that effective partnerships and practical solutions are essential to building an education system that will facilitate change and success.

HOW THIS REPORT IS STRUCTURED

The report has four main sections:

- background papers;
- position papers;
- responses to the recommendations of the 2002–04 *Education Act* Review; and
- appendices.

The position papers are in turn divided into six sections.

The team made extensive use of individual researchers and focus groups to provide advice and direction in specific study areas. The results of these discussions, as well as consultation with education partners are presented in the position papers. Recommendations are found at the end of each position paper. These recommendations reflect the research and the comments heard during the past two years of consultation. It was not possible to address every issue that was brought forward, nor was it our intent.

This report highlights the interconnectedness of recommendations, and many recommendations were purposely designed to inspire dialogue among partners prior to implementation.

We hope that this final report will be an impetus for discussion and change in the Yukon's education system, to make it more inclusive and effective.



Education Reform Project

Background Papers

HISTORY OF YUKON FIRST NATIONS EDUCATION

To understand the relationship between the education system and First Nations people, it is necessary to understand the historical relationship between the federal and territorial government and Yukon First Nations people. For more than a hundred years, government policies and practices have shaped the approach to education in the territory.

Missionaries, with the legal assistance of the federal government, introduced Western schooling to the First Nations people of the Yukon in the late 19th century. Later, church-run residential schools systematically transformed the education and culture of aboriginal people. First Nations children were forced to live away from their families for long periods of time and were not allowed to speak their own language. First Nations people in the Yukon experienced long-term psychological, cultural and social dislocation as a result of this type of schooling. Its impact continues to be felt today. The high drop-out rate, violence and substance abuse in the communities, and the high suicide rates in northern communities have been linked by some observers to the severe cultural and spiritual dislocation caused by residential schools (Rosalyn-Ing 1990). The last residential schools were closed in the Yukon in the late 1960s (the school in Lower Post, B.C. closed in 1975); a new integration policy introduced by the territorial government soon followed.

Many obstacles still exist within the education system. First Nations students enter the system with different skills and abilities than their non-aboriginal peers and may have a different perception of the world than those on which educational policies are based. The cultural knowledge and traditional teachings that First Nations children have experienced are often not recognised by the school and are frequently incompatible with the learning strategies used in the public school system. This can make the transition to school extremely difficult for some First Nations students.

Many First Nations parents feel that they have little influence over the education of their children. If the education system is going to be more responsive to the needs of First Nations students it must be structured in a way that allows for participation and input by First Nations people.

Traditional knowledge

The central, sustaining feature of Yukon First Nations' culture and society is their relationship to the land and its resources. Their entire belief system centres on this physical and spiritual connection. Knowledge of the land and its resources was essential to survival. This knowledge of the land is an important feature of the Yukon First Nations' cognitive perception. Traditional knowledge, according to Cruikshank (1990) requires meticulous and detailed retention of information about the land, animal behaviour and patterns, and the use of trails without maps.

Traditionally, information — along with behavioural codes — was passed on orally. Oral traditions outlined how people thought, behaved, and coped with contradictions and conflict in their lives. Stories taught young children how to behave in culturally appropriate ways. Myths provided guidance about the ambiguities of life and were a method of instruction. Without a written record of information, different thought processes needed to be developed. Teachings had to be committed to memory.

This cultural form of acquiring and retaining knowledge has engendered a more visual-spatial type of thinking. Organizing information and learning is context-centred. On-the-land learning embodies a wide range of learning tools and strategies.

Responsibility for education

Responsibility for the education of status Indian children as defined by the *Indian Act* was transferred to the Yukon government after the Act was amended in 1951. Before that time, the Act empowered the federal government to provide for the education of status Indian children in schools other than those it operated, through agreements with various governments, school jurisdictions and/or religious or charitable organizations.

Under the federal-territorial General Tuition Agreement of 1964, the federal government transferred the responsibility for education to the territorial government. The primary objective of the agreement was to provide “the same educational opportunities and instruction” for all students. It outlined the policy of joint education by which the Government of Yukon would educate the status Indians in the Yukon. Relatively few studies have evaluated whether this objective has been accomplished in Yukon schools.

The 1987 Kwiya Report, which was commissioned to study education in the Yukon and its impact on First Nations students, stated that the Yukon government had narrowly interpreted this requirement as an obligation to provide only “equality of access” for First Nations students to facilities and instruction (JCET 1987, p.8). Many First Nations students entered the educational system without adequate support systems in place for reading and mathematics. This and other factors caused many First Nations students to disengage from the territorial school system.

Impacts of Western education

Western schools generally have a different, more rigid approach to teaching. Textbooks and other resources deliver homogenous information to students. The ideology and values that schools perpetuate are often not congruent with those espoused in First Nations communities.

Ways of changing the system to make it more receptive to First Nations students have been discussed for many years. In 1973, the Yukon Native Brotherhood presented a document to the federal government called *Together Today for Our Children Tomorrow*. It outlined the need to make education more relevant to the needs of Yukon First Nations learners.

The Kwiya report made four recommendations that were intended to address many of the concerns and issues related to First Nations education:

- 1) official recognition of equality of opportunity in education for Yukon people;
- 2) formal recognition of First Nations culture as part of Yukon society;
- 3) recognition of the immediate need for an Indian Education Commission to represent the interests of First Nations people; and
- 4) the need for the Yukon government, in partnership with First Nations people, to initiate specific legislative, policy, and structural reforms of the territory’s education system.

These issues are still being discussed today.

In 1990, the Government of Yukon carried out a review of the *Education Act* to deal with inequities in the education system. Although the resulting legislation had promising aspects, it gave the Minister of Education primary responsibility and control over education. Yukon First Nations people had little responsibility or control over the decision-making process. In 2000, as stipulated in the 1990 *Education Act*, an educational review process was set up to examine if the Act was meeting its stated goals. This process was not supported by First Nations organizations in the Yukon because they felt the Act did not allow for equal representation of First Nations people.

Today, many Yukon First Nations have self-government agreements. Any self-governing Yukon First Nation may request the negotiation of ways in which to divide and share responsibility for the design, delivery and administration of programs — including education — delivered within its traditional territory.

For education to become meaningful and successful, First Nations communities must have direct involvement in the education of their children. They must have a sense of ownership of the schools their children attend.

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INTRODUCTION TO SELF-GOVERNMENT AND EDUCATION

After more than 30 years of negotiations, 11 Yukon First Nations have signed self-government agreements. These agreements provide for local rights over their citizens, lands, resources, programs and services.

Yukon First Nations exercise their authority through constitutions that are ratified by the majority of their citizens. Canada recognizes these constitutions through the *Yukon First Nations Self-Government Act*. The Yukon government created a similar territorial statute, *An Act Approving Yukon Land Claim Final Agreements*.

First Nations may enact statutes or laws for their citizens related to education as well as to financial issues, land management, administration of justice, taxation, heritage, culture, language, health care and other matters. Exercising this authority does not occur automatically, however; nor does it occur for all matters at the same time. In addition, First Nations are required to provide notice to other governments about their intent to negotiate a transfer of any of these responsibilities. This has several implications for the delivery of educational programs and services for Yukon First Nation citizens, particularly regarding the provisions outlined in Section 17 of Yukon First Nations self-government agreements.

As First Nations create and enact legislation there may be federal and/or territorial statutes that apply to the same areas. It is important to note that First Nations laws carry the same weight as Yukon territorial laws but apply only to First Nations citizens on First Nations settlement lands.

A First Nation may pass its own education laws that would govern its citizens' access to education. As part of this process a First Nation may ask to negotiate an agreement with the federal and territorial government to transfer program and services. Such agreements may vary from First Nation to First Nation.

Under chapter 24 of the Umbrella Final Agreement, the following issues are subjects for negotiation in the division and sharing of responsibility for education:

- student counseling;
- cross-cultural teacher/administrator orientation;
- composition of teaching staff;
- curriculum for early childhood, special, and adult education;
- curriculum for kindergarten through grade 12; and
- evaluation of teachers, administrators and other employees.

Current situation

Yukon First Nations and the Yukon government both have authority over education. The Yukon government fully exercises this authority, while First Nations jurisdiction is still being negotiated. No First Nation has yet started negotiating education provisions under Section 24.

It makes sense for both governments to prepare for changes in the way education is delivered. The Education Reform Project was created to facilitate the developments necessary to ensure that these two levels of government work together effectively to make the education system more responsive to all Yukoners, particularly First Nations students.

EXPERIENCES IN OTHER JURISDICTIONS

The need

Addressing the challenges identified and experienced by other jurisdictions will be crucial in making the education system more effective and more responsive to First Nations students in the Yukon. Improving educational performance for First Nations students continues to be a challenge. Although the high school completion rate for First Nations students is on the rise nationally, there is still a significant difference in the high school graduation rates of First Nations and non-First Nations students (Auditor General of Canada 2004). Statistics from the Government of Canada bear this out. For example, the high school completion rate for First Nations students on reserves has risen to 41.5 percent for the period 1991–2001, an increase of ten percent. Although this is still low compared to 68.7 percent for the same period for non-First Nations students, it is a significant achievement (AFN 2005). The actual number of First Nations students enrolled in post-secondary education has also increased (Auditor General of Canada 2004) although as a percentage of the population it has remained low.

According to information on aboriginal education provided at the First Ministers Meeting in Kelowna (AFN 2005), from 1987 to 2004-05, the number of registered First Nations and Inuit students enrolled in post-secondary education funded by Indian and Northern Affairs Canada increased from approximately 14,000 to about 24,000. Almost all post-secondary funding is administered by First Nations and Inuit organizations. About 4,500 of these students graduate annually.

While limited statistics are available for the Yukon, if aggregate Yukon Achievement Test (YAT) scores are compared to average YAT scores for First Nations students it appears that Yukon aboriginal students still do not perform at the same level as non-aboriginal students in standardized achievement tests (Department of Education 2006). In 2005–2006 the percentage of First Nations graduates rose to 20 percent up, from 16 percent from the previous year (Department of Education 2006, p. 57). This percentage is based on the number of graduates, however, not the number of First Nations students in the system overall. The department also reports a high graduation rate (91 percent) for First Nations students in 2005–2006, although graduation rates are calculated by dividing the number of students who graduate by the number of students with the potential to graduate (the potential to graduate is defined as any student enrolled in grade 12 at the end of that year provided he or she passed all the courses in which he or she was enrolled). This may create a distorted perception of the number of graduates as a percentage to the overall school population.

The Report of the Auditor General of Canada 2004 states: “We remain concerned that a significant education gap exists between First Nations people living on reserves and the Canadian population as a whole and the time estimated to close the gap has increased slightly from about 27 years to 28 years” (Canada: Office of the Auditor General 2004, p. 1).

The need to improve the grades and performance of First Nations students has been recognized regionally, nationally and internationally by all levels of government and a number of organizations, including the Council of Ministers of Education Canada, Society of the Advancement of Excellence in Education, Indian and Northern Affairs Canada, Assembly of First Nations, Council of Yukon First Nations and Yukon First Nations themselves. Several Yukon First Nations are initiating change in this area. The Vuntut Gwitchin First Nation of Old Crow, in collaboration with the local school, offers land-based experiential learning opportunities for students. As part of their schooling Old Crow students spend time on the Crow flats learning about the land and traditional knowledge. Champagne and Aishihik First Nations have undertaken preschool language immersion initiatives aimed at increasing the number of aboriginal language speakers. Members of the Kwanlin Dün First Nation support cultural activities in the Elijah Smith Elementary School by teaching traditional dances to First Nations and non-First Nations students.

National models

Education has been delivered to First Nations students in Canada in four primary ways:

- traditional First Nations education;
- federally sponsored residential schools;
- provincial/territorial public school systems; and
- local schools operated by First Nations.

Today, many initiatives are underway across Canada to enable First Nations to assume responsibility for education in order to improve the achievements of aboriginal students. Recognition of First Nations' jurisdiction over education is being negotiated by First Nations in Quebec, Ontario, Manitoba, Saskatchewan, Alberta, British Columbia, Yukon and the Northwest Territories. Several areas are key to these discussions:

- improving student performance and achievement levels;
- cultural and language components;
- traditional instructional methods; and
- immersion programs.

Many First Nations feel they can achieve these goals through discussions and partnerships with other governments. In some instances, bilateral and trilateral agreements have been or are being developed to this end. Three examples of this approach follow.

James Bay and Northern Quebec Agreement

In a background paper for the Assembly of First Nations, *Building a Foundation for First Nations Jurisdiction over Education*, Morgan (2005) noted: "In 1981, the Cree made presentations to the House of Commons Standing Committee on Indian Affairs and Northern Development. Key among their concerns in relation to education was inadequate funding, which made it impossible for the School Board to fulfill certain aspects of its mandate, especially with respect to the development of curriculum and the establishment of teaching materials based on the Cree language" (p.38).

The Cree chose to create a school board with specific powers under the province's jurisdiction. The Cree School Board has a mandate to ensure that education programs are culturally relevant, and to develop a certification process for culture and language teachers. As a provincial school board, the Cree School Board receives limited funding from the federal government.

The board's responsibilities include elementary, secondary and adult education. Instruction can be carried out in Cree. The agreement also gives the Cree School Board specific powers regarding curriculum development, establishment of programs based on Cree culture and language, hiring of teachers, and control of administration.

In the chapter "The Cree Experience" in *Indian Education in Canada*, Billy Diamond, Chair of the Cree School Board, listed a number of serious concerns regarding implementation of the agreement by Canada and Quebec, but concluded by stating: "Indian control of Indian education is not an easy thing to bring about, even when you have signed an agreement which is designed to facilitate the process. Our fights with Canada and the province continue, but we feel we have gained their respect because of our ability to properly operate our board. We are convinced that, in the end, Cree education will be provided to all of our people in the manner that we proposed in the agreement" (Diamond 1987, pp. 95-96).

Nunavut

In Nunavut the power to enact laws with respect to education are set out in the *Nunavut Act*, the federal statute that establishes the territory, its government and its authority. Generally, the *Act* provides for the legislature to make laws that would establish public or separate schools. The territory may also make laws that promote the preservation, use and promotion of the Inuktitut language. The Inuit share decision-making authority with all other residents of Nunavut; however, because a large percent of the population is Inuit, they have a majority voice.

Nisga'a Final Agreement

Under the Nisga'a Final Agreement the Nisga'a government may make laws that promote and preserve First Nations culture and language. This includes pre-school to grade 12 as well as post-secondary education. In the event of any inconsistency between Nisga'a law and federal or provincial laws of general application, the First Nation's law prevails.

Currently, the Nisga'a controls a school district that was established under provincial law. The First Nation also has the authority to establish a school board to replace an existing one. As is the case with many other First Nations, the Nisga'a is grappling with several key issues related to education:

- setting up educational institutions;
- teacher certification and training;
- curriculum development; and
- teaching aboriginal languages and culture.

As self-government evolves, Yukon First Nations struggle with the need to increase human resource capacity and training and with the other challenges that governments face regarding competing needs and limited resources. Another challenge is the fact that many First Nations families are transient due to employment opportunities, health, family issues and so on. First Nations students may need to move from one education system to another or one school to another, which will require flexibility on the part of the education system.

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Education Reform Project

Position Papers

Government-to-government partnership

An effective partnership between the Government of Yukon and First Nations, based on a mutually respectful approach, can advance the educational agenda and fulfill the mandate of the Education Reform Project. It can help make the educational system more responsive to First Nations communities and to all Yukon communities and citizens.

DEFINITION: If the Education Reform Project does as it was mandated to do — “increase the involvement of First Nations in schools and in the decision-making process regarding education in Yukon” (Government of Yukon and CYFN 2005) — what would this partnership look like? It is first necessary to define those characteristics of a partnership that are essential to maintain the relationship and ensure its long-term viability.

The Education Reform Project team adopted the definition of partnership used by the Royal Commission on Aboriginal Peoples (RCAP). According to Dr. James Tully, advisor to RCAP, the commission defined partnerships in the following way: “relationships that are worked out on the basis of nation-to-nation negotiations amongst equals who reach agreements by means of consent on both sides and no subordination on either side” (Tully 1997).

ELEMENTS OF PARTNERSHIPS:

Any viable working partnership with First Nations needs to take these factors into account:

- inherent right to self-government;
- First Nations input;
- access to information;
- equality;
- using treaties as a model;
- applicability;
- legislation;
- collaboration;
- community-based model;
- non-binding aspect;
- resources;
- structure;
- consultation; and
- transitional nature.

These topics arise repeatedly in discussions with stakeholders and are highlighted in contemporary and past research. They are crucial to First Nations involvement.



It is first necessary to define those characteristics of a partnership that are necessary to maintain the relationship and ensure its long-term viability.

Equitable access to information is essential to partnerships.

INHERENT RIGHT TO SELF-GOVERNMENT:

Nothing in a partnership should jeopardize in any way the rights and responsibilities secured in self-government agreements. It is also imperative that self-government agreements be interpreted correctly. A number of misunderstandings related to treaties have manifested themselves over the years. These misunderstandings arose, according to the Royal Commission (1996a), because of differing cultural values, and because the relationship between government and first peoples had been “characterized by disparity in power, violation of trust, and lingering unresolved disputes” (p. 7). Partnership agreements should contain a clause reaffirming the aboriginal and self-government rights guaranteed by Section 35 of the *Constitution Act, 1982*. The Royal Commission (1996b) supports such a stipulation in an agreement, and suggests that a partnership be designed as a protocol arrangement that states, “specifically that it is not a treaty but simply an intergovernmental agreement of a lesser nature that governs and, for certain purposes, defines rights and obligations derived from a treaty” (p. 81).

FIRST NATIONS’ INPUT: First Nations should have input on any aspect of an agreement that directly affects their members. It should be made clear at the initial stages of a partnership that such input is imperative. The concept of input or even approval over some decisions may be a difficult hurdle to overcome in a partnership. If, however, there is an understanding of the past relationship between government and First Nations, then ensuring that First Nations have input over matters

directly affecting their communities and members should not be an obstacle. First Nations will be reluctant to place themselves in a position where a majority vote by others would impose a decision on their members.

RCAP (1996c) concurs with the necessity for understanding and in its recommendation 5.4.1(b) recommends that, “public education should involve both the sharing of information and a process of interaction, leading in time to a shared sense of advocacy and of public support” (p. 94).

ACCESS TO INFORMATION:

Knowledge and information, and access and control of this knowledge and information is a source of power, as noted by Morgan (1986). It gives a person or a group the ability to direct, control, analyze, summarize, shape and filter information to advance its own agenda (p. 167).

Equitable access to information is essential to partnerships. There are a number of reasons for this:

- For First Nations, the primary benefit of a partnership would be access to information about budgets, staffing, curriculum and administration. Many First Nations do not have the personnel or resources necessary to obtain pertinent information.
- Because many First Nations are geographically isolated and operate as independent entities, they may have to spend time and resources searching for information that is readily available elsewhere or easily available to others within the education system.

- As federal agencies devolve their responsibilities, and First Nations become self-governing, the tasks of assuming control, while simultaneously establishing a necessary infrastructure, may become onerous for First Nations.
- Many territorial agencies, especially those related to education, have developed expertise that may be of assistance to First Nations as they begin addressing educational concerns.
- Having access to relevant, accurate information is critical to First Nations who are establishing new educational initiatives of their own.

EQUALITY: Equality is essential in a partnership. A partnership agreement should not — whether intentionally or unintentionally — make one partner subservient to another. Too often in past agreements, because of the way legislation was drafted or through lack of experience, First Nations have not been truly equal partners.

RCAP (1996d) called for the Crown to “restore its relationship with treaty nations to a true partnership” (p.43). According to the commission, this will require, “the mutual agreement of the treaty parties to share a territory and its benefits and thereby establish a continuing and irrevocable relationship of coexistence” (p.42). Extending these principles to a partnership agreement would help build a relationship that is fair and equal.

USING TREATIES AS A MODEL: In early years, the French and British Crowns committed themselves to a relationship of peaceful coexistence and non-interference

with aboriginal nations. Treaties were established on a nation-to-nation basis. According to the Royal Commission (1996b), “the French and British Crowns recognized the Aboriginal nations as self-governing entities with their own system of laws and governance and agreed to respect them as such” (p. 2). This relationship continued for centuries and is still the preferred method of establishing effective partnerships for First Nations. The “nation-to-nation” concept is recognized by all First Nations and the Government of Canada and this aspect of the original treaty concept should be the basic premise when establishing a partnership.

APPLICABILITY: Any partnership agreement between First Nations and governments should apply to each First Nation individually. Expectations that one partnership agreement can be universally acceptable to all First Nations are unrealistic. First Nations tend to be small groups, with different and specific needs. They value their autonomy and their rights. Recognizing the autonomy and individuality of First Nations is an extension of the nation-to-nation concept.

LEGISLATION: Various levels of government may need to change legislation that could restrict the establishment or the ongoing success of new governance structures. Legislation is in place to allow for partnerships, as was pointed out in the 2002 review of the *Education Act* and the regulations in Part 5 of the *Act*.

There are instances, however, where existing legislation may not go far enough or is prohibitive to partnership

Equality is essential in a partnership.

development. For example, Part 5 of the *Education Act* — which speaks to Language of Instruction, Aboriginal Languages, Central Indian Education Authorities, Yukon Heritage and Environment and Cultural Activities — is potentially progressive in that it gives Yukon First Nations considerable representation in developing curriculum for Yukon public schools. It also commits the education administration, both in the schools and at the department, to relationships and partnerships with First Nations. Many First Nations people, however, feel that it doesn't go far enough. In fact, this part of the Act has never been utilized; further, it does not recognize the nation-to-nation concept suggested by RCAP as an essential component of partnership development.

COLLABORATION: No one person or group in a partnership should have the power to impose its will over others. In order to ensure that power is shared, all partners have to embrace the concepts of understanding, respect and nation-to-nation agreements. The Yukon's Department of Education wishes to work collaboratively with First Nations, and a collaborative approach removes many of the obstacles that have prevented effective partnerships in the past. In addition, a shared partnership agreement means that partners would not have to concern themselves with the lobbying and positioning that tends to accompany a non-collaborative relationship. They can instead focus their energy on the work to be done.

COMMUNITY-BASED MODEL: A partnership should not be imposed from the top down; instead, it should be structured in a way that ensures

grassroots input and support. The success of a partnership will depend on the partners' ability to involve the community. This will help address First Nations' concerns about being equal partners. It also better reflects a culture that traditionally reaches agreement through consensus.

NON-LEGAL AND NON-BINDING: Partnership agreements should be non-legal and non-binding entities that can be dissolved at any point. This would either partner to opt out if necessary. Structuring agreements in this way ensures that First Nations' leaders will have control over decisions related to their members. RCAP (1996d) recommends to treaty parties that "they put their agreements in writing and that they include in them dispute resolution mechanisms that can be invoked by either or both treaty parties" (p.81). This approach could assist in preventing or resolving future disputes.

RESOURCES: Adequate resources of all kinds — time, money, infrastructure, expertise and staff — must be in place to ensure the success of any partnership initiative. According to Hylton (1994), one of the substantial barriers to self-government initiatives is the fact that, after years of government authority, many communities are "ill equipped to forge ahead quickly with any new arrangements that would place an increased burden of responsibility on already overtaxed community leaders" (p.246). RCAP (1996b) also recognized this fact when they stated that not all recommendations could be implemented as "governments do not have the financial resources and aboriginal nations do not have the

Adequate resources of all kinds — time, money, infrastructure, expertise and staff — must be in place to ensure the success of any partnership initiative.

human resources to absorb and manage simultaneous change on all fronts” (p.20). The success of a particular partnership agreement will depend on the partners’ willingness to address this issue.

STRUCTURE: Years of what RCAP (1996a) referred to as the “raw intrusiveness of the instruments of policy” has engendered an attitude of mistrust between First Nations and government. Government have implemented initiatives without any consideration of their impact on First Nations. Many aboriginal people consider non-aboriginal political institutions — and the power and authority of these institutions — to be illegitimate. A partnership agreement should stipulate that it is not necessary to assume any one partner’s rules and regulations. Partnership structures must also ensure representation and key responsibilities for aboriginal people.

CONSULTATION: Information about partnerships and other aspects of governance must be provided to First Nations and other members of the public. It should be done in a way that ensures community understanding and support for new partnerships while incorporating an appreciation of

First Nations’ culture and viewpoints. All members of a partnership will have to take those measures necessary to come to an understanding of the other side’s position. Such measures include cross-cultural workshops, professional development and training sessions and consultation with First Nations members. RCAP (1996b) expressed a view that if such actions were undertaken, “the old relationship of paternalism and prejudice will have been rejected and, in its place, a foundation laid for a new partnership founded on responsibility and mutual respect” (p.21).

TRANSITIONAL NATURE: Partnerships should be considered transitional in nature. Not all First Nation communities have the same levels of expertise and resources. The specific elements of a partnership will depend on a First Nation’s level of expertise and the availability of resources. Partnerships will evolve over time. This transitional nature should be acknowledged and understood prior to entering a partnership. Partnership agreements, as described here, could potentially assist those First Nations who choose to exercise authority over their educational systems.

The specific elements of a partnership will depend on a First Nation’s level of expertise and the availability of resources.

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RECOMMENDATIONS

RECOMMENDATION 1. The Government of Yukon and Yukon First Nation governments should agree to a definition of educational partnerships through a Memorandum of Understanding.

RECOMMENDATION 2. The Yukon government should examine existing legislation and identify articles or clauses that are potential barriers to developing effective partnerships with First Nations.

Proposed governance structure

A NEW EDUCATION GOVERNANCE MODEL is needed, one that will support life-long learning. Any education governance structure has to be based on partner involvement and community empowerment. Any discussion of governance that does not address these goals will fall short of the demands heard during initial consultations and previous other community consultations and reports.

In order to be effective and inclusive the education system has to include a range of partners, organizations and elected officials whose sole intent is to provide the best educational service possible. The new governance structure proposed here is intended to be a bottom-up, participatory model that is open to input from a broad range of groups and individuals. It will allow the educational system to be more effective, more inclusive and more responsive to the concerns of all its partners, including First Nations communities.

BACKGROUND: The document *Indian Control of Indian Education* (NIB/AFN 1972) states the premise of First Nations people reclaiming the “right to direct the education” of their children. This reflects two well-recognized educational principles: parental responsibility and local control of education (p. 3). The report further states that, “if integration for Indians is to have any positive meaning, it must be related to the opportunity for parental participation in the educational decision-making process” (p. 7).

The landmark document *Together Today for Our Children Tomorrow* (Yukon Native Brotherhood 1973) clearly delineated the position of Yukon First Nations respecting education: “We do not want separate schools for Indians, but, unless the present ones are going to meet our need, we will be forced to take another look at separate Indian schools” (p. 21).

Kwiya, The Final Report: Towards a New Partnership in Education (JCIET 1987), published 14 years later, reflected the same sentiment. It outlined the need for the educational system to meet the learning needs of First Nations students and involve First Nations in an effective and meaningful way: “The absence of direct Indian parental responsibility and local control over education, in spite of past commitments to such policies by federal and territorial governments, can be cited as one major reason for the re-emergence of the call among some segments of the Indian population for a separate school system” (p. 33).

In 1990, the Council of Yukon Indians (CYI) raised the issue of involvement yet again, with concerns that the proposed legislation was inadequate since it failed to address the issue of Indian parental control.



This new governance structure proposed here is intended to be a bottom-up, participatory model that is open to input from a broad range of groups and individuals.

The authors of the *Education Act* and the legislators of the day recognized a need for legislation that would allow for significant input by parents, communities and partners into the decisions that affect Yukon students.

Today the call for separate First Nation schools or a First Nations school system is as prevalent as it was 34 years ago. The same concerns and issues were raised with members of the current Education Reform Project team during pre-consultation meetings and in discussions with First Nations members and leaders. There are several reasons for this:

- the level of frustration that many First Nations people feel about the educational system in general;
- the disparity between First Nations and non-First Nations student achievement;
- the lack of culturally relevant curriculum;
- the lack of opportunity for meaningful involvement in the delivery of an educational program;
- the perceived and actual systemic barriers within the education system; and
- the slow pace of progress toward acceptable measures of control over First Nations education.

First Nations have issued numerous other studies, recommendations and demands related to the need for governance structures that respect the fundamental rights of First Nations, and the right to be consulted and intimately involved in the educational decisions that affect their children.

The desire for a new education governance structure is not limited to First Nations. The authors of the 1990 *Education Act* and the legislators of the day recognized a need for legislation that would allow for significant input by parents, communities and partners into the decisions that affect Yukon students.

Without this recognition the legislation would not be as forward thinking as it is.

When the current *Education Act* was introduced in 1990 it was hailed by many people as progressive legislation, since it set the stage for grass-roots community involvement. An example of this can be found in the publication *Understanding Canadian Schools: An Introduction to Educational Administration*: “The Yukon, with the passing of the 1990 *Education Act*, has perhaps gone further than any other jurisdiction to decentralize and democratize its educational system, and to establish a broad base for the local participation in, and control over, schools” (Levin and Young 1994: 46).

In the document *Renewing the Partnership: Draft Recommendations (Education Act Review 2001)* the *Education Act* Review Committee stated that a new governance model for public schools in the Yukon was needed (pp. 70-71), based on several observations:

- Much of the *Education Act* is based on the concept of school board governance, although after nearly 20 years only one small board exists.
- The current governance model does not adequately provide for a true partnership with the people who it affects.
- Parents feel powerless in the current governance model. The school council structure has not provided an adequate level of involvement for them in shaping the kind of school they want for their children.
- First Nations people are frustrated because their children are less successful in school than non-First

Nations students. They want a part in the decision-making process to make sure that their children will do better. First Nations parents are also not satisfied with the curriculum.

- The partnership that was envisaged in the creation of the *Education Act* has not survived implementation. The concept of a school board in every community, and several boards in Whitehorse, has failed to meet the test of public interest.

The committee visualized a Yukon-wide governance model encompassing all Yukon schools in the form of school boards rather than, or in addition to, school councils. Their recommendation was based on the boards' perceived ability to influence decision-making.

SCHOOL COUNCILS: Despite the provisions in the *Education Act* for school boards, which would support more community participation, in the 17 years since the *Act* was passed only three school councils have explored the possibility of evolving to a school board, and only one school board has been formed.

The majority of Yukon citizens, partners, educators and politicians seem to agree that the existing legislation does support community and partner involvement. This raises several questions:

- Why is there only one school board in Yukon?
- Why have communities not embraced the potential for substantial authority over the operation of their local school?
- Have school councils been encouraged to assume more

authorities over the operations of their school?

- Have school councils been encouraged to evolve into school boards?
- Are there sufficient mechanisms in place to enable and support school councils to evolve and assume the authorities afforded by the *Education Act*?

During the *Education Act* Review (2002-2004) it became apparent there was a general perception that school councils lack authority and are subservient to the school's administration and the Department of Education. Because of this perception many people were reluctant to involve themselves in school councils.

The present elected term for school councils may not be long enough. School councils are constantly in a state of flux, with not enough time for members to be able to understand the issues and propose solutions.

In addition, school council members do not appear to be well versed in important topics such as school budgets, Department of Education budgets, the *Education Act*, collective agreements, public schools policies, the *Education Staff Relations Act* and other issues central to the operation of schools in Yukon.

School councils are integral to any initiatives related to education governance, community involvement, empowerment and partnership. Without an enhanced and supported school council — one able to be fully involved in the operations of a school — community empowerment is not

The majority of Yukon citizens, partners, educators and politicians seem to agree that the existing legislation does support community and partner involvement.

Locally elected school boards, councils and committees should be involved in the development and approval of all public school policies.

possible. And without community involvement, the intent of the *Education Act* will not be realized.

INCREASED RESPONSIBILITIES:

There are several areas where school councils should have more input. This should give communities more input into the decisions that affect their schools.

These additional responsibilities for school councils should be included in the *Education Act*:

- involvement in selecting school-based staff;
- recommending staff hiring for the Department of Education;
- involvement in staff performance evaluation;
- an enhanced role in evaluation of site-based administrators;
- involvement with school budgets;
- approval of school budget expenditures;
- timetable approval (teachers and students);
- approval of educational field trips;
- advance approval of educational day trips;
- being informed of all school-raised funds and expenditures;
- development and approval of the school-year calendar;
- community use of school facilities;
- development and approval of local policies;
- approval of over-aged students enrolling in secondary schools; and
- responsibilities delegated to them by the Minister of Education based on requests as per Section 9 of the *Education Act*.

POLICY DEVELOPMENT:

Locally elected school boards, councils and committees should be involved in the development and approval of all public school policies. They should also assume responsibility for the development and approval of local school policies in the following areas:

- policy and procedures regarding attendance and truancy;
- policy and procedures regarding student attendance during extreme weather conditions;
- policy and procedures regarding a student code of behaviour and student suspension and expulsion;
- community use of school buildings and equipment;
- length of school day, lunch break and recesses, in keeping with the provisions of the *Education Act* and its requirements;
- provisions for religious instruction for students;
- implementation of new programs and activities;
- development and/or review of all policies, guidelines or procedures;
- hours of instruction for aboriginal languages;
- field trip participant selection and adherence to curriculum; and
- other areas as agreed to through discussions with the Department of Education or with the Minister of Education through Section 9 of the *Education Act*.

SHARING INFORMATION:

School councils and school boards need to be aware of each others' initiatives, school plans, school calendars, staffing, programs, issues and successes.

Systematic and consistent application of decisions across the jurisdiction is needed.

School councils need to understand the impacts of their decisions on other schools; for example, a decision to hire an additional staff member in one community may mean that another school can hire one less person. The existence of the education consortium (see page 7) should ensure that all participants have equitable access to information.

Under the proposed governance structure, school councils would meet on a regular basis, as they do now. Minutes of the meeting would be forwarded to the Department of Education, who would review all motions and take action if possible. The Superintendent of Schools would respond to each school council, outlining the responses to their motions. In addition, at the regular meeting of the Educational Consortium, the superintendent would provide the minutes and inform the consortium of the department's response.

A NEW APPROACH: An education governance structure — with the necessary administrative supports — is needed to address the issues identified by the *Education Act* Review Committee. During the review process of 2002–2004 Yukoners made it clear that the important issues in education were the systemic barriers they perceived. A new approach is needed, one that is inclusive and responsive.

No government, regardless of its political persuasion, will be eager to share approximately one fifth of its

budget with another elected body. This is not a criticism of elected officials or government, but of the context that public officials work within.

The Yukon is a small jurisdiction and people have easy access to public officials. This allows individuals and interest groups to further their own causes, and increases the likelihood that educational decisions will be based on political demands rather than educational considerations. The challenge is to develop a governance model that allows for significant input and influence by educational partners while simultaneously ensuring that education needs and not politics drives the decision-making.

PROPOSED STRUCTURE: The existing education system is perceived as hierarchical and resistant to community input. The governance structure proposed here (figure 1) would allow government to become more responsive to the wishes of the larger educational community. The structure would have the following characteristics:

- facilitating a broad community input in education;
- providing First Nations representation;
- shifting many decisions away from the Department of Education,
- senior administrative support; and
- facilitating educational decisions based on instructional, not political, needs.

The governance structure proposed here is intended to build a more collaborative relationship among education partners, broaden

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The governance structure proposed here provides opportunities for all partners to participate and contribute.

participation in the education system and increase First Nations involvement. It is designed to better meet the needs of students and to make educational decision-making more transparent and more participatory.

Responsibilities will likely change as the governance structure matures. The goal is to provide an operational concept that incorporates the concerns and objectives of the various education partners.

The structure provided here is a proposal only, not a definitive listing of roles and responsibilities. There are three reasons why the concept is proposed in general terms only:

- A governance structure will grow and evolve with time. People who are involved with education in a meaningful way should determine this growth and development.
- The Education Reform Team wants to encourage discussion on all aspects of the proposed concept. A definitive listing could potentially discourage this.
- The team members have not yet heard all of the issues that are important to communities and they want Yukoners to understand that what is being proposed is not final.

PARTICIPANTS: The governance structure proposed here provides opportunities for all partners to participate and contribute. Four groups are crucial to this proposed governance structure: a Yukon First Nations Education Committee; an Education Executive Committee; an Education Consortium and school councils.

YUKON FIRST NATIONS

EDUCATION COMMITTEE: The Yukon First Nations Education Committee should have representatives from each of the Yukon's eight major languages (Gwich'in, Hän, Kaska, Northern Tutchone, Southern Tutchone, Tagish, Tlingit and Upper Tanana) plus one member at large who is either chosen by the six members or is a representative of the Assembly of First Nations.

EDUCATION EXECUTIVE

COMMITTEE: This committee would have three members:

- Minister of Education;
- Chair, Yukon Chiefs Committee on Education (YCCOE); and
- Chair, Education Consortium.

The committee's purpose is to increase involvement of First Nations in schools and in the decision-making process regarding education, as outlined in the mandate of the Education Reform Project (Government of Yukon and CYFN 2005). It is intended to be part of a government-to-government educational partnership.

The Education Executive Committee would meet on a quarterly basis. It would discuss topics such as those listed below and forward its recommendations to government for consideration and final deliberation:

- education budget proposals;
- program implementation;
- language initiatives;
- staffing protocols at the Department of Education;
- school councils;
- community involvement;

- decentralization of decision-making to schools and communities;
- devolution of powers to school boards/school councils;
- capital construction;
- how school boards are formed;
- post-secondary issues; and
- any topics requested by the committee, the Minister or the Department of Education.

EDUCATION CONSORTIUM: An Education Consortium — consisting of a broad representation of educational partners including First Nations, school councils, government departments and organizations — should be formed.

The Education Consortium would have two representatives from each of the following groups:

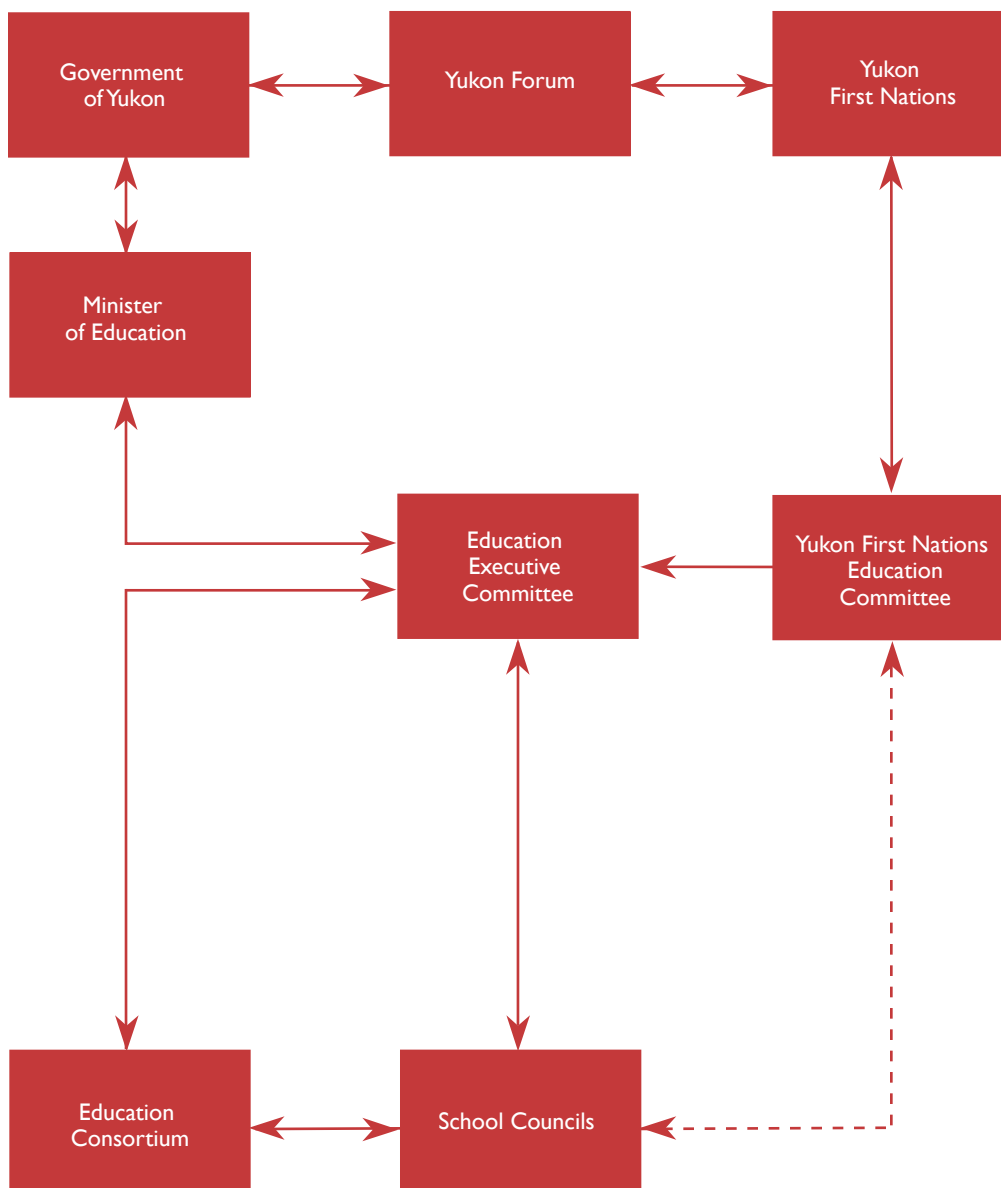


Figure 1. Proposed governance structure

The Education

Consortium is visualized as a working group with access to educational expertise.

- secondary school councils, Whitehorse;
- elementary school councils, Whitehorse; and
- elementary school councils, rural Yukon.

It would also have one representative from each of the following groups:

- Carcross/Tagish First Nation;
- Champagne and Aishihik First Nations;
- First Nation of Na-cho Nyak Dun;
- Little Salmon/Carmacks First Nation;
- Selkirk First Nation;
- Kluane First Nation;
- Kwanlin Dün First Nation;
- Liard First Nation;
- Ross River Dena Council;
- Ta'an Kwäch'än Council;
- Teslin Tlingit Council;
- Tr'ondëk Hwëch'in;
- Vuntut Gwitch'in First Nation;
- White River First Nation;
- secondary school councils, rural Yukon;
- Francophone school board;
- Catholic schools in Yukon;
- Yukon Teachers' Association;
- Yukon College;
- Department of Indian and Northern Affairs Canada;
- Department of Health and Social Services; and
- Department of Justice.

Although this is a large and potentially cumbersome group, these participants are essential to ensure an inclusive and comprehensive dialogue on education. The consortium is designed to improve

the educational system by providing recommendations from a diverse and representative Yukon body.

The Education Consortium would be the next generation of school board. That is, it would deal with more than the traditional areas addressed by school boards; in particular, the “three Bs” (budgets, buildings and buses) for which school boards are often criticized. The consortium is designed to do two things: set the educational agenda of the territory and act as a primary advisor to the Education Executive Committee.

The Education Consortium is visualized as a working group with access to educational expertise. The consortium — with administrative support from the Superintendent of Schools — would discuss educational issues and best practices and make decisions on the basis of consensus. Consortium members would have input to the Education Executive Committee, which would in turn make recommendations to the Minister.

There would be no restrictions on what the consortium deals with. The scope of discussions would be limited only by interest and time. This structure is recommended rather than the traditional school board model primarily because school boards often become mired in the day-to-day operations of a jurisdiction rather than setting goals and determining educational agendas. Their scope is limited to school operations and policy rather than broad discussions of important educational issues. Only through such wide-ranging discussions, however, can an organization be changed and enhanced.

TRAINING: In-service and professional development is an integral part of any education governance structure. Members need access to information in order to make informed decisions. In addition, the members of education governance structures must be aware of any policies, regulations, agreements and documentation that affect the operation of a school. Members of the Education Consortium would require training or briefing in a range of topics, including the following:

- relevant legislation, including the *Education Act*, *Education Staff Relations Act*, *Access to Information and Protection of Privacy Act (ATIPP)* and the Yukon Teachers' Association collective agreement;
- meeting procedures and hiring protocols;
- education issues such as Department of Education structure, curriculum, examinations and results, and graduation requirements;
- First Nations issues such as land claims, self-government, and traditional cultures and histories; and
- relevant documents, such as the Yukon Education Policy Manual (Department of Education 2005), Department of Education Annual Reports, *Together Today for Our Children Tomorrow* (Yukon Native Brotherhood 1973), and *Kwiya, The Final Report: Towards a New Partnership in Education* (JCIET 1987).

ADMINISTRATIVE CHANGE:

Any changes related to governance, school councils or community input will require an accompanying change of administrative supports. All the education partners should have input into these changes.

In order to decrease the gap between the educational performance of First Nations and non-First Nations students, and to bring about effective partnership, a significant First Nations presence is needed in the Department of Education. This presence has to extend to the senior decision-making level, including a new Assistant Deputy Minister position, responsible for First Nations programs and services.

The Department of Education and the federal government should provide Yukon First Nations with the financial support necessary to ensure the effective operation of an Education Steering Committee for CYFN. This will provide CYFN with the administrative support to contribute to the education system.

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RECOMMENDATIONS

RECOMMENDATION 1. The Government of Yukon and Yukon First Nations governments should establish a working group with a mandate to explore mechanisms that will facilitate the establishment of a shared governance model for education.

RECOMMENDATION 2. The Government of Yukon should examine existing legislation and identify articles or clauses that are potential barriers to effective partnerships with First Nations.

RECOMMENDATION 3. Council of Yukon First Nations (CYFN) leadership should review the membership of the Yukon Chiefs Committee on Education (YCCOE) with the intent of forming a Yukon First Nations Education Committee which will represent CYFN and all First Nations on educational matters.

RECOMMENDATION 4. The Government of Yukon, in partnership with Yukon First Nations, should form an Education Executive Committee and provide all the operational, financial, human resource and administrative supports required.

RECOMMENDATION 5. The Department of Education should enter into discussions with school councils and First Nations to explore areas of enhanced responsibilities that school councils may wish to assume.

RECOMMENDATION 6. First Nations representation on school councils should be guaranteed in proportion to community demographics.

RECOMMENDATION 7. School councils should be elected for a three-year term, with elections being held in the spring.

RECOMMENDATION 8. The Government of Yukon, in partnership with Yukon First Nations, should make recommendations to the Education Executive Committee regarding the formation of, and the membership of, an Education Consortium.

RECOMMENDATION 9. Education should be a standing agenda item at every meeting of the Yukon Forum.

RECOMMENDATION 10. The Department of Education should create a third Assistant Deputy Minister position, responsible for First Nations programs and services.

RECOMMENDATION 11. The Governments of Yukon and Canada should provide ongoing funding to Yukon First Nations for the First Nations Education Steering Committee and the Yukon First Nations Education Secretariat.

First Nations curriculum

THROUGH PARTNERSHIP AND INNOVATION, aboriginal curriculum initiatives may assist in improving the academic achievements of First Nations students within the public school system. These efforts will require practical goals and objectives, strategic planning and legislative and policy support.

Statistics Canada estimates that the aboriginal population is likely to see larger increases than the non-aboriginal population in the next decade (Statistics Canada 2005). It is imperative that aboriginal curriculum be delivered to this growing number of First Nations learners. If the Yukon is to adopt the goals of inclusion and respect of the Canadian Multiculturalism Act (Canada 1985) the incorporation of First Nations curriculum materials is a natural step. The goal of incorporating aboriginal curriculum is to increase the academic achievements of all Yukon students.

The delivery of aboriginal curriculum resources is also essential if the Yukon public school system is to meet the needs of its diverse student population. Incorporating these resources will enrich the educational experiences of all Yukon students. The use of culturally responsive materials in public schools can be a positive experience for students, as has been the case with Elijah Smith Elementary School's inclusion initiatives. These efforts involved staff members and programs from Kwanlin Dün First Nation (Bell 2004, pp. 123, 127).

Providing information about aboriginal culture in an educational setting may help build self-esteem, nurture a sense of pride and instill a sense of belonging for First Nations students. It is hoped

that incorporating cultural education in the curriculum will not merely provide information to students, but facilitate their personal growth.

In the Yukon, all First Nations languages are at risk of disappearing over the next few generations due to a lack of fluent speakers. A comprehensive language curriculum, including a cultural component, is needed. It is hoped that a community-wide use of First Nations curriculum may help to reverse this decline.

NEXT STEPS: The current curriculum needs to be evaluated to assess how best to incorporate First Nations curriculum. This evaluation should have input from all First Nations communities, and should involve existing education committees, such as the Yukon First Nation Education Advisory Committee (YFNEAC).

First Nations curriculum materials must reflect both the commonalities and the diversity of Yukon First Nations culture and traditions. In the Yukon, a universal curriculum could be developed similar to the Northwest Territories' Dene Kede program, which also incorporates planning for specific cultural communities. Educational outcomes could be determined according to a similar framework.



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First Nations

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Aboriginal curriculum could be successfully delivered within the mainstream curriculum, rather than as a stand-alone module. It would, however, require different instruction and evaluation methods. Development of First Nations curriculum materials must include input from all communities and the outcomes must incorporate First Nations values and goals.

The mainstream curriculum should include a First Nations component at all levels (K-12) as detailed in the Western and Northern Canadian Protocol's Common Curriculum Framework for Aboriginal Language and Culture Programs. The framework outlines in detail cultural outcomes for all levels from Kindergarten to Grade 12 and provides examples of how to incorporate the framework's approach when planning for specific cultural communities (Western and Northern Canadian Protocol 2000, pp. 26–27 and 121).

BACKGROUND: All Yukon students deserve full access to post-secondary education, training and employment opportunities. Despite attempts to implement inclusive policies and regulations under Yukon's *Education Act* (Government of Yukon 2002), aboriginal students continue to graduate from secondary school at a lower rate than their non-aboriginal peers. The Office of the Auditor General (2004) has noted that, "a significant education gap exist between First Nations people living on reserves and the Canadian population as a whole and that the time estimated to close this gap has increased slightly, from about 27 to 28 years." This affects their earning potential in later years;

First Nations people have a higher unemployment rate and lower median household income than the non-aboriginal population (Yukon Bureau of Statistics 2001).

Yukon First Nations want more involvement in the decisions involving the education of their children. Self-government agreements provide self-governing First Nations with law-making authority in specific areas of First Nations jurisdiction, including education.

The Yukon Department of Education follows the B.C. Ministry of Education's Intended Resource Packages (IRPs) for educational outcomes. The *Education Act* includes statutes pertaining to locally-developed curricula. The Department of Education's recently established First Nations Programs and Partnerships unit is in the process of developing aboriginal curriculum materials. There are examples of successful and inclusive First Nations content in Yukon schools, although most initiatives have been carried out on an ad hoc basis (Bell 2004).

A NEW APPROACH: Many aboriginal educators advocate for an approach that reflects traditional practices and acknowledges First Nations' "ways of knowing, doing, thinking and being" (Martin 2003). First Nations methodologies incorporate experiential learning in the framework of an oral tradition. The Royal Commission on Aboriginal Peoples (RCAP 1996) advocates that in order for First Nations students to succeed, programs and initiatives must embrace the principle of lifelong learning.

Other jurisdictions can provide lessons for the Yukon in its efforts to incorporate First Nations curriculum:

- The Northwest Territories government implements the Dene Kede program for K-6, which advocates experiential learning and was developed in consultation with elders representing the five Dene regions of the NWT. Its purpose is “to provide children with the knowledge, skills and attitudes which will guide them toward becoming capable citizens” (Government of the Northwest Territories 2007).
- The Alaska Native Knowledge Network’s website provides information on languages, teaching strategies and research papers for improving student success (Alaska Native Knowledge Network 2007).
- The Western and Northern Canadian Protocol has adopted The Common Curriculum Framework for Aboriginal Language and Culture Programs, Kindergarten to Grade 12 (Western and Northern Canadian Protocol 2000).

PARTICIPATION: A curriculum that incorporates First Nations values and beliefs requires the support of the community. All stakeholders must be willing participants in the development of new curriculum, especially First Nations language and culture programs. The Department of Education, in collaboration with Yukon First Nations, the Council for Yukon First Nations, and the Yukon Teachers’ Association, will need to establish common goals in developing First Nations curriculum.

The lack of senior aboriginal administrators and principals with a thorough understanding of traditional practices and values will continue to be a challenge in implementing these programs. More educators with this training are required. The use of First Nations mentors may be appropriate. In addition, new policies will need to be developed in regard to the establishment, monitoring, administration, and evaluation of First Nations curriculum.

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All stakeholders must be willing participants in the development of new curriculum, especially First Nations language and culture programs.

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RECOMMENDATIONS

RECOMMENDATION 1. The Department of Education, in conjunction with First Nations governments, should evaluate the existing curriculum in order to determine how best to incorporate First Nations curriculum.

RECOMMENDATION 2. The Department of Education should expand the Terms of Reference for the Yukon First Nations Education Advisory Committee to include the development of an aboriginal curriculum framework. Consultation with all stakeholders is essential to this successful undertaking and implementation.

RECOMMENDATION 3. The Department of Education, in collaboration with First Nations partners and all stakeholders, make any required changes to policies and administrative procedures necessary for the implementation of First Nations curriculum.

RECOMMENDATION 4. The Department of Education should involve First Nations teachers, elders and leaders in the development and implementation of First Nations curriculum materials.

RECOMMENDATION 5. The Department of Education, in partnership with Yukon First Nations, must provide training and technical support for educators on the successful delivery of First Nations curriculum initiatives.

Yukon First Nations languages

A PRACTICAL AND COORDINATED strategic plan must be crafted to develop legislation, policies and programs with Yukon First Nations (YFNs), governments and non-government institutions that will preserve, develop, and enhance aboriginal languages in the Yukon. A First Nations Aboriginal Language Institute (FNALI) should be established which is accountable to Yukon First Nations and which works in conjunction with the Governments of Yukon and Canada.

Currently, all eight Yukon indigenous languages are in critical danger of extinction. This in turn will lead to a failure to transfer knowledge between generations. A range of factors have contributed to the decline:

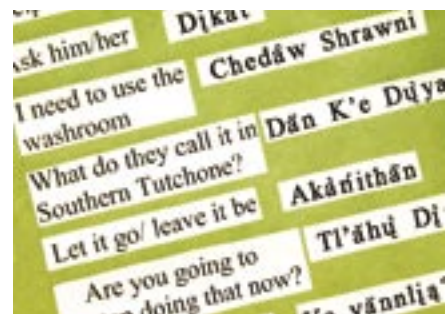
- the death of many fluent speakers;
- the predominance of the English language in Yukon First Nations (YFNs) societies;
- exposure to mass media, which is mostly in English;
- a lack of standardization of YFN orthography;
- a lack of integration of YFN languages in political, economic, educational and social sectors of society; and
- a lack of coordinated efforts of revitalization initiatives.

INTRODUCTION: Intervention is crucial if we are to reverse this language loss. Despite targeted financial support for aboriginal languages programs and services, and initiatives such as the Yukon *Language Act* of 1988, these efforts are failing to strengthen the use of aboriginal languages (AFN 2000). YFN children who take language lessons are not becoming fluent speakers.

Although many institutions in Canada and Yukon have recognized the need for revitalization strategies, no single initiative has successfully halted the continuing decline of YFN languages. Any further attempts must go beyond proposal-driven initiatives and be part of a comprehensive, long-term plan.

The recommendations made here provide both interim and long-term interventions to reverse language loss in Yukon First Nations and begin to shift language use from English to an aboriginal language.

Government programs and the Yukon's education system cannot achieve this revitalization alone. Under the *Education Act*, only 20–25 minutes per day are allotted for aboriginal languages. Reversing language loss will take the combined efforts of parents, elders, students, the communities, all three levels of government and the educational system. All initiatives will need to be supported by legislative change.



Any further attempts must go beyond proposal-driven initiatives and be part of a comprehensive, long-term plan.

The introduction of Western European languages had a profoundly negative effect on the use of traditional languages.

BACKGROUND: Yukon First Nations languages reflect a strong spiritual relationship between the people and the land. YFNs traditionally were survival-orientated societies; knowledge was passed from one generation to another by looking, listening and learning. Historically, all members of the First Nation assisted in the teaching and development of others. In addition, YFNs saw learning and instruction as lifelong pursuits. Information accumulated in this way over generations, together with traditional methods of teaching, ensured the group's survival.

The introduction of Western European languages had a profoundly negative effect on the use of indigenous languages. The establishment of trading posts and settlements, residential schools, and the assimilation policies of the late 19th century assailed YFN language and culture.

In the 1970s YFNs began the process of negotiations on land claims and self-government. The 1973 document, *Together Today for our Children Tomorrow* (Council for Yukon Indians 1973), outlined the need for greater emphasis on language development and instruction.

That same year, the Yukon Native Brotherhood introduced language classes in some Yukon schools. In 1977, with the support of the Canadian and Yukon governments, the Council for Yukon Indians created the Yukon Native Language Project. This led to the establishment of the Yukon Native Language Centre in 1983.

In 1988, the Government of Yukon created the Aboriginal Language Services (ALS) unit, with a mandate to provide aboriginal translation services within government. The unit also examined the status of YFN aboriginal languages and supported language renewal efforts.

Throughout the 1990s the Department of Education provided aboriginal language instruction within the Yukon public education system. These sporadic efforts did not, however, result in language revitalization.

EXISTING FUNDING AND DELIVERY: The Government of Canada, through the Department of Heritage, channels aboriginal language funding to various First Nations organizations through regional funding arrangements with CYFN.

The Government of Yukon's Aboriginal Language Services unit focuses its efforts on community-based revitalization initiatives. The government provides aboriginal language development and instruction in most Yukon public schools through the Department of Education.

The Yukon Native Language Centre (YNLC) is responsible for aboriginal language teacher training, curriculum development, and classroom support materials. The Department of Education provides core funding for these initiatives through a contribution agreement with CYFN. The Department of Education funds all position at the YNLC except for the Executive Director. The YNLC also provides some in-kind support to YFN community initiatives.

Despite these initiatives, however, aboriginal languages continue to struggle for time and resources in the public school system and Yukon First Nations communities.

IMMEDIATE CHALLENGES: A continuous decline in fluent speakers will guarantee the eventual loss of a language, especially in small northern communities (AFN 2000). To remain viable, Yukon aboriginal languages need fluent speakers of all ages in all schools, day-cares, preschools, Head Start centres, language nests, and community programming.

The use of the English language continues to erode fluency in and intergenerational transfer of aboriginal languages. Although First Nations organizations and individuals have produced many initiatives, including joint partnerships, local and regional initiatives and conferences, languages continue to decline, with only small percentages of increased fluency (Johnson 2003).

Without the required legislation and policies, and the financial support to establish and implement aboriginal language programs and curricula, alternative measures must be taken immediately to halt language loss.

KEYS TO SUCCESS: A number of key issues and core foundational principles are outlined in Anonby (1997). Successful language revitalization efforts share five important characteristics:

1. a sense of group solidarity;
2. immersion language programs;
3. literacy;
4. use of mass media; and
5. development of a sufficiently large group of speakers.

These are some of the foundational principles for learning and education:

- effective language initiatives require the participation of elders, parents, students, governments, educational institutions and communities;
- successful language reclamation models are directed by groups with a proven record of language promotion, development, retention and advocacy;
- both indigenous teachings and Western educational approaches should be used; and
- all literacy initiatives should be linked to language, culture, programs and community partnerships.

The lack of supporting legislation for aboriginal languages requires immediate attention. A review of jurisdictional policies that affect Yukon First Nations languages should also be carried out, and should consider the current and future needs of aboriginal languages.

Effective language initiatives require the participation of elders, parents, students, governments, educational institutions and communities.

CYFN and the Government of Yukon should establish a central aboriginal language committee with representatives from all 14 Yukon First Nations

LONG-TERM MEASURES: To successfully advance aboriginal language programming in the territory, Yukon First Nations and the Government of Yukon should establish a central aboriginal language committee with representatives from all 14 Yukon First Nations that will oversee all matters related to aboriginal languages in the territory. The committee would have these responsibilities:

- identifying and analyzing all Yukon aboriginal language programs and funding.
- negotiating the coordination of aboriginal language funding and aboriginal language programs and services from all levels of government (territorial, federal and First Nations).
- developing immediate and long-term strategic plans to deal with preschool immersion and school-aged and adult language programs.
- negotiating with the Governments of Canada and Yukon for additional funds for Head Start immersion programs, language nest programs, immersion schools and immersion camps, as well as Yukon-wide adult classes and curriculum development.
- establishing a sub-committee of existing directors from Aboriginal Language Services, Yukon Native Language Centre, Department of Education and Council for Yukon First Nations to facilitate the transfer of control and resources.
- recruiting a First Nations administrator with an expertise in aboriginal languages.

The initial work of the committee will provide a framework for the establishment of a First Nations Aboriginal Language Institute.

FIRST NATIONS ABORIGINAL LANGUAGE INSTITUTE:

Since language revitalization will be a long-term endeavour, a coordinating body is needed to represent all 14 First Nations and oversee language revitalization programs. A stand-alone First Nations Aboriginal Language Institute (FNALI) would be accountable to Yukon First Nations and would work in conjunction with the Governments of Yukon and Canada.

Organising all of Yukon's aboriginal language programs and services within one institutional framework would support the coordination of human, financial and material resources.

The institute would have several objectives:

- providing an opportunity for Yukon First Nations to collectively coordinate language revitalization efforts;
- regaining aboriginal languages as the primary language in all aspects of life for First Nations people;
- providing a structure for collective strategic planning;
- creating a board of 14 directors representing Yukon First Nations communities;
- reviewing and providing recommendations regarding the implementation of aspects of the *Languages Act*;
- reviewing and implementing strategic plans developed by the aboriginal languages committee; and
- defining a reporting and communication protocol between FNALI and Yukon First Nations and the Governments of Yukon and Canada.

CONCLUSION: With each generation, Yukon First Nations languages move closer to extinction. The loss of language is closely linked to the loss of culture. Traditional land-based knowledge would also be lost. Yukon First Nation languages need to be protected and promoted through collective, strategic action. Canada is obligated under international law to ensure that both language and traditional knowledge is preserved and protected. Both immediate and long-term interventions are necessary to reverse the current trends in language loss. To ensure the survival of aboriginal languages, all levels of government must work towards the establishment of a First Nations Aboriginal Language Institute to fulfill the needs of Yukon First Nation languages.

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Yukon First Nation

languages need to be protected and promoted through collective, strategic action.

RECOMMENDATIONS

RECOMMENDATION 1. A First Nations Aboriginal Language Institute (FNALI) should be established. This institute would be accountable to Yukon First Nations and would work in conjunction with the Governments of Yukon and Canada.

RECOMMENDATION 2. The Department of Education and Aboriginal Language Services should fund linguistic, cultural and immersion programs in select Yukon communities. This would guide future program planning and implementation.

RECOMMENDATION 3. The Department of Education and CYFN should examine aboriginal language programs in Yukon schools, with the intent of increasing the number of instructional minutes allotted to them.

RECOMMENDATION 4. The Department of Education, YNTEP and YNLC should provide funding for an apprenticeship component within the aboriginal language program. This would immerse aboriginal language trainees in language and culture with fluent elders.

RECOMMENDATION 5. The Government of Yukon should increase funding to the Department of Education for an aboriginal language curriculum framework and for development of curriculum and classroom support materials.

RECOMMENDATION 6. Each First Nation should set aside funds within its annual budget for an aboriginal language promotion campaign. The campaign sponsor art, sport, recreational and cultural activities which encourage and promote the use of aboriginal languages.

RECOMMENDATION 7. Yukon First Nations should encourage the use of aboriginal languages in meetings and community gatherings and, where possible, should provide translation services at these activities.

First Nations secondary school

THE ESTABLISHMENT OF A First Nations secondary school has become a possibility, either within the sole jurisdiction of one or more First Nations or in collaboration with the Government of Yukon. If consideration is given to establishing a First Nations school, a comprehensive work plan will need to be developed and supported by students, parents, First Nations and relevant government partners. A successful First Nations school is most likely to become a reality if Yukon First Nations are active participants.

According to data collected by Statistics Canada during the 2001 Aboriginal Peoples Survey (Turcotte and Zhao 2004, p.12), far fewer aboriginal students graduate from secondary school compared with their non-aboriginal peers. Yukon First Nations students also drop out of school at a higher rate than other students. All students in Yukon public schools have a right to a high-quality education that is reflective of their cultural history and heritage.

Far too many First Nations students do not fare as well as their non-First Nations peers. National statistics and territorial student performance data clearly show that the current education system has not been meeting the needs of aboriginal students. This fact has been cited in a number of key reports and initiatives including the Education Conference Report (Council for Yukon Indians 1983), the 1987 Kwiya Report, the Report of the Royal Commission on Aboriginal Peoples (RCAP 1996) and the Yukon's 2001 *Education Act* Review.

The draft Universal Declaration of Indigenous Rights and the 1999 Universal Declaration of the Indigenous

Aboriginal Nations of Canada address the fundamental rights of indigenous people to speak their languages and to live their cultures. The challenge lies in defining exactly what this means in terms of creating new school curriculum and providing a culturally relevant education for Yukon First Nations students.

CONTEXT: Many First Nations students are subject to a range of negative experiences that adversely affect their ability to succeed in the existing education system. Some of these issues can and should be dealt with by the system, such as relevant curriculum, culturally sensitive educators and alternative programming.

Until recently public education in Yukon has been the responsibility of the Government of Yukon under the *Education Act*. With the ratification of the Umbrella Final Agreement, however, First Nation governments now have the authority to negotiate the transfer of responsibilities for the design, delivery and administration of education programs from the Yukon government.



All students in Yukon public schools have a right to a high-quality education that is reflective of their cultural history and heritage.

The establishment of a First Nations school has become a possibility, either within the sole jurisdiction of one or more First Nations or in collaboration with the Government of Yukon. This calls for a collaborative and effective relationship between Yukon and First Nations governments. A secondary school for First Nations students must involve substantial input from Yukon First Nations.

It is important to have accurate information about how First Nations children are doing. British Columbia First Nations have done a remarkable job in the area of data collection, long-term studies and tracking. The Yukon needs to take a closer look at how its First Nations children are doing in the public school system. The report *Sharing Our Success* (Bell 2004) recommended that the provinces and territories implement programs to track and report on the progress of aboriginal students and incorporate this data in annual school improvement plans (some of this is now occurring in Yukon public schools).

PLANNING: Designing a secondary program for First Nations students is a complex endeavour. Time is needed at the outset to effectively plan such a program. Some of the programs of particular interest to First Nations are leadership training, language/cultural immersion and land-based programs. Land-based programs could teach about the connection to land and elders and increase students' knowledge of heritage and culture. Similar programs already exist in some Yukon schools.

An indigenous curriculum should reflect a community's culture, spiritual and social values, traditions and beliefs.

While there are many models for creating a culturally relevant framework, academics generally agree that students do better in school when their language and culture are incorporated into lesson plans.

Students who receive an education that is grounded in the roots of their history, language and culture are more likely to be able to successfully connect the academic concepts and skills taught in school with real-world social dynamics, economics and technology. Knowing and understanding their place in the world can make a big difference in helping to prepare young people to make the transition to adulthood.

Arthur More (1989) describes a “watch-listen-think-then-do” approach that incorporates the First Nations tradition of transferring knowledge through storytelling. It's also important to recognize that there is no universal way of defining what is considered to be indigenous knowledge; what one First Nation considers traditional teaching may not be relevant to another First Nation's experience or understanding.

DEFINING SUCCESS: We must also consider how best to define and measure success in terms of meeting students' needs. Success should be defined not only by how well students are mastering basic academic principles, but how well they are able to look at real world issues and situations and put them into context. Educational institutions need to build student commitment to the curriculum by making students and teachers collaborate in working towards a common goal.

It is necessary for what constitutes educational success to be defined with involvement from Yukon First Nations. This definition will help to shape the school program and curriculum. It is vital that Yukon public school educators embrace this definition.

Educational success may be defined by some of these characteristics:

- academic achievement;
- physical, emotional, and spiritual health;
- a strong sense of self;
- a strong sense of worth and belonging;
- an appreciation of the land and culture; and
- an understanding of Yukon First Nations values and beliefs.

It is important to acknowledge that there are differences between the existing system of education and a First Nations system. Success in the former system will look much different than success in the latter system. It is not certain whether these two distinct definitions will be able to exist within the same system, although it is important that First Nations have the opportunity to determine this for themselves.

TEACHER RECRUITMENT:

The Yukon needs more First Nations teachers and administrators in its schools. It is time for a truly representative public school system that reflects those whom it serves and for the curriculum to reflect the cultures and world views of Yukon First Nations people.

Having First Nations teachers in the public school system helps First Nations students by providing role models. Yukon and First Nations governments must support First Nation individuals who are interested in pursuing teaching as a career.

Post-graduate training needs to be promoted among First Nations teachers to address the need for more administrators and secondary school teachers. As stated in the RCAP report (Government of Canada 1994), aboriginal teachers are unlikely to be found in the grades where aboriginal youth are at greatest risk of dropping out. The report also stated that attracting more aboriginal people to secondary school teaching was crucial to reducing the number of First Nations students who drop out. This in turn helps build community self-government skills.

First Nations resource people must be employed within all Yukon public schools, including elders, councillors and Education Support Workers. These individuals will be role models for students and help to teach youth about their First Nations heritage and culture.

TRANSITIONS: The transition from elementary to secondary school is a difficult one at best, particularly when a child is leaving a system that has provided a great deal of encouragement and support. Students need to continue to feel supported when they enter the secondary system.

The staff and administration of Elijah Smith Elementary School have been able to do this successfully. They have

It is necessary for what constitutes educational success to be defined with involvement from Yukon First Nations.

done this by reaching out to the local First Nations community. The school has identified goals — such as literacy, respect for the local language and culture and a strong relationship with the community — that aim to increase the success of all students, particularly First Nations students. This example should be emulated in a Yukon First Nations secondary school.

The transition from a rural to an urban setting is a major adjustment for many students. It is important that they keep a strong connection to their family and home community. This may be achieved through a support person, such as an Education Support Worker, a First Nations individual who is able to provide support for both students and parents. The Vuntut Gwitchin First Nation (VGFN) provides this type of support for VGFN students at F.H. Collins Secondary School.

CURRICULUM: Yukon First Nations have expressed the desire for more language and cultural programming in schools. First Nations worry that their youth will grow up without knowing about their history, language and culture. By incorporating the local language and culture within the school, both in the physical set-up of the school and in the content and delivery of curriculum, First Nations children will be better prepared to work with their communities and governments as adults.

COUNSELING: A report by the B.C. Ministry of Education (B.C. Ministry of Education 1994) stated that effective counseling at an early age for First Nation students is critical to continued success in the public school system.

The report also stated that aboriginal parents and students have a clear conception of what kind of counseling would be effective.

TRAINING: Virtually all informants in the B.C. Ministry of Education report stressed the urgent need for more and better training for counselors and home-school support workers who work with aboriginal children and youth. Training should include both cultural knowledge and awareness and effective counseling skills. Training is also required for non-native counselors who counsel First Nations students.

Effective counselors should make students aware of all their options, whether or not they are not university bound. A range of programs should be accessible and available, and students should be exposed to a wide array of experiences and opportunities.

Counseling and career exploration, such as career fairs and workshops, should be done in collaboration with First Nations families and governments.

BEST PRACTICES: According to Bell (2004), several characteristics lead to success for aboriginal schools:

- strong leadership and governance structures, often with long tenure;
- high expectations for students;
- a focus on academic achievement and long-term success;
- respect for aboriginal culture and traditions;
- high-quality staff development; and
- a wide range of supports for learning.

Training should include both cultural knowledge and awareness and effective counseling skills.

Henchey (2001) notes that these elements contribute to success:

- positive attitudes and high expectations for success;
- a strong and vigilant administration;
- a focus on academic achievement and on other indicators of success and student needs;
- recognition of the need to be accountable for the quality of performance, and to be creative and innovative, sometimes with a sense of urgency if the future of the school is to be assured;
- regular analysis of results, and links between results and school efforts in assessment, program development, instruction, and innovation;
- integrated planning and coordination by administrators, departments and teachers to improve performance and link goals, planning and activities;
- importance placed on good teaching, good teachers as role models and the professional development of teachers;
- a sense of engagement and belonging among teachers and students and commitment to the basic mission and core values of the school;
- a respectful and secure school climate and warm relationships among educators and students;
- initiatives to motivate students and make learning relevant;
- structured classroom instruction and “traditional” standards of behaviour;
- assistance and support for both students and teachers;

- Variety and flexibility of structures, programs and services; and
- strong support for the school from its geographic community or its community of choice.

INVOLVEMENT: For First Nations students to achieve success, having a caring and supportive family and community is critical. Thus, the relationship between home and school must be nurtured and encouraged. The school environment must be made to feel welcome, including any interactions with school personnel.

COLLABORATION: The Government of Yukon has committed to working with Yukon First Nations to achieve greater educational benefits for First Nations students. The government’s current commitments include collaborating on education reform, continuing support for the Yukon Literacy Strategy and hiring new language teachers.

If consideration is given to establishing a First Nations school, a comprehensive work plan will need to be developed and supported by students, parents, First Nations and relevant government partners. The plan must take into account the wide range of issues involved, such as funding for construction, operation and maintenance, urban and rural differences, varied levels of community support, cultural and academic challenges, and staffing and curriculum development.

While challenges undoubtedly must be overcome, a successful First Nations school is most likely to become a reality if Yukon First Nations are active

For First Nations

students to achieve success, having a caring and supportive family and community is critical.

participants with a vested interest in succeeding. Establishing a First Nations school in Yukon will mean successfully combining content, context, culture and commitment. All stakeholders will need to be actively engaged in the process throughout its development, implementation and evaluation.

A commitment to promoting the cultural diversity of Yukon society is critical to providing young people with a holistic view of the world and to developing a culturally relevant school curriculum for Yukon children.

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RECOMMENDATIONS

RECOMMENDATION 1. The Government of Yukon, in partnership with Yukon First Nations, should implement a plan to initiate and operate a Yukon First Nations secondary school. A comprehensive work plan, which will take into account models across Canada, should be developed and supported by students, parents, First Nations and relevant government partners.

RECOMMENDATION 2. A Yukon First Nations secondary school should be governed by a school board, as per the *Yukon Education Act*. The board should be comprised of Yukon First Nations representatives.

RECOMMENDATION 3. Guiding principles in the development of the school plan should incorporate the "Elements of Success" from *Schools That Make A Difference* (Henchey 2001).

First Nations administrators

FIRST NATIONS EDUCATORS need to advance to high-level administrative positions and provide positive and effective role models for Yukon students so that schools can truly reflect the territory's dynamic heritage and culture. An educational leadership development program is essential for the Yukon.

Principals and vice-principals are critically important in the success of a school, and by extension the achievements of an entire school system. Although approximately 23 percent of the total Yukon population identified themselves with at least one aboriginal group in 2001 (Yukon Bureau of Statistics 2001), there is a conspicuous absence of First Nations people in administrative positions within the Yukon public school system. Reform is both timely and necessary.

In 2005, more than half of the Yukon's population was between 15 and 49 years of age (Yukon Bureau of Statistics 2005). It is key that this emerging population understands the importance of representing all of the territory's cultures in the education system. A work force that lacks aboriginal values will not fairly reflect the reality of the dynamic and diverse culture of the Yukon.

YUKON NATIVE TEACHER EDUCATION PROGRAM: The Yukon Native Teacher Education Program (YNTEP) was established in 1989. One of its objectives was to ensure that First Nations people were proportionately represented in teacher positions. This has not happened, however.

Although the number of First Nations teachers and instructional staff in Yukon schools has grown since the inception of YNTEP, graduates of the program are nearly absent from upper administrative positions within the Yukon public school system (Macdonald 2004). At present, there are three First Nations principals in the Yukon public school system, one of whom is a YNTEP graduate. There are two vice-principals serving in Yukon schools (previously there were three), both of whom are YNTEP graduates.

YNTEP's original mandate was to facilitate First Nations students to earn a four-year Bachelor of Education degree and become elementary-school teachers. While this continues to be the focus of the program, six seats were opened to non-First Nations students in 2004 (Macdonald 2004). Through a contract with the University of Regina, the Yukon government pays for 15 program spaces each year. Most years, fewer than ten are filled (Government of Yukon 2004).

Students wishing to attend YNTEP face several challenges. For example, students who are caregivers for children or elders require daycare facilities.



A work force that lacks aboriginal values will not fairly reflect the reality of the dynamic and diverse culture of the Yukon.

A new training program is required to provide a pool of First Nations professionals who qualify for jobs as top-level administrators within the public school system.

Under the Aboriginal Human Resource Development Agreement, “access to affordable, quality childcare . . . to enable [parent(s) to] return to the paid labour force and/or participate in education and training” currently exists (HRSDC 2002). Conveniently located care facilities may need to be created or financial compensation may need to be provided to the students. Every effort should be made to ensure that no student is unable to participate because of family responsibilities.

Although the focus of YNTEP is training First Nations elementary teachers, the program could expand and dovetail with other educational and experiential training programs. A new training program is required to provide a pool of First Nations professionals who qualify for jobs as top-level administrators within the public school system.

EMPLOYMENT EQUITY:

In 1982, the Canadian Charter of Rights and Freedoms enshrined the equality of individuals. Two years later, recognizing that systemic discrimination was responsible for most of the inequality found in employment patterns, the Royal Commission on Equality in Employment outlined a systemic response and chose the term “employment equity” to describe the process.

In 1995, the Canadian *Employment Equity Act* was enacted to ensure that no Canadians were denied jobs for reasons unrelated to their abilities. The Act was also intended to help correct the employment disadvantages sometimes encountered by certain people, including

aboriginal peoples. Within the Yukon public school system, employment equity practices that support First Nations employees could raise concern among non-First Nations teachers who wish to be principals or vice-principals.

STAFFING PROTOCOL: It will take considerable planning and action to remedy the inequities within the Yukon public school system. A staffing protocol issued April 5, 2006, by the Department of Education, “reflects the Department’s commitment to ensuring that First Nations teachers are given priority in hiring decisions” (Government of Yukon 2006).

The protocol includes the provision that transfer applications from First Nations teachers are to be given preference over new hires where they are suitably qualified. This applies to teachers in good standing who have three or more years of continuous service in the same school and who request a transfer to their traditional territory (as defined in their First Nation’s final agreement).

The protocol also states that Yukon candidates will be considered first for new hires, and that Yukon First Nations candidates (particularly those who apply to their traditional territory as defined in their final agreement) will be given first priority.

While the new staffing protocol does not address the advancement of YNTEP graduates, it does focus on the training and hiring of Yukon First Nations teachers. YNTEP graduates may be included in this group, although they are not given hiring priority.

A BALANCED PERSPECTIVE:

Currently, the traditional First Nations worldview seems to be little understood by administrators in the public school system. Aboriginal worldviews are cyclical in nature while non-aboriginal worldviews tend to be more linear. An administration that includes First Nations principals and vice-principals — who understand both mainstream and traditional cultures, and who are effective role models within the school system — would provide a more balanced perspective.

Incorporating First Nations values in the Yukon public education system would better reflect the concerns of First Nations students and their families, and would provide a more inclusive and positive atmosphere for First Nations students. It could also teach non-aboriginal students about First Nations language, culture and values.

Strong leadership and an inclusive approach by a principal are critically important in the success of a school. The principal of Elijah Smith Elementary School in Whitehorse, for example, has helped to develop a school that is “demonstrating gains in the following categories: attendance, positive linkages with parents, the city, and the KDFN [Kwanlin Dün First Nation], cultural activity; and student awareness of the importance of academic achievement” (Bell 2004, p.123).

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Strong leadership and an inclusive approach by a principal are critically important in the success of a school.

RECOMMENDATIONS

RECOMMENDATION 1. Yukon and First Nations governments, along with Yukon College, should cooperatively take steps to attract First Nations students to fill all 15 YNTEP spaces each year.

RECOMMENDATION 2. The Department of Education, in collaboration with Yukon College, CYFN, and the Association of Yukon School Administrators, should develop and implement a program to train First Nations educational leaders to fill the positions of principals and vice-principals.

RECOMMENDATION 3. An advisory committee should be struck, including representatives from the Department of Education, CYFN, Yukon College, and a YNTEP observer, to collaborate in the development of an accredited program to train YNTEP graduates to advance to positions of vice-principals and principals.

RECOMMENDATION 4. The Department of Education should establish a hiring policy that reflects a commitment to assist qualified Yukon First Nations and northern educational leaders to advance to top administrative positions within the public school system.

RECOMMENDATION 5. Yukon and First Nations governments should establish a mentorship program for YNTEP graduates who wish to progress to administrative positions within the school system.

RECOMMENDATION 6. Yukon and First Nations governments must work cooperatively and allocate resources to promote public awareness and understanding of these leadership initiatives.

RECOMMENDATION 7. An experienced academic and social counselor who is familiar with First Nations traditions should be available to the students of leadership programs.

RECOMMENDATION 8. Day-care facilities should be created for YNTEP students, or financial compensation provided for them to utilize existing facilities.

Rural-to-urban transition

MANY SECONDARY STUDENTS from rural Yukon communities attend secondary school in Whitehorse because secondary school programs are not available in their home community. Students face many challenges when making this transition.

Because students in the communities only have access to programs up to Grade 9, they need to move to Whitehorse to attend secondary school. These students live with relatives or at Gadzoosdaa Student Residence, or their families move to Whitehorse with them.

GADZOOSDAA STUDENT RESIDENCE: The residence has a capacity for 38 students and houses all the students from Carcross, Teslin, Old Crow and Ross River. Students from other communities and northern B.C. also live there. Students at the residence attend F.H. Collins Secondary School, Vanier Catholic Secondary School or the Individual Learning Centre. There are nine staff members. Programs for First Nations students are provided through their First Nation or the residence.

Each year the residence supervisor and the F.H. Collins guidance counselor visit the communities to meet with students and parents. They provide information about the residence and their expectations of the students, and inform students of course choices.

The Department of Education and the First Nation split the cost of living at the residence. First Nations students also receive a monthly allowance for school supplies and a clothing allowance from their First Nation, which also reimburses them for graduation expenses and special trips.

While at the residence students are required to study for at least one hour per day. Reports of their study habits and missed classes are given to their parents. Parents are encouraged to come to parent/teacher interviews; if they cannot attend, a staff member attends on their behalf. If students experience difficulties with a subject they have access to a tutor at F.H. Collins or Vanier. If students fail or don't graduate it is usually a result of absenteeism or substance abuse.

SUPPORT SYSTEMS: Each First Nation has a Community Education Liaison Coordinator (CELC) on staff to assist students and to liaise with parents, teachers and counselors. The residence staff work closely with CELCs from Carcross, Teslin, Old Crow and Ross River. The CELCs from Old Crow and Teslin have offices at F.H. Collins, although they work in the other secondary schools as well.

Champagne and Aishihik First Nations (CAFN) has two CELCs, one in Whitehorse and one in Haines Junction. The CELC in Whitehorse has an office at Porter Creek Secondary School and works with students from Grade 8 to 12. The CELC tracks students by monthly attendance records from the schools and by their marks; if a student runs into difficulties, the CELC hires a tutor. The CELC works closely with the counselors in the schools and attends the meeting with the parents when students choose their courses.



Each year the residence supervisor and the F.H. Collins guidance counselor visit the communities to meet with students and parents.

The Individual

Learning Centre is for students age 15 to 21 who have left secondary school without completing their studies and wish to resume their education.

Once a CAFN student completes secondary school, the Education and Training Officer (ETO) recommends one of several options:

- taking a Canadian Achievement Test (CAT) at Yukon College;
- going on to post-secondary studies; or
- attending the Individual Learning Centre (ILC), if necessary, to attain their academic credits.

The ETO and the CELCs from CAFN hold information sessions for students and parents at Porter Creek Secondary School, F.H. Collins Secondary School and in Haines Junction every year. These sessions emphasize the importance of course selection.

There are five secondary schools in Whitehorse: F.H. Collins Secondary School, Vanier Catholic Secondary School, Porter Creek Secondary School, École Émilie-Tremblay and the Individual Learning Centre. The Individual Learning Centre is for students age 15 to 21 who have left secondary school without completing their studies and wish to resume their education. The program includes work experience and career training. The centre currently has two full-time teachers, three tutors and 60 students.

CHALLENGES: Adolescents from the communities who move to Whitehorse to attend secondary school face many challenges. Not only do they have to adjust to a new school, but to new living arrangements, new rules and regulations, different food and new schedules. They are also vulnerable to substance abuse.

In their home community, classes are small and students may feel less intimidated about asking for help from the teacher. They are at home with their families, and have the support of extended family. When students come to Whitehorse, the school is much larger, with a much greater number of students. Everything is unfamiliar. Community students may not feel comfortable asking for assistance. This can make them frustrated and confused, and in some cases can cause them to miss classes or drop out of school.

COSTS: Some parents face additional costs to send their children away from home for school. They also may not be able to afford the cost of travel to come to parent/teacher interviews.

First Nations also incur costs, both for students in residence and other services. For instance, Teslin Tlingit Council (TTC) hires a driver to pick up students in Whitehorse on Fridays and return with them on Sundays throughout the school year. VGFN brings students to Whitehorse to introduce them to the city, monitor classes, visit the schools and tour the residence. CAFN hires tutors to assist students when required.

ABSENTEEISM: In order to succeed, students must attend classes on a regular basis. According to the Public Schools Branch Annual Report 2003–04, absenteeism is greater in rural communities than in Whitehorse and First Nations students, on average, miss more days of school than their non-First Nations peers (Department of Education 2004, p.54).

MODIFIED PROGRAM: Some students complete secondary school without graduating. Instead, they receive a Leaving School Certificate or a School Completion Certificate. These students do not have the necessary credits to pursue post-secondary studies. This is a serious concern for many parents and First Nations.

OTHER ISSUES: The education needs of a child often go beyond the mandate of the *Education Act*. Greater community participation and more inter-departmental and inter-governmental partnerships are needed. Alternatives to sending children away to school — such as distance education, home schooling and rural secondary schools — need to be explored.

Not all students are academically inclined. There must be more options for students to learn skills and trades in secondary school.

Intervention must begin in preschool programs, kindergarten and elementary schools. More classroom and one-on-one support for students is needed.

Rural First Nation students miss an average of five weeks of school during the year (Department of Education 2004, p.54). This high rate of absenteeism should be studied in order to understand and address it.

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Department of Education. 2004. *Public Schools Branch Annual Report 2003–04*. Whitehorse: Government of Yukon. www.education.gov.yk.ca/pdf/AR-2003-2004.pdf.

Greater community participation and more inter-departmental and inter-governmental partnerships are needed.

RECOMMENDATIONS

RECOMMENDATION 1. Parents and guardians, as well as Yukon and First Nation governments, must work to eliminate overlaps and bridge gaps in programming, communication, understanding and services for all rural students.

RECOMMENDATION 2. The Department of Education, in cooperation with local First Nations governments and the Department of Health and Social Services, should develop intervention strategies in preschool programs, kindergarten and elementary schools.

RECOMMENDATION 3. The Government of Yukon and First Nations governments must allocate funds for more teaching assistants and tutors, both in secondary schools and in elementary schools.

RECOMMENDATION 4. The Department of Education, in cooperation with Yukon First Nations, must undertake research to examine the high rate of absenteeism for rural First Nations students and develop measures to address it.

Coordination of resources

THE YUKON'S EDUCATION SYSTEM benefits from the contributions of the Yukon Native Teacher Education Program (YNTEP) and the Yukon Native Language Centre (YNLC). Although YNTEP and YNLC perform their individual missions well, coordination of their resources would provide more effective delivery of education and language training.

Yukon First Nations culture and language are being lost at an alarmingly high rate. A more harmonized use of resources, with more integration of programs and services, would permit more effective delivery of education and language services. The Department of Education and the Yukon Teachers' Association partner with CYFN and YNLC to promote cross-cultural awareness among Yukon students and staff.

Coordinating the services and programs provided by YNLC and YNTEP would offer many advantages:

- ability to expand courses and bring related disciplines together in one administrative unit;
- cost-sharing to make the expansion of programs affordable;
- gaining support and strengthening programs;
- jointly recruiting and sharing faculty staff;
- sharing distance-education facilities and technology;
- gaining more authority to develop suitable courses;
- providing a greater range of programs with First Nations content; and
- sharing databases.

YNLC: The Yukon Native Language Centre (YNLC) was established in 1985. It is funded by the Government of Yukon; CYFN pays for the director.

YNLC offers training and certification for Yukon aboriginal teachers. YNLC staff and elders have developed and now teach a three-year certification course and follow-up two-year diploma course. The centre also works closely with the University of Alaska Fairbanks to implement a jointly established Associate of Applied Science Degree Program in Native Language Education. Graduates and students enrolled in these programs serve as teachers in the Yukon, British Columbia, the Northwest Territories and Alaska. They develop teaching materials for Yukon aboriginal languages (including curriculum guides), language lesson booklets and tapes, dictionaries and reference materials, and interactive computer materials. They also assist First Nations and other organizations with translations and work with First Nations elders to document traditions, history and place names.

YNTEP: Yukon College, in conjunction with the University of Regina, established the Yukon Native Teacher Education Program (YNTEP) in 1989. The program, which was established to train students of aboriginal ancestry to attain a Bachelor of Education degree and teach in Yukon elementary schools, is funded by the Government of Yukon. (Recently YNTEP opened six seats to non-aboriginal Yukoners.) The University of Regina approves the program of studies and grants degrees.



A more harmonized use of resources, with more integration of programs and services, would permit more effective delivery of education and language services.

A range of academic and immersion approaches could be developed for teaching First Nations languages.

The program provides extensive student teaching opportunities. Its goal is to create teachers with the following qualifications:

- knowledge of current curriculum instructional methods, assessment and evaluation techniques;
- knowledge of child development;
- training in a child-centred approach to teaching and learning;
- a willingness to utilize a multi-cultural approach to the classroom, with an emphasis on First Nations' culture; and
- familiarity with teaching in both urban and rural settings.

COORDINATING PROGRAMS:

Coordinating programs would permit both organizations to be more effective in achieving the goals of First Nations people to revitalize and sustain their languages. Both organizations can focus on promoting reading, publishing aboriginal language materials, and teaching literacy in First Nations' languages.

YNTEP graduates do not currently receive aboriginal language training. More culture and language programs could broaden their education and help them to teach First Nations languages. A range of academic and immersion approaches could be developed for teaching First Nations languages.

A mentorship program for YNTEP candidates would be useful. The program must have administrative support, adequate funding and clear leadership. Mentoring is crucial to support new teacher training. Mentoring programs must be based on national standards that reflect school and community goals. Regular meetings must be scheduled for mentors and learners. This allows participants to share experiences and make recommendations for change.

TEACHER TRAINING:

Aboriginal teachers need to involve elders in the teaching of culture and aboriginal languages. Training of aboriginal teachers must recognize the specific needs and cultural background of aboriginal children.

Curriculum materials must be developed to reflect Yukon First Nations cultures. Flexibility is key. What is unique to one community may not necessarily be appropriate in another, though curriculum material may be able to be adapted.

Diploma and degree courses are needed that will provide training in language instruction to First Nations learners. Language instructors and language teachers' aides would be required to take these courses. Programs would need to be designed for people with a range of fluency. Innovative approaches are needed, with supporting curriculum materials, dictionaries and grammars.

RECOMMENDATIONS

RECOMMENDATION 1. The Government of Yukon and CYFN should assess ways in which existing resources provided to the Yukon Native Teacher Education Program and the Yukon Native Language Centre can be harmonized and coordinated.

RECOMMENDATION 2. The Yukon Native Teacher Education Program and the Yukon Native Language Centre should look at ways to harmonize and coordinate their programs.

First Nations students

THE YUKON'S PUBLIC EDUCATION SYSTEM must change to meet the needs of First Nations children. Partnerships between First Nations governments, First Nations communities, the Department of Education and the Yukon Teachers' Association are essential to the success of public education in the Yukon.

Improved partnerships begin with a shared understanding of the goals of the education public system. Families and communities can be engaged in a way that encourages a shared sense of ownership in the process of education and in the learning environment.

First Nations' values are intrinsically connected to the land and its resources. Some First Nations people see the education system as disconnected from their world and their culture. First Nations students may develop negative impressions about schools and adopt a counterproductive attitude.

FIRST NATIONS STUDENTS: First Nations students do not perform as well in school as their non-aboriginal peers, and fewer of them graduate from secondary school. The Office of the Auditor General (2004) has noted that a significant education gap exists between First Nations people living on reserves and the Canadian population as a whole and the time estimated to close this gap has increased slightly, from about 27 to 28 years.

Although more First Nations curriculum and First Nations teachers were supposed to enable First Nation students to realize greater educational success, this has not happened. Fundamental systemic change is required for First Nation students and communities to achieve their educational goals. The education process

must honour and celebrate First Nations' cultural and social traditions.

Collaboration between Yukon First Nations and the Government of Yukon can allow for a new approach to First Nations education. Students who do not wish to enroll in an academic program could pursue an alternative program of study. This might include courses in aboriginal languages, trades and technology, and experiential educational programs.

The time-honoured role of elders in First Nation societies is to act as carriers of cultural and spiritual knowledge, values and traditions. The importance of elders must be recognized and integrated into the public education system.

SUPPORT FOR STUDENTS: Generally, First Nations acknowledge that a certain amount of social dysfunction exists within their families and communities and that it has an impact on their children's ability to learn. A child suffering from family strains is not likely to be an effective learner in any system of education. A First Nations approach to education must recognize and manage this reality. Support for students, if it is available at all, often comes too late for effective intervention. By the time a student is assessed and supported to become a more effective learner, he or she has fallen far behind or left school.



Collaboration between Yukon First Nations and the Government of Yukon can allow for a new approach to First Nations education.

Stakeholders
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 children.

Counseling and other support can enhance First Nations students' ability to learn. Stakeholders can coordinate intervention strategies to address the reasons why First Nations children fail, and why the education system is failing First Nations children.

An innovative First Nations program of study would use collaborative and integrated approaches to take advantage of existing programs and services, including those from the territorial and federal government, First Nations governments and community-based non-government organizations. Trained professional and paraprofessional workers are available in each community. They can provide the social and cultural support required by students and their families.

GAP STUDENTS: The term “gap student” (MacDonald 2005) describes someone who fails to make the transition at any of three important times: entry into primary school; transition from primary school to secondary school; and transition from

secondary school to post-secondary school. Solutions must be found to address children's needs at each of these critical stages.

First Nations have recognized that learning is an ongoing and continually enforced process, and that it needs to continually adapt to meet the needs of the family, the child and society. Effective implementation of the First Nations approach to lifelong learning will better prepare children to manage each of these transitions.

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RECOMMENDATIONS

RECOMMENDATION 1. The Department of Education should assist in the development of an implementation plan to integrate First Nations' educational goals into the education system.

RECOMMENDATION 2. Partnerships between First Nations governments, First Nations communities, the Department of Education and the Yukon Teachers' Association should be implemented with the support of policy.

RECOMMENDATION 3. Alternate modes of education delivery should be developed, implemented and funded to meet today's First Nations education goals.

RECOMMENDATION 4. First Nations elders should be given opportunities to participate in more meaningful ways in the education of First Nations learners.

RECOMMENDATION 5. Counseling and other related support should be provided to First Nations students when needed.

Literacy and essential skills

IMPROVED LITERACY SKILLS are required by all Yukoners. Without these skills, the Yukon will not fully be able to meet the needs of its society and cannot keep pace with forecasted economic growth. The Yukon Skills Development Partnership is proposed as an effective means of improving literacy and essential skills.

According to the 2003 International Adult Literacy and Skills Survey (HRSDC and Statistics Canada 2005), 34 percent of Yukoners do not have the level of literacy that will allow them to fully participate in the Yukon's social, economic, and political future.

The areas of greatest need are in the communities, particularly in the aboriginal population. Research and anecdotal information indicates that aboriginal students do not have the same level of literacy as their non-aboriginal counterparts.

FACTORS INHIBITING LITERACY: In a review of the literacy strategy (Government of Yukon 2006), stakeholders identified several factors that inhibit literacy:

- disproportionately low wages and inadequate training for preschool workers;
- a lack of sustainable funding for literacy initiatives;
- a lack of family literacy programming;
- a lack of specialized services for children and students at risk/with disabilities;
- strained relationships between community educators and families;
- inadequate aboriginal language training;
- a lack of culturally appropriate curriculum;

- a lack of literacy benchmarks;
- insufficient programming at Yukon College campuses for learners with low literacy levels and related difficulties; and
- a need for more innovative thinking to better meet the specific needs of students/learners at all levels.

LITERACY AND EMPLOYMENT:

According to the 2003 International Adult Literacy and Skills Survey (HRSDC and Statistics Canada 2005), literacy is linked to economic success and productivity. The survey also noted that the changing workplace requires higher levels of literacy, which many Canadian adults do not have.

According to a report of the pan-Canadian education indicators program (Statistics Canada and the Canadian Council of Ministers of Education 2006) the following skills are essential for finding and keeping a job in Canada:

- reading text;
- document use;
- writing and numeracy (money math to accounting);
- oral communications;
- thinking skills (problem-solving, decision-making, critical thinking, job task planning and organizing, finding information);
- working with others;
- computer use; and
- continuous learning.



Research and anecdotal information indicates that aboriginal students do not have the same level of literacy as their non-aboriginal counterparts.

Many individuals with the potential to acquire specialized accreditation in specific trades or occupations have been impeded by their lack of essential skills.

According to the report (Statistics Canada and the Canadian Council of Ministers of Education 2006), these essential skills “provide the foundation for learning all other skills and enable people to evolve with their jobs and adapt to workplace change.” The organization suggests that a one percent improvement in essential skills, on a per worker basis, would increase Canada’s Gross Domestic Product by 1.5 percent.

The current shortage of skilled tradespeople and general labourers in Canada and throughout the western world have led the Government of Yukon to study the need for renewed essential skills programming. Higher metal prices, improved prospects for oil and gas development and further settlement of Yukon First Nation Land Claims and Self-Government Agreements suggest that the Yukon has entered a period of economic growth. As the territory strives to strengthen and diversify its economy, Yukoners must have opportunities to develop these essential skills.

The report found that more than 40 percent of Canadians of working age lack the skills necessary to fulfill the basic functions of their employment (Statistics Canada and the Canadian Council of Ministers of Education 2006). Many individuals with the potential to acquire specialized accreditation in specific trades or occupations have been impeded by their lack of essential skills.

PREVIOUS LITERACY

EFFORTS: Essential skills and/or literacy programming in Yukon has usually been delivered on an ad hoc basis. Training and upgrading have not always been included as components of these efforts. In addition, essential skills training is not a core component of most employment-related training. Even when it is, it has not been provided on a long-term, sustainable basis.

Five literacy-related consultations have been carried out since 1999. In 2000, the Advanced Education Branch conducted an extensive Yukon-wide consultation in an effort to develop a Yukon literacy strategy. A further territory-wide consultation was undertaken in 2006 to assess the literacy needs of Yukoners, with a view to updating the strategy where necessary. The review of 2006 found that the goals, objectives and priorities outlined in the original strategy were still relevant but were not being met (Government of Yukon 2006).

During the 2000 consultation, First Nations leaders stated that the Yukon education system was not meeting the needs of First Nations people in the territory. Data from the Public Schools Branch also indicated that school achievement results in rural areas and among First Nation students, while improving, were not keeping up with the rest of the Yukon population.

IMPROVING LITERACY

SKILLS: Communities want to be more involved in the decision-making process. Local residents and First Nations governments feel that they do not have the authority to fix their own problems. Although some communities have committees to help meet educational needs, there is not a strong sense of team or of influence over any kind of systemic change. The creation or continuation of community structures that give communities and First Nations a decisive role in meeting their own literacy needs should be actively supported. These community organizations would carry out the following tasks:

- identify the literacy needs of the community;
- identify gaps in services;
- identify the literacy programs and services available in the community;
- plan and implement activities to ensure that literacy services are made available to local people;
- monitor and evaluate progress;
- share ideas with other Community Literacy Committees and the Skills Development Partnership; and
- where necessary, appoint representatives to the Skills Development Partnership.

SKILLS DEVELOPMENT

PARTNERSHIP: Literacy is everyone's responsibility. No single agency or authority can make it right. It will take the coordinated efforts of all partners to ensure that Yukoners have strong literacy skills.

This new partnership must address both literacy and essential skills training. It should be structured in a way that allows all stakeholders to feel responsible for finding a solution through consensual planning and decision-making.

A Yukon Skills Development Partnership (YSDP) would include representatives from the following stakeholders:

- First Nations;
- business;
- labour;
- Yukon College campuses;
- Early Childhood Development;
- HRSDC;
- Departments of Education, Economic Development; Health and Social Services, and Justice;
- Yukon Learn/LDAY/Yukon Literacy Coalition;
- public libraries;
- the Yukon Teacher's Association; and
- communities (including the Association of Yukon Communities).

The Skills Development Partnership needs to address several critical issues. First Nations students are not acquiring the essential skills necessary to reach their full potential and to contribute in a meaningful and productive way to their community.

It will take the coordinated efforts of all partners to ensure that Yukoners have strong literacy skills.

As employment

opportunities emerge, it is critical that youth in the Yukon be able to develop the necessary skills.

The partnership needs to assess the progress being made at the various levels of literacy development (pre-school, public school, post-secondary), and determine whether that progress is acceptable. If it is not acceptable, the partners need to outline the results that would be satisfactory. They must establish benchmarks to be met in daycares, schools and college campuses. They need to develop a detailed plan to ensure that these efforts are successful; the plan should include indicators that measure the level of success.

The Skills Development Partnership would support community initiatives and coordinate and enhance literacy activities in several ways:

- building a broad-based team of people who are committed to improving the skills of Yukon people;
- designing and developing a training model that is appropriate to the Yukon labour market;
- implementing this model throughout the Yukon using existing service providers;
- providing resources for member agencies to obtain essential skills development;
- promoting the importance of essential skills as an economic tool;
- coordinating and monitoring essential skills programming and training;
- helping to establish literacy benchmarks for the territory;
- monitoring and evaluating the success of activities; and
- providing sustainability to successful literacy activities.

The stakeholders will need to establish a mandate for the partnership and define roles and responsibilities. This may mean collapsing or integrating some existing partnerships. They need to determine how to structure the partnership so as to ensure focus, concentration, cohesion and coordination. The partners need to streamline the available resources to tackle this fundamentally important issue.

Existing literacy resources should be consolidated and new resources should be allocated to support systemic change. This should reduce any existing duplication and competition.

The partners must have clear, concise, easily understandable goals and objectives and must be able to communicate them effectively. They will also have to identify the resources that are readily available. A comprehensive evaluation system is needed to measure whether goals are being achieved.

A focus on young adults in the first two years of the strategy is critical. As employment opportunities emerge, it is critical that youth in the Yukon be able to develop the necessary skills. Program and service inventories should be conducted to identify the gaps in essential skills programs. A comprehensive action plan, based on the information gathered in the inventory, would then be developed.

LESSONS LEARNED: In the UK's Birmingham Core Skills Development Partnership, introduced in 1998, several factors were found to be necessary for success:

- the need for serious and systemic change was recognized.
- funding was plan focused and sustainable;
- parents were valued and active participants;
- curriculum development and delivery were flexible and diversified;
- literacy benchmarks were clearly defined;
- all educators had literacy-based training; and
- literacy practice was introduced into high school programs and services.

Literacy and skills training initiatives that are working well need to be identified, sustained and monitored to ensure they continue to meet the evolving literacy needs of the community. Programs without satisfactory results need to be discontinued and their resources reinvested in initiatives with a greater chance of success.

Communities know their problems best and they often know the solutions. They need their governments to help facilitate, coordinate and support

their efforts to solve these problems. Although the need to balance local autonomy with responsible accountability is a valid consideration, this can be adequately addressed through the development of goals and objectives, appropriate criteria and effective monitoring.

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Communities know
their problems best
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the solutions.

RECOMMENDATIONS

RECOMMENDATION 1. The Department of Education should facilitate the creation of local and territorial organizational structures that allow for a coordinated approach to the diverse literacy needs of Yukoners.

RECOMMENDATION 2. The Department of Education should foster the building of strong literacy committees in each community and assess the accomplishments of existing committees.

RECOMMENDATION 3. The Department of Education, YTG should provide the facilitation, expertise and resources to support local capacity building.

RECOMMENDATION 4. The Department of Education should support Yukon College, public schools, preschool centres and First Nations governments in helping communities achieve locally established literacy objectives.

RECOMMENDATION 5. The Department of Education should establish measures for local people to continuously monitor and evaluate literacy services.

RECOMMENDATION 6. The Department of Health and Social Services should increase the wages of early childhood educators to those of educational assistants.

RECOMMENDATION 7. The Departments of Education and Health and Social Services, Yukon College, First Nations and non-profit child-care agencies should enhance or develop programs that addresses the literacy needs of preschool children.

RECOMMENDATION 8. The Department of Education should expand successful literacy programs such as reading recovery and after-school tutoring, and continue to train educators to assess and accommodate children with literacy difficulties.

RECOMMENDATION 9. The Department of Education and Yukon College should develop and implement mandatory literacy instruction courses for all teachers.

RECOMMENDATION 10. The Department of Education should continually assess students for learning difficulties and, where appropriate, support schools in introducing appropriate supports for these students.

RECOMMENDATION 11. The Department of Education and literacy organizations should help Yukon College develop courses and services that will allow students who have not met secondary school benchmarks to overcome low literacy levels and go on to higher education and/or employment.

RECOMMENDATION 12. The Department of Education, literacy organizations and Yukon College should develop new workplace literacy programs based on HRSDC's essential skills, and train instructors to deliver them.

RECOMMENDATION 13. The Department of Education, Yukon College, the Department of Health and Social Services and Service Canada should join forces to develop a pre-employment training program for persons on social assistance.

Early childhood learning

IN ORDER TO STRENGTHEN the Yukon's capacity to meet the needs of children and their families, governments — federal, territorial and First Nations — have a responsibility to support legislation, planning, budgeting, training and policy development for early childhood learning programs. These programs must incorporate the best practices of successful early learning initiatives. Each program must be flexible in its approach to meet the needs of the families and community it serves.

Considerable research has been done to compare how countries provide early childhood learning (ECL) programs. A compilation of international studies (OECD 2001) outlined several policy elements that are critical to effective ECL programs:

- a systemic and integrated approach to policy development and implementation;
- a strong and equal partnership with the education system;
- a universal approach to access that pays particular attention to children who need special support;
- substantial public investment in services and infrastructure;
- a participatory approach to quality improvement and assurance;
- appropriate training and working conditions for staff;
- systematic attention to monitoring and data collection;
- a stable framework and long-term agenda for research and evaluation.

It is important to have a range of options for early learning programs that respect a variety of values and beliefs.

THE NEED FOR ECL: Over the last 30 years there has been an increasing demand for child care. There are a number of reasons for this:

- changes in the country's demographics;
- more parents participating in some form of post-secondary education;
- more dual-income families;
- more single-parent families; and
- more women in the workforce.

These trends are likely to continue with the rising cost of living and the increased demand for both unskilled and professional workers.

PART OF A FAMILY: Families are diverse, with a range of attributes, strengths, attitudes, experiences and abilities. Child-care programs need to be able to make a connection with every type of family. There must be communication between child-care professionals and parents, even if this is a challenge. Many parents feel guilty about having someone else care for their children; others lack confidence in meeting their child's needs. The *Early Years Study* (McCain and Mustard 1999) states: "... good early child development programs that involve parents or other primary caregivers of young children can influence how they relate to and care for children in the home and can vastly improve outcomes for children's behaviour" (p. 52).



Child-care programs need to be able to make a connection with every type of family.

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Some child-care programs operate with volunteer boards or advisory committees largely made up of parents. This structure allows for communication and feedback between families and staff members. Parental involvement is one of the core components of any Aboriginal Head Start program. Caring for children is a shared responsibility and the best outcomes are achieved when everyone works together.

A COORDINATED APPROACH: Other community supports — beyond what early childhood education programs are able to provide — are required. One report from B.C. (Ball 2004) discusses a community-based service model with child-care programs at the centre. This allows for a coordinated approach to services for children and families.

Such an approach can create accessible and affordable social support for families when they need it. It allows potential concerns to be identified before they become major problems. It provides a pro-active and supportive approach to working with families, and increases coordination among service providers. Community health services are integrated and better connected with schools. This type of service delivery is being used by several First Nations in B.C.

This approach is in line with the Interdepartmental Collaboration Project (ICP) of the Yukon's Departments of Education, Health and Social Services, and Justice. The ICP Final Report (Government of Yukon 2004) highlights some of the territory's best practices in providing coordinated services. One

example is the Teen Parent Centre, where the needs of children and their young parents are accommodated so that the whole family benefits. The Whole Child Project that operates out of Whitehorse Elementary School is another successful cooperative initiative.

ECONOMIC BENEFITS: In addition to the intrinsic value of providing high-quality care to children in their early years, there are also economic benefits. Having access to child care allows parents to be more employable. If access to care is limited, parents have less ability to further their education, training, and advancement in the workplace. A paper prepared by Canada's Early Childhood Learning Knowledge Centre (2006) stated: "From an economic standpoint, a number of recent benefit-cost analyses have shown that even small-to-moderate benefits from quality child care are important enough to warrant government both regulating and financially supporting child care" (p.2).

Several factors are essential to ensure high-quality early learning and care programs:

- well-trained staff;
- adherence to standards of safety and child-staff ratios;
- a healthy physical environment;
- developmentally appropriate and culturally relevant programming; and
- a meaningful role for parents.

Some countries recognize the value of high-quality child-care and preschool programs. In Sweden, Denmark and New Zealand, for example, early childhood learning programs are seen as a government responsibility as

important as public and post-secondary education. Sweden is at the high end of the scale, investing two percent of its Gross Domestic Product (GDP) on early learning and child-care programs. Canada spends the least — 0.25 percent of GDP — of the 14 countries included in a 2006 study (OECD 2006). Furthermore, a Canadian report found that low spending on early childhood learning is linked “not only to poor access and inequity but also to poor quality through low staff wages, limited infrastructure and poor physical facilities” (Friendly 2006).

Access should not be based on what families can afford. In many places in Canada, including the Yukon, inadequate funding is a common problem. In addition, year-to-year initiatives can severely limit an organization’s ability to provide stable programming and plan for the longer term. Some First Nations governments, such as Champagne and Aishihik First Nations, Kwanlin Dün First Nation and Tr’ondëk Hwëch’in, provide financial and in-kind support to early learning and care programs for children and their families. Smaller First Nations may be unable to commit these resources.

The business community can contribute in several ways so that even lower-income families can have access to high-quality care for their children:

- on-site child care;
- flexible work hours;
- options for working from home;
- paid leave days to attend to sick children or other family duties;
- maternity and parental benefits; and
- investment through in-kind donations and financial support.

TRAINING: High-quality early childhood education programs require well-trained staff. Training and professional development must be supported by governments and by the boards and committees who manage and operate these programs.

In some jurisdictions, child-care providers must have an Early Childhood Development (ECD) diploma. This is not the case in Yukon, although Child Care Regulations (1995) under the *Child Care Act* (revised 2002) do establish requirements for staff training (staff members must have a training plan and be working on attaining their certification).

For junior staff, training should be part of their day-to-day responsibilities. This may mean that course fees need to be included in the operating budget for these child-care programs. Professional development could be included as a paid benefit for child-care staff, just as it is for some other professions. More senior staff should be encouraged and supported in ongoing learning, through conferences, professional resources and keeping up with new developments in the field. Some Aboriginal Head Start programs have a certified teacher on staff who plans the educational component of the program.

Observation of children’s learning and behaviour are an important part of any child-care program. This allows early childhood educators to track changes that indicate a child’s increased understanding or highlight concerns which may need to be addressed through support, discussion with parents and remediation. Child-care workers need a good knowledge of

In many places in Canada, including the Yukon, inadequate funding is a common problem,

child development in order to be able to adequately assess whether children require some form of assistance or intervention.

Yukon College offers an ECD program. Other training initiatives help address the need for diverse learning opportunities for people working in the field. One of these initiatives is funded by the Department of Education's Community Training Fund. Staff from the Child Development Centre work with child-care staff in Whitehorse, Dawson and Watson Lake to help children improve literacy and develop communication and social skills. Partners for Children is another program that provides training for child-care workers.

SALARIES: Although early childhood professionals do valuable work, their salaries do not reflect this. The problem of low wages must be addressed to provide incentives to people thinking of entering the field, and to encourage workers in the field to continue with training and pursue opportunities for advancement and recognition. Without adequate compensation, the high turnover rate will continue. This makes it difficult to maintain the continuum of care that children need and deserve.

According to the Government of Yukon's 2006–07 Operations and Maintenance Budget (Government of Yukon 2006) the estimated expenditure per public school student for 2006–07 is just under \$13,000. The estimate for this same period for child care operating funds and subsidies is approximately

\$3,500 per child-care space (in other words, this is the amount per licensed space, not per child; there are waiting lists for care in many places). Subsidy rates have not increased since 2000 and government funding to enhance wages for staff has not increased to match the rising cost of living.

Annual wages for child-care staff generally range between \$20,000 and \$42,000, while the range for teachers is between \$39,000 and \$83,900 per year. This is a vast difference, and while education levels vary between the professions, the importance of their work with children is comparable. Furthermore, child-care program directors also need to carry out administrative and supervisory duties in addition to working with children. This huge gap in salaries should be addressed.

ABORIGINAL HEAD START:

In 1995, the federal government established Aboriginal Head Start (AHS) to help enhance the development and school readiness of First Nations and Inuit children living in urban centres and large northern communities. AHS projects include the following elements:

- preschool and child development activities for children in the two years before they enter school;
- parental involvement and outreach support to parents;
- support for younger children preparing to enter a preschool program;
- support for AHS children who are entering the regular school system; and
- coordination of community services.

Subsidy rates have not increased since 2000 and government funding to enhance wages for staff has not increased to match the rising cost of living.

Three First Nations were initially selected for AHS programs: Tr'ondëk Hwëch'in in Dawson, Kwanlin Dün First Nation in Whitehorse and Liard First Nation in Upper Liard, B.C. The Teslin Tlingit Council child-care program subsequently received AHS funding.

OTHER INITIATIVES: Several other programs and organizations have supported early childhood learning in the Yukon:

- the First Nation and Inuit Child Care Initiative (FNICCI), a federally funded project which began in 1994 and was administered by Council of Yukon First Nations (CYFN);
- Brighter Futures, which began in 1992 and promoted healthy child development, providing parent support and community cultural wellness;
- the Government of Yukon's Child Care Capital Development Grant, Direct Operating Grant and Subsidy Program;
- the Child Development Centre, which provides early intervention services for children from birth to five years;
- the Canada Prenatal Nutrition Program, which funds a variety of programs that enable communities to support women in making healthy choices for healthy babies;
- Yukon College, which offers courses in early childhood development (some of which can be taken on a part-time basis in the communities);
- Partners for Children, which provides workshops, training and support to parents, caregivers and other professionals;
- preschool programs in Whitehorse and in some of the communities; and
- the Literacy Action Committee, funded by the Yukon government, which helps programs acquire developmentally appropriate learning materials and assists children with communication and literacy skills.

SUCCESSFUL PROGRAMS:

Aboriginal Head Start (AHS) projects provide a framework for planning and implementing successful programs. It has six critical elements:

1. culture and language;
2. education;
3. health promotion;
4. nutrition;
5. social support; and
6. parental involvement.

CULTURE AND LANGUAGE:

Enhancing children's understanding of their own cultural roots and of other cultures in the community builds self-esteem. A language nest program, which provides language training in an immersion setting for young children, can help increase the use of a specific language.

EDUCATION: Fostering an interest in lifelong learning and providing developmentally appropriate learning experiences stimulates children and prepares them for further education. Strong links with community schools are important. Educators must value and respect each other's work with children, whether they work in an early childhood program or a public school.

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While a true language nest usually involves elders who are fluent in their language and who can spend all day with children, there are other ways to include language learning in early child-care education.

HEALTH PROMOTION: This helps children make healthy choices and take care of themselves as they grow. Visits by health professionals are incorporated into the program, and parents are included whenever possible.

NUTRITION: This includes providing healthy food that nourishes children and educating parents about the relationship between children's diet and their ability to learn. Traditional foods can easily be incorporated into menus and activities.

SOCIAL SUPPORT: Families need to know about the community resources and services that are available. AHS programs work with service providers and ensure that families know how to connect with these resources.

PARENTAL INVOLVEMENT: Providing support and learning for children extends to their families. When parents are welcomed and included the benefits are substantial. They can participate through the Parent Advisory Committee, by volunteering in the programming, by attending parent information sessions and in other ways.

Parents involved with a high-quality child-care program can learn more about these aspects of parenting:

- contributing to their children's development;
- having more positive parent-child interactions;

- gaining more confidence and more enjoyment in parenting; and
- developing and maintaining positive relationships with other parents.

LANGUAGE NESTS: Language nests were created more than 30 years ago in New Zealand, in response to a growing concern about the loss of Maori language and culture. The approach was based on the fact that language comprehension and acquisition are most successful when they begin at a very young age. Fluent Maori speakers provided care for children in a language immersion setting.

While a true language nest usually involves elders who are fluent in their language and who can spend all day with children, there are other ways to include language learning in early child-care programs. These include pairing fluent speakers with trained ECD staff and building daily language sessions into the weekly schedule, while using the language throughout the day to increase familiarity and skills. The *Handbook for Aboriginal Language Program Planning in British Columbia* (Ignace 1998) has a wealth of information on this topic and is a useful resource.

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RECOMMENDATIONS

RECOMMENDATION 1. Yukon and First Nations governments should fund, plan, construct and operate community supported health, wellness and education facilities, and should find ways to coordinate programs and services.

RECOMMENDATION 2. Yukon and First Nations governments and practitioners in the fields of education and early childhood care and learning must work more cooperatively. Greater contact is needed between early childhood learning programs and schools in order to enhance communication and transitions.

RECOMMENDATION 3. Federal, territorial and First Nations governments should provide funding to ensure that child care is accessible to all families.

RECOMMENDATION 4. The Yukon business community should explore flexible and family-friendly workplaces and invest in early childhood education, either directly or through in-kind donations.

RECOMMENDATION 5. Federal, territorial and First Nations governments should provide long-term funding for accredited professional training in early childhood learning.

RECOMMENDATION 6. Professional training in early childhood learning should be accessible and affordable throughout the Yukon.

RECOMMENDATION 7. The Government of Yukon should implement a Child Care Training Fund similar to other training funds that provide skill development.

RECOMMENDATION 8. The Yukon and First Nations governments should target funds for early childhood learning staff so that they can meet the certification levels set out in the Child Care Regulations.

RECOMMENDATION 9. The Government of Yukon should increase its financial contribution to operating funds and subsidies to early childhood learning programs to ensure adequate compensation levels for staff.

RECOMMENDATION 10. All child-care operations, both government-funded or private, should integrate a holistic approach to working with children and families.

RECOMMENDATION 11. First Nations curricula should be integrated into early childhood learning programs to support connections to traditional culture.

RECOMMENDATION 12. Language nests and immersion education should be incorporated into early childhood learning programs where appropriate.

RECOMMENDATION 13. Federal, territorial and First Nations governments should provide funds for family literacy programming.

RECOMMENDATION 14. Cross-cultural awareness should be part of the training for early childhood learning teachers and staff.

CSFY School Board No. 23

ALTHOUGH THE POWERS AND OBLIGATIONS of a school board are clearly described in the *Education Act*, members of the Yukon Francophone School Board, or *Commission Scolaire Francophone du Yukon* (CSFY) have experienced a long delay in realizing and exercising those rights. It is recommended that the Department of Education make structural and organizational adaptations to allow the board — and future school boards — to meet their mandates.

Many minority linguistic groups — in the Yukon, across Canada and around the world — face the risk of linguistic erosion and the ensuing language and cultural loss. The Yukon Francophone community recognizes this and its members are committed to ensuring the community's linguistic and cultural permanence.

The Education Reform Project team identified the need to recognize the challenges faced by the Yukon Francophone School Board (*Commission Scolaire Francophone du Yukon*; CSFY School Board No. 23). As other school boards emerge, they may have to deal with the same issues that affect CSFY. As part of the consultation process the Education Reform Project team has discussed with CSFY their goal of addressing and ensuring linguistic and cultural permanency and their need for school board autonomy.

The challenges faced by CSFY may be similar to those of any emerging Yukon school board striving to achieve its mandate and vision. The fact that the school board happens to serve the Franco-Yukon community is incidental to the discussion; therefore, this paper does not focus on the language or cultural aspects of the school board.

This paper outlines recommendations on ways to increase the autonomy of CSFY School Board #23. These recommendations are meant to create the conditions which would permit CSFY to realize and exercise their rights and responsibilities as outlined in the *Education Act*.

Several pieces of legislation relate to education in Yukon. This paper examines the *Education Act* and *Education Staff Relations Act*.

EDUCATION ACT: The powers and obligations of a school board are clearly described in the *Education Act*. The *Act* describes the role of the Minister, parents, students, school councils, school committees, and school boards. It defines a School Board as “a board of trustees of an education area established under this Act.”

Section 116 (1) describes a school board's responsibilities. They include selecting staff, including principals and teachers, for hiring, dismissal, discipline, transfer, promotion and demotion (116.1a); establishing policies for the administration, management, and operation of its schools (116.1d); establishing a procedure for resolving disputes between its schools, parents, and teachers (116.1h); and developing



As other school boards emerge, they may have to deal with the same issues and challenges that affect CSFY.

It is important to develop a system for calculating funding allocations in a way that is both fair and transparent.

and maintaining policies for the purchase of goods and services to undertake capital works (116.1t).

Section 116(2) details what a school board may undertake if it so desires. This includes purchasing or renting school premises or staff residences (116.2c), and acquiring real and personal property by way of purchase, bequest, or lease (116.2f), among others.

Although CSFY is a school board as described in the *Education Act* and is fully prepared to meet its mandate, it has not been able to do so. This is due in large part to the organizational structure of the board. Three aspects of this structure provide barriers to CSFY's autonomy:

- lack of control over funding;
- the board's relationship to its employees; and
- the administrative relationship between the board and the department.

FUNDING: Organizations make decisions based on budgets. CSFY is notified every year what their budget will be, based on the number of students attending their school, program offerings, facility needs, etc. Staffing allocations are calculated using a formula based on the number of students. The lack of control over this funding, and annual variations in funding, make it difficult for CSFY to engage in long-term planning, meet staffing needs or make strategic budget allocations that would allow them to meet their mandate.

In the future, there may be many school boards with these financial transfer arrangements, and it is important to

develop a system for calculating funding allocations in a way that is both fair and transparent. This would contribute to a relationship of trust and good will. Across Canada, provincial governments distribute resources to schools in a number of different ways (see page 4 for an overview of how Alberta and British Columbia allocate funding.)

Note: In the case of CSFY, the Government of Yukon receives additional funding from Heritage Canada to provide supplementary resources for the francophone community. These federal transfer dollars should not be included when calculating the school board's resource allocation.

BOARD EMPLOYEES: For most school boards, their primary employee is an Executive Director or Chief Executive Officer. CSFY's primary officer, its Directeur General (DG), is not a board employee, however, but works for the Government of Yukon.

This is problematic in two ways. First, the DG, as an employee of the Government of Yukon, is accountable to the government in terms of job performance. While the relevant legislation, the *Education Act*, clearly states that a school board will select staff, the CSFY board cannot hire their own DG. It is not clear why the DG needs to be an employee of the Government of Yukon; it brings no advantage to the school board and this structure hinders the board from realizing its mandate.

A second barrier stems from the *Education Staff Relations Act*. Although the school board is supposed to have the power to select their own

staff, the Act governs employee and employer rights within the education system. Principals and teachers are employed not by the board, but by the government.

A memorandum of understanding needs to be developed to explicitly deal with employing a DG. This kind of negotiation can only occur, however, after CSFY assumes responsibility for the DG as their employee, consistent with the *Education Act*. One solution would be to immediately transfer the DG to the school board, with an understanding that the terms and conditions of employment would not change for one year. At the end of the year, the school board would determine the future terms and conditions of the position. The department and CSFY may also wish to negotiate an agreement on the designation of terms for principals.

Other jurisdictions have experiences that could be useful. School boards in Alberta, for example, hire and dismiss their own superintendents, although according to the *School Act*, the Minister approves these appointments and reviews them every three years.

Some school boards may not wish to assume the full breadth of responsibilities and rights when they are created. Similarly, they may wish to waive responsibility for a number of things. For example, a school board might choose not to have a separate collective agreement with its teaching staff. In cases where a school board does not wish to exercise a right or responsibility, that responsibility could revert to the Minister of Education.

ADMINISTRATIVE

RELATIONSHIP: While the *Education Act* is unambiguous about the roles and responsibilities of school boards, the Department of Education needs to clarify how it handles this other level of school governance in operational terms. The department is mandated to develop policies that are at a higher administrative level than those described in Section 116. For example, the department issued a directive that schools would be closed during the Canada Winter Games. This directive supported a broader Yukon Government mandate to support the Canada Winter Games, and the schools' physical facilities were essential to their success.

Greater clarity is needed about how to apply the policies described in Section 116 that are developed within the department but are implemented in schools operated by school boards. It should be the school board's choice whether to adopt a policy developed by the Department of Education, if that policy falls under Section 116 of the *Education Act*. Because Section 116 is so clear, there should be little cause for conflicting department and school board policies. Nevertheless, a conflict resolution process could be developed to resolve any such situation.

OTHER JURISDICTIONS:

The Alberta government's funding manual for schools is available online (www.education.gov.ab.ca/funding/FundingManual). The funding system is based on a system of grants, including a basic grant per student. The rate differs according to grade level. Supplementary grants accommodate differences in school size, distance and class size.

Some school boards may not wish to assume the full breadth of responsibilities and rights when they are created.

The next step is to ensure that organizational roles and procedures reflect the intention of the *Act*.

Enrollment is calculated on September 30 of each year for all schools.

The province reviews its funding system approximately every five years, and in between makes small changes to the formulas as required. The Treasurer for the St. Paul Education Regional Division #1 School Board reported that, for the most part, a school needs at least 15 students per class plus several additional grants to avoid running a deficit over the course of a school year. When a school runs a deficit, it must recover that deficit the following year.

British Columbia also uses a granting system that includes a base allocation per student plus supplementary

grants. (Their granting manual can be found at www.bced.gov.bc.ca/k12funding/funding/06-07/estimates/.) Supplementary grants accommodate transportation and housing, geography, salary differentials, specialised student needs, and enrolment. B.C. also counts enrollment on September 30 each year.

CONCLUSION: If the following recommendations are implemented, School Board #23 should be able to meet their mandate as described in the *Education Act*. The roles and responsibilities of a school board are clearly set out in the *Education Act*. The next step is to ensure that organizational roles and procedures reflect the intention of the *Act*.

RECOMMENDATIONS

RECOMMENDATION 1. To support CSFY in achieving its mandate, the transfer agreement between the Department of Education and the board should be reviewed to ensure that CSFY receives all the funds due to them. If the amount has not yet been negotiated, this should be done immediately.

RECOMMENDATION 2. The Department of Education should immediately take steps to transfer to the school board those individuals who should be school board employees as defined in the *Education Act*. If a school board does not wish to assume responsibility for the full range of its potential employees, the Government of Yukon should continue to act as the employer.

RECOMMENDATION 3. The Department of Education should ask the Department of Justice to review the *Education Staff Relations Act* to see if it can include term designations. The *Act* should then be amended or amending regulations should be developed that would address this issue.

RECOMMENDATION 4. The Department of Education should review its operations to determine if it is undertaking activities described in Section 116 of the *Education Act* in areas where a school board exists. These activities should be handed over to the school board. There must be clear direction on how the Department of Education will recognize and engage with the school board.

RECOMMENDATION 5. The Department of Education and CSFY should develop a dispute resolution process that would be used when a school board and Department of Education policies conflict.

Educational advocate

THE ESTABLISHMENT OF AN EDUCATIONAL ADVOCATE would empower parents and students and help to ensure that education is a positive experience. An educational advocate could build bridges between parents and the education system, and strengthen links among families, schools and communities.

Many children enrolled in Yukon public schools require extra supports when negotiating their way through the education system, ranging from minor intervention to dedicated one-on-one support. The lack of this support can impede their academic success.

Parents can feel overwhelmed by the educational system and may feel ill-equipped to meet with teachers and administrators on behalf of their children. They may not be able to clearly identify their child's needs in order to ensure that he or she receives appropriate and timely assistance.

In order to assist parents and students and to better equip students to meet the many challenges they face, the Department of Education, in cooperation with the Council of Yukon First Nations (CYFN) should allocate the resources to hire an educational advocate. An educational advocate could provide a voice for parents to ensure that their children receive the most effective programs throughout their school tenure. He or she could help parents define students' special needs or situations, and assist them with navigating through the educational system.

HELPING FAMILIES: Many parents feel inadequate when advocating for their children. Some feel too emotionally involved to ensure that their children's needs are met. Parents

may not feel comfortable meeting with school staff, may be unable to properly explain their child's needs, or may not know the system well enough to advocate for their child. Parents of children with special needs may encounter additional barriers when trying to obtain appropriate services for their child.

In *Sharing Our Success*, David Bell explains that, even at Elijah Smith Elementary School (ESES) — which has been praised for its inclusive approach to families — there are serious barriers to advancement, including the fact that “some parents are still not comfortable coming into the school” (Bell 2004, p.139). He goes on to say that, “A challenging barrier to advancement at ESES is the history of First Nations in the education system. Historically, this relationship has not been positive for First Nations” (Bell 2004).

An educational advocate could help make parents aware of programs and services. Through positive interactions with parents and students, he or she could contribute to a more positive school experiences for students, which could lead to improved attendance records. This in turn could result in more successful students.

As Bell (2004) notes, “If this generation of students finds the school environment welcoming and inclusive, their experiences will be more positive.



An educational advocate could provide a voice for parents to ensure that their children receive the most effective programs throughout their school tenure.

This suggests that in subsequent generations the challenge of getting aboriginal students into the schools will demand less effort and more effort can be devoted to academic success” (p.142).

Having an educational advocate in place would empower parents to feel they are on equal footing with school personnel. Parents who have a clear understanding of their children’s needs can better assist them to live up to their full potential. An educational advocate could also empower students by giving them the support they need. This would ultimately benefit not just the students, but also families, schools and communities.

TASKS: The primary goal of an educational advocate is to strengthen the advocacy skills of parents in order to allow them to be more effective in their dealings with the education system. Informed, supportive parents are better able to make good decisions for their child and his or her education plan. They will also be more knowledgeable about the programs and services available to address each child’s individual educational needs.

An educational advocate would help parents communicate with teachers and staff in a way that is both assertive and collaborative. He or she would make parents aware of students’ needs and the resources available to meet these needs. This would include ensuring that an effective individual education plan was drawn up for the student.

The educational advocate should work closely with non-governmental organizations (NGOs) who provide educational advocacy services to parents (AFASE at School 2007), and ensure that there is no gap or overlap in services. The Yukon and First Nations governments, professionals, and practitioners in the fields of education, social work, the law and community services would need to work cooperatively to ensure that the educational advocate took a holistic approach in order to enhance programming, communication, and understanding among students, parents and education staff.

An educational advocate would provide a wide range of advocacy support for children with physical, emotional, behavioural, or learning disabilities. This includes the following tasks:

- advocacy coaching for parents;
- counseling parents and children;
- accompanying parents to school meetings and appeals;
- preparing needs assessments for students, which are critical in ensuring that the school provides appropriate support ;
- writing letters on behalf of students and parents;
- mediating where necessary between school staff and parents or other professionals involved with a student;
- speaking with school administrators on behalf of parents; and
- attending court with parents where necessary to better inform a child’s attorney and/or judge about specific issues.

Parents who have a clear understanding of their children’s needs can better assist them to live up to their full potential.

STRUCTURE: An educational advocate would best serve the community if he or she operated out of an autonomous office, working independently from government offices and agencies.

In Ontario, for instance, the government introduced legislation in 2005 to establish an independent child advocate in Ontario. The legislation was designed to better protect the interests of vulnerable children and youth by ensuring that the child advocate was completely autonomous, rather than reporting to Children and Youth Services as had previously been the case (Ministry of Children and Youth Services 2005). The legislation makes the advocate an officer of the legislature and as independent as the auditor general. The advocate is selected by an all-party legislative committee and reports directly to the legislature.

Coordinating the operations of the educational advocate would be a major challenge. He or she will be dealing with parents and students as well as personnel from various Yukon government departments including Education, Health and Social Services and Justice, as well as from First Nations governments.

It is essential that the office of the advocate have a clear and attainable mandate and be given a sufficient level of authority to achieve that mandate. The educational advocate should be available to parents from all Yukon public schools.

Legislation enabling the position of the child and youth advocate with a level of independence similar to that in Ontario would demonstrate that the Government of Yukon is serious about accountability and transparency, and is dedicated to ensuring a successful educational experience for all Yukon students.

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It is essential that the office of the advocate have a clear and attainable mandate and be given a sufficient level of authority to achieve that mandate.

RECOMMENDATIONS

RECOMMENDATION 1. The Department of Education should form an advisory committee including representatives from the Departments of Education, Health and Social Services, Justice and Community Services, as well as the Council of Yukon First Nations (CYFN) and the Yukon Teachers' Association (YTA), to collaborate in the development of a mandate and operational structure for an educational advocate.

RECOMMENDATION 2. The Government of Yukon and CYFN should provide ongoing and stable funding to support the operations of an educational advocate.

Community literacy partnerships

EFFECTIVE WORKING PARTNERSHIPS are needed at the local level. Such partnerships would allow local people to address local literacy needs, with resources, facilitation, encouragement and expertise provided by the Government of Yukon.

Under the terms of such a partnership, the community would identify a local literacy need and would be responsible for planning, implementing and monitoring the progress of the project to meet that need. The Government of Yukon would facilitate discussions, provide data, cite best practices, and provide information, expertise and funding.

The Government of Yukon would establish a contractual agreement for the project — for example, to improve literacy skills in rural populations — with the community. The government would establish targets, provide resources, information, financial oversight and expertise. Community groups would provide local knowledge and experience that would help them plan and implement programs that were appropriate for local needs.

BENEFITS: Such partnerships have several benefits:

- partners work toward common goals;
- shared goals allow for more efficient use of resources;
- better coordination is possible;
- projects can be more responsive to community needs;
- collective ownership results in greater commitment to a common goal.

There are other benefits as well. The community is better able to address its problems in a more coordinated and effective way. An alliance of local groups working toward a common purpose is more efficient than many separate groups competing for the same resources.

In addition, the community can focus on the areas of greatest need, and can address problems rather than the symptoms of those problems. Integrating services and resources may also help to overcome the lack of capacity that has frequently been a problem in the communities.

CHALLENGES: Groups will have to work together, and in some instances will need to relinquish some control in order to be part of a stronger, more effective, body. The Government of Yukon will have to be clear about which services it wishes the community to provide. It must also be willing to relinquish the responsibility for these services to local partnerships.



An alliance of local groups working toward a common purpose is more efficient than many separate groups competing for the same resources.

Literacy is fundamentally important to the overall social and economic well-being of every community.

A COORDINATED

APPROACH: The Department of Education should ask local communities if they are interested in developing a partnership. The department and the community would need to work together to define the goals of the project. Communities would need to determine which individuals and groups should participate. Communities should establish a committee to plan, coordinate and monitor all aspects of the literacy project. This may involve collapsing or repurposing existing organizations. The department would provide the resources for the committee to do its work.

FACILITATOR: A local facilitator would be required. He or she would carry out several essential tasks:

- encourage and support the development of local community educational planning in the community;
- follow sound community development practices that allow for maximum participatory democracy with adequate accountability;
- help foster good relationships and information sharing between the community and government; and
- help communities identify the resources needed to successfully implement and monitor their literacy projects.

Literacy and numeracy are the foundation of an education. Literacy is fundamentally important to the overall social and economic well-being of every community. It should be the starting point of any education reform.

RECOMMENDATION

RECOMMENDATION 1. The Department of Education should ask local communities if they are interested in developing a community literacy partnership.

Youth substance abuse

SUBSTANCE ABUSE affects young people in all Yukon communities, including costs to health and justice resources and services, losses in educational opportunities and devastating effects on individuals, families and communities. The benefits of a youth substance-abuse treatment centre would be felt across the territory.

Stakeholders across the territory, including the Government of Yukon, First Nations, the City of Whitehorse, the RCMP and non-governmental organizations (NGOs), have taken action to address substance abuse through a variety of services and initiatives such as Alcohol and Drug Services (ADS) unit, Second Step and the Drug Abuse Resistance Program (DARE). Few of these initiatives specifically address youth treatment, however.

A youth substance-abuse treatment centre is needed. The centre's guiding principles should reflect those set out in the Yukon Substance Abuse Action Plan (Yukon Department of Justice 2006), including a community health perspective; a comprehensive approach; the use of partnerships; and cultural awareness of First Nations values. By following these principles, a youth substance treatment centre would help young people deal with substance abuse issues before they take root.

EXISTING PROGRAMS

ALCOHOL AND DRUG SERVICES:

This unit, part of the Department of Health and Social Services, provides workshops, services for professionals, and information for the general public.

ADS provides several treatment options, including outpatient counseling for individuals and families and 28-day treatment programs, each of which can accommodate 12 clients. These

programs are already unable to keep up with demand, however. ADS programs are not designed for youth, although youth addiction counselors go to the schools, provide counseling services, and provide community presentations.

DETOX FACILITY: This facility is intended to people for a few days through withdrawal from drugs and alcohol. The facility is designed for adults, however, not youth.

BLOOD TIES FOUR DIRECTIONS:

This drop-in centre provides on-site support and referrals to trained counselors. It is intended primarily for people affected by HIV/AIDS and Hepatitis C. The centre holds education and prevention workshops for HIV/AIDS and provides a needle exchange.

EFFECTS OF SUBSTANCE

ABUSE: In 2003 the territory's youth crime rates were substantially higher than those in the provinces. There was also a high rate of youth court cases for people aged 12 to 17 years (Statistics Canada 2005). There seems to be a strong connection between substance abuse and violence.

The effects of substance abuse for young people include declining grades, absenteeism from school and an increased potential for dropping out of school. A low level of commitment to education, along with higher truancy rates, appears to be related to substance use among adolescents.



By following these principles, a youth substance treatment centre would help young people deal with substance abuse issues before they take root.

Lower education levels are considered to be an increased risk for substance use or misuse, as is not completing high school.

Adolescents who use alcohol and drugs experienced cognitive and behavioural problems that may interfere with their academic performance and cause them to be disruptive in class (Crowe 1998). Children and youth with substance abuse issues are more likely to commit acts of violence. Victimization has in turn been linked to the increased use of drugs and alcohol, tobacco use and mental health problems. Experiencing abuse can cause low self-esteem and other emotional problems, which can result in difficulties in school, the work force, and personal relationships (Public Health Agency of Canada 2005). Lower education levels are considered to be an increased risk for substance use or misuse, as is not completing high school (Stockburger et al. 2005).

Increasing students' attendance at school and increasing their school performance is clearly a laudable goal, not only in reducing the risk of substance abuse, but also in improving their quality of life (Latimer, Dowden and Morton-Bourgon 2003).

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RECOMMENDATIONS

RECOMMENDATION 1. Yukon and First Nation governments should fund a task force of youth service providers from across the Yukon to conduct a consultation on youth substance abuse and develop a treatment model appropriate to the Yukon.

RECOMMENDATION 2. When a treatment model has been developed, a board should be formed to provide decision-making, leadership and direction in the formation of a youth substance-abuse treatment centre.

RECOMMENDATION 3. The youth substance abuse treatment centre's guiding principles should reflect those set out in the Yukon Substance Abuse Action Plan.

Educational leadership

IN ORDER TO MAKE the education system more effective and more responsive to First Nations students and communities, it will be necessary to attract, retain and develop school administrators who can be leaders in the school and the community. More First Nations teachers and school administrators are needed within the community. An in-school administrator mentorship program is needed that will identify, recruit and offer training to teachers and identify principals who can be mentors.

There is little consensus on what educational leadership means or how best to develop it. Post-secondary programs in educational leadership do not always take into account First Nations traditions and culture (Stack et al. 2006). School administrators may have little if any experience in working in a small community. Teachers who have leadership qualities may not want to remain in or return to rural schools.

A lack of contact with people and opportunities can also inhibit leadership growth. Some Yukon schools find themselves isolated, without access to the human resources and professional development opportunities in Whitehorse or elsewhere. Actual or perceived isolation may prevent potential administrative candidates from becoming or remaining leaders.

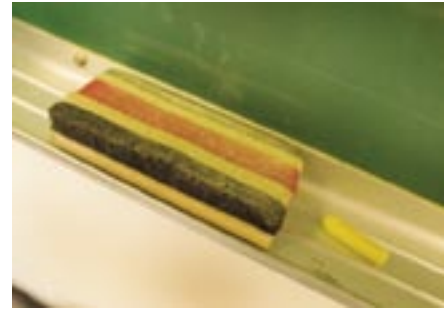
School leaders require the stimulation that comes from directing a shared vision within a school. That vision requires leadership that extends into the community. Leaders also need exposure to new ideas and individuals.

LANGUAGE: The ancestral languages of many Yukon First Nations are nearly extinct. Children are unable to communicate with the few remaining speakers of their language.

Language and culture are inter-related. The effects of cultural and linguistic destruction are evident among many aboriginal groups throughout the world and are accelerated in an age dominated by instant electronic communications, increased globalization, the predominance of few major languages and the pervasiveness of the Western lifestyle.

School administrators and teachers can also be role models within the community for aboriginal language recovery. Although aboriginal language instructors provide vocabulary-based instruction in Yukon schools, these efforts are limited and students are not becoming fluent. There are few community-based structures outside the classroom for instruction. Language recovery requires a combination of home, community, school and departmental efforts.

BUILDING SUCCESS: Student success is influenced by family and community, not just school (Leithwood et al. 2004). School and home are interdependent, and educational leaders strive to understand how the two are connected. The influence of teachers and principals extends to the community outside the school.



School leaders require the stimulation that comes from directing a shared vision within a school.

Respect for community members, elders and traditions and an interactive, inclusive style is necessary for success. Effective school principals and teachers realize that work with communities and families — both inside and outside the school — ensures the best educational opportunities.

Some schools are more successful than others at helping students recognize their abilities and providing the opportunity for them to complete school and pursue their goals. Effective schools are guided by morally strong, competent and energetic leaders who lead with, and through, others (Fullan 2001). Effective schools create a learning culture that fosters the leadership qualities of students, teachers and community members.

Although fiscal responsibility is always important, efficiency is not a prime motivator for excellent educational leaders. Leaders recognize that individual human needs are critical to student and teacher success. Encouragement, openness, and support bring positive results. Excellent principals value personal student achievement over classroom efficiency, and tolerance and respect over orderliness or strict adherence to deadlines.

Gifted administrators strive to address tumultuous situations with sound educational judgment, innovation and inclusion, and do not become discouraged at failure. Rather, they see it as a learning opportunity, and are prepared to move forward with new ideas.

Educational leaders need both vision and experience. Good administrators gain from successful classroom and community experience. Patience, tolerance and a willingness to listen are extremely important. Yukon school leaders — whether aboriginal or non-aboriginal — must value different world views and support traditional ways of learning.

A NEW APPROACH: Gone is the administrative model of a principal leading from behind a desk. He or she needs to be a teacher, classroom assistant, custodian, healer, secretary, motivator, coach and planner. There is no room for administrators who operate their schools by remote control, sending out directives, invisible to students and teachers, rarely seen at school activities or in the classrooms and hallways. In the Yukon, many school-based events and ceremonies are community occasions as well, and principals and vice-principals must be seen as participants.

Efficient principals can turn schools into institutions whose output is measured purely in terms of economic management and academic success. Leadership is far greater than efficiency, however. The recognition of human efforts and achievement, encouragement, openness, compassion and dynamism contribute far more to student and teacher fulfillment, and to a community-enriched school.

Yukon communities are small; teachers feel observed, and they are. Parents watch teachers and principals, hoping that those who teach their children are men and women of principle who care for their children both in the classroom

Effective schools
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and beyond. Parents have the right to expect exemplary behaviour from their school administrators.

Effective school leaders share several common characteristics:

- strong respect for all members of the school community and their beliefs and cultures.
- strong respect for and promotion of First Nations culture, languages and traditions and knowledge of self government agreements; and
- high expectations for students and teachers.

Strong leaders focus on student achievement and long-term goals, and promote effective staff development programs. They provide a wide range of programs and services that support learning. Effective leaders ensure that the school is a secure and welcoming place for children, teachers, parents and community members. They also provide stable leadership with long-term planning and implementation goals, and governance and program delivery that involves teachers, parents and the community.

A dynamic school leader is expected to accomplish many things:

- promote and sustain a common vision and focus that is shared by teachers, students, elders and parents;
- articulate the school's vision;
- promote mentoring programs for teachers and potential administrators;
- address the social, emotional, spiritual and physical needs of students;

- acknowledge and promote student and teacher leaders;
- ensure high-quality instruction and extracurricular programs;
- be sensitive to the needs and hopes of children and their families;
- develop high expectations for staff and students;
- foster positive school and community relations
- commit to a good relationship between the school and the community;
- commit to providing tools that will assist lifelong learning.

CHALLENGES: Fewer potential leaders are willing to move into school administration. Teachers who possess leadership abilities may be discouraged by a lack of clarity about the role of administrators, or by the long and competing list of expectations of diverse stakeholders. The responsibility and accountability may seem overwhelming. The potential for success appears highly uncertain, particularly given the lack of training and development, and of the tangible assistance of peers.

These factors are made worse by a lack of awareness of how to become an educational leader. Effective, experienced teachers, perhaps secure in their own classrooms, are less likely to consider the stress that accompanies an administrative role. There are insufficient opportunities for high-potential teachers to explore leadership positions.

A school administrator is the focal point for endless second-guessing, controls little spending, cannot replace personnel,



There are insufficient opportunities for high-potential teachers to explore leadership positions.



and is subject to the demands of superiors and parents. Expectations and accountability for schools continue to increase while public support decreases. Even in the smallest schools, evening and weekend commitments affect the personal and family life of the school principal.

RECRUITMENT: Across Canada, school systems are finding it difficult to attract candidates to school-level administrative positions. The problem of administrator recruitment is exacerbated in smaller Yukon communities where principals and teachers may feel cut off and unable to gain the support, training and experience required to successfully lead. Compounding these problems is the fact that the majority of current Yukon school administrators will retire within five years.

As a result, schools have often filled administrative positions by hiring experienced principals who have come out of retirement or near-retirement from other jurisdictions. While this may address the problem in the short term, it does not contribute to developing educational leaders. Although these experienced administrators usually have the technical expertise to manage a school, their awareness of context requires a number of years to develop. This distinct change of environment can pose a great challenge to administrators.

DIVERSITY: Yukon schools have been proactive in recognizing educational diversity. Specialized reading programs, individualized education plans, First Nations curricula and language instruction, Catholic schools and French language instruction, drama, art and outdoor education opportunities all recognize the wide range of possibilities within the existing system.

The Yukon needs to continue its strong commitment to diversity by celebrating new learning opportunities that meet the goals and aspirations of all Yukoners and that continue to foster strong traditions, values, beliefs, languages and cultures. Yukon aboriginal communities expect strong, committed leaders who are agents of change while maintaining respect for history and tradition. Academic achievement must be coupled with reenergized linguistic and cultural knowledge. Human resource development activities specific to school administration could also benefit from such commitment, innovation, and resourcefulness.

DEVELOPMENT: Under the current Yukon *Education Act* (1990), school councils are responsible for hiring principals. There is no mechanism, however, whereby Yukon teachers — particularly First Nations teachers — with administrative potential are offered training, experience, mentoring and opportunities to advance to leadership positions within schools and the Department of Education.

Directors of Learning, principals and communities should seek prospective administrators who demonstrate suitable professional background, ambition, moral integrity, skill, political savvy and determination. In addition to input at the local level, organizational and financial commitment is needed to ensure that developmental activities are not seen as an extra duty but are part of a sustainable, coherent and valued long-term departmental strategy.

YNTEP: There aren't enough qualified Yukon First Nations teachers in Yukon schools. Even fewer of these educators are found in administrative positions. This falls short of Yukon First Nations expectations and the intended outcomes of the Yukon Native Teacher Education Program (YNTEP) at Yukon College. The program allows First Nations (and, recently, non-First Nations persons) to earn a Bachelor of Education degree through the University of Regina.

Although YNTEP has attracted and trained qualified teachers, Yukon schools have had limited success in retaining graduates from the program. Some graduates find jobs elsewhere; others take graduate-level studies or move into other fields. Relying on this program alone will not address the shortfall in First Nations administrators.

In addition, in recent years the number of candidates coming forward for teacher training has fallen off. This parallels a decline throughout Canada.

With fewer YNTEP entrants and a low graduate retention rate, the number of aboriginal teachers who might become school administrators is growing smaller. This remains the single greatest challenge to First Nations school-based educational leadership.

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Although YNTEP has attracted and trained qualified teachers, Yukon schools are less successful at retaining graduates from the program.

RECOMMENDATIONS

RECOMMENDATION 1. Establish an in-school administrator mentorship program that will identify, recruit and offer training to teachers and identify principals who can be mentors.

RECOMMENDATION 2. Although Yukon First Nations teachers should be strongly encouraged, all teachers who meet the following criteria should be eligible to apply for the mentoring program.

- a) Yukon teacher certification;
- b) acceptable undergraduate degree;
- c) successful teaching experience, coupled with demonstrated community involvement, leadership potential and initiative; and
- d) willingness to complete a master's degree or equivalent.

RECOMMENDATION 3. A Mentoring Advisory Committee (MAC) should be established to direct the program, choose mentoring principals and accept applications. This committee must include all education partners. Special emphasis should be given to encouraging First Nations teachers with in-school administrative potential.

RECOMMENDATION 4. Operational funding should be provided for the in-school administrator mentorship program.

RECOMMENDATION 5. Courses should be provided to school administrators and teachers during the school year and in the summer to promote professional development, and cultural and language learning. These programs must be accessible to rural personnel (through distance learning, if necessary).

RECOMMENDATION 6. Courses in educational leadership and administration should be developed and provided with financial support.

RECOMMENDATION 7. Participation in graduate-level distance and summer school administration programs should be encouraged and supported.

RECOMMENDATION 8. Time, training and incentives should be provided to ensure that mentoring principals have the requisite knowledge, skills, and attitudes to be effective.

RECOMMENDATION 9. An existing Yukon school administrator should lead and oversee the in-school administrator mentorship program.

RECOMMENDATION 10. Greater financial and other incentives should be provided for all school administrators to engage in continuous learning.

Representation of administrators

PRINCIPALS AND VICE-PRINCIPALS NEED a wide range of skills and experience to balance the interests of a broad range of stakeholders. They need to have positive working relationships with teachers, and with these stakeholders, in order to have well-run schools. They also require the support of the Yukon Teachers' Association in terms of advocacy, professional development and salary levels.

A school administrator must deal with many challenges. The environment of schools, and the leadership required of them, is described by Stack et al. (2006) as, "fast-paced, fragmented, frustrating, exhausting, and exhilarating."

Administrators are responsible to many different stakeholders for the ethical and effective management of schools, and they must balance many significant, and at times competing, priorities. They need to support positive relationships among a diversity of groups, including teachers, parents, the Yukon Department of Education, school councils, First Nations governments and Yukon College.

REPRESENTATION: Under the umbrella of the Yukon Teachers' Association (YTA), school administrators are members of its sub-association, the Association of Yukon School Administrators (AYSA). They are guided by the YTA Code of Ethics. In some jurisdictions, the professional association provides separate representation for administrators.

In balancing their diverse responsibilities, administrators may make decisions that are not seen favourably by a colleague or stakeholder. When this happens, conflict results. While conflict is a natural, healthy and inevitable part of organizational life, it must be managed

and resolved effectively. Although disagreements are generally resolved amicably, this is not always the case. In such instances, administrators need to know that they will receive adequate representation and counsel by the YTA.

Administrators balance the sometimes conflicting role of teacher and manager. Difficulties can arise when the YTA represents the positions of two members in different roles. This can cause administrators to feel under-represented by their association. AYSA has presented suggestions to ensure that issues between administrators and teachers are resolved positively and professionally, but further discussions between the YTA, AYSA and the Department of Education are required.

RESPONSIBILITIES: Yukon teachers and school administrators continuously strive to work professionally together. The YTA must recognize that school administrators have broader responsibilities than just teaching. This requires particular consideration when conflicts arise between teachers and administrators.

Given the diverse nature of their responsibilities, administrators require a broader array of knowledge and skills, including a working understanding of legal issues, human resources and policy. Administrators also have a wider range



Given the diverse nature of their responsibilities, administrators require a broader array of knowledge and skills, including a working understanding of legal issues, human resources and policy.



If the Yukon wants to attract and retain school administrators, it is critically important that the YTA understand administrators' extensive roles and responsibilities.

of professional development needs than those of teachers. The YTA should make more funds available for administrators' professional development.

EXPERIENCE: School administrators bring a wealth of experience and educational perspective that extends beyond the classroom. They are the liaison between schools, communities, the Department of Education and the general public. As such, they serve as the front-line representatives of both their professional association and the teaching profession as a whole.

School administrators begin as teachers, and they also have experience in a variety of fields and jurisdictions. In most regions of Canada, the completion of a masters-level degree is considered standard for an administrator. This means that administrators form one of the most, if not the most, well-trained component of the YTA membership. They deserve strong advocacy on the part of the YTA.

RECOMMENDATIONS

RECOMMENDATION 1. The YTA and AYSA must clarify the issue of representation for administrators, and acknowledge the broader and, at times, conflicting roles of administrators. They must specifically address the process of dealing with conflicts between teachers and administrators.

RECOMMENDATION 2. The Yukon Department of Education should participate in these discussions in order to foster collaborative and healthy working relationships between teachers and administrators.

RECOMMENDATION 3. Salaries for administrators in the Yukon need to be competitive within the Canadian labour market. The YTA must strive to ensure that Yukon compensation is competitive.

SALARIES: The YTA is the bargaining agent for Yukon teachers and school administrators. If the Yukon wants to attract and retain school administrators, it is critically important that the YTA understand administrators' extensive roles and responsibilities. The low salary level for administrators is a challenge that is increasingly important as more administrators reach retirement age. It also discourages teachers from moving into administration. YTA must be prepared to advocate vigorously for school administrator compensation to be increased.

Academic achievement, school functioning and effective teaching are directly and indirectly influenced by educational leadership. There are broad-ranging benefits to having skilled and effective administrators in Yukon schools.

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Evaluation of teachers

EXISTING EVALUATIONS of teachers have several shortcomings. A better way to encourage improved performance is provided by Teacher Professional Growth Plans. These plans support and guide teachers in their professional development. Growth plans and formal evaluations can also be combined in a variety of ways.

In the Yukon, formal teacher evaluations include at least one pre-conference meeting, three classroom visits and a post-conference meeting. The report is then finalized, shared and placed in the teacher's personnel file. The evaluator is required to share his or her observations after classroom visits and to allow input from the teacher. The teacher can also provide a written response to the evaluation and have it attached to the evaluation in his or her personnel file.

The evaluation summarizes teacher performance as satisfactory or unsatisfactory. In theory, if the report is satisfactory it is filed after review procedures are completed. This process is repeated every three years or whenever the teacher, supervisor or school council requests it. If the teacher is rated as unsatisfactory, recommendations for improvement may be included in the report or a letter of expectation may be given to the teacher. The letter lists any shortcomings, gives clear direction on what and how to improve and outlines the implications for the teacher if the issues of concern are not addressed. Depending on the degree of underperformance and any inability to improve, the teacher may face dismissal.

There are several problems with traditional evaluations:

FREQUENCY: Administrators in Yukon schools do not always carry out evaluations as often as required. Many administrators simply do not have the time to do the number of evaluations required, as well as perform their other duties. It is not uncommon to find teachers who have not been formally evaluated in a decade or since their probationary period ended. In some cases, administrators address the most pressing evaluation needs: those of teachers on probation, those required by Directors of Learning or school councils, and a few others.

LACK OF SPECIALIZATION: Administrators who evaluate an individual teacher's performance are not often specialists in the field that they are assessing. Although this does not prevent administrators from making valuable judgments about some of a teacher's abilities, it greatly limits the overall relevance of the evaluation and restricts the administrator from assisting the teacher in his or her future development. Because of this, the Canadian Teachers' Federation, which advocates for francophone educators, promotes the assessment of teachers of French as a second language by evaluators who are qualified to work in French.



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A growth plan

focuses on the skills, knowledge and attributes necessary for exemplary teaching and identifies professional development opportunities that promote these elements.

RIGIDITY: Teaching involves a wide range of skills, from highly academic calculus preparation to training children to use crisis intervention strategies. The current evaluation model, in its attempt to exact a common standard, takes too broad an approach to a system that needs diversity in knowledge, skills and attributes.

Approximately three years ago, the Teacher-Librarians sub-association of the Yukon Teachers' Association (YTA), with the endorsement of the Department of Education, developed a draft evaluation model for teacher-librarians. This addressed the fact that the existing evaluation model did not cover the specific situations faced by library staff. Similarly, at least one school has developed its own form to evaluate school counselors. Neither of these evaluation forms has been adopted by the Department of Education.

Many jurisdictions employ two types of assessment: a highly adaptable supervised teacher professional growth plan and a more rigid evaluation. It is hoped that this two-part approach will address the goals of accountability and achieving effective teacher-student interactions.

GROWTH PLANS: A Teacher Professional Growth Plan guides a teacher's professional development for the year. A growth plan focuses on the skills, knowledge and attributes necessary for exemplary teaching and identifies professional development opportunities that promote these elements.

Growth plans place a great deal of responsibility on individual teachers to assess their professional needs and identify training that will allow them to enhance their skills. Unlike the current evaluation model, where an administrator looks for evidence of underperformance, the growth plan provides a process in which a teacher can feel confident in highlighting areas that need improvement. If teachers have the freedom to identify these issues, then their performance will improve, which should in turn lead to improved learning results on the part of their students.

School administrators oversee the development and outcomes of the plans. In some cases, specialists in an individual's teaching field are also involved (Fenwick and Smulders 2001). Development activities may be identified by teachers or may be offered through jurisdictional or school-based programs.

Teachers who demonstrate ongoing professional competence through evaluations are permitted to use growth plans. The plans typically reduce the number of formal evaluations carried out. The formal evaluation model can still be used with growth plans in an integrated approach, however.

Different jurisdictions in Canada use different approaches to growth plans. Formal evaluation models like the one currently followed by the Yukon's Department of Education are used in all jurisdictions that use growth plans. Traditional evaluations continue to be used for newly hired teachers within their probationary period, upon request by teachers and as a response to concerns, either from administration or other sources.

Growth plans are a natural extension of current practice. They can be combined with formal evaluations in a variety of ways. Ontario is designing a system of annual growth plans, with an interruption every fifth year to allow for a formal evaluation (Ontario Education 2006).

PROCESS: A growth plan begins with a teacher formulating measurable goals of professional growth for the year. This takes place at or before the start of the school year. Goals may cover a single year or more than one year, but they must be measurable. Some schools stipulate a minimum number of goals and require them to relate to systemic issues of the school or jurisdiction. Participation in a mentorship or student-teacher hosting program often satisfies the requirements of a growth plan (Edmonton Catholic Regional Division 1999).

Goals are submitted early in the school year or term of employment and reviewed in a face-to-face meeting with the administrator. This review is normally completed by November. Some schools have mid-year meetings to review progress with the teacher and administration or with groups of colleagues. The decision about whether to have mid-year meetings seems to reflect individual school preference rather than policy requirements (Fenwick and Smulders 2001).

Throughout the year teachers seek out learning activities that support their growth plan. Near the end of the year, the teacher has another face-to-face meeting with the administrator to measure progress and discuss future developments.

Growth plans are renewed yearly in all jurisdictions that use them. Generally, they are formulated only in years when a formal evaluation is not carried out. In Halifax, growth plans are required every year (Halifax Regional School Board 2006).

PURPOSE: Growth plans are designed to ensure that teachers maintain high standards. They encourage teachers to pursue professional development in three main areas:

- activities that serve their individual needs in terms of skills, subjects and grades;
- activities addressing the needs of their school community; and
- activities that serve the interests of the jurisdiction.

Some jurisdictions have attempted to impose a minimum number of training hours from a prescribed course list. This can result in training that is too general for most teachers, or which is not relevant or fails to address the different needs of both new and seasoned professionals.

A key intent of growth plans is to encourage teachers to actively participate in their professional development (Fenwick 2001). It is also critical that growth plans incorporate a range of teaching styles.

The main purpose of growth plans is to provide the best learning conditions for students by enhancing teachers' knowledge, skills and attributes. They help teachers make the best use of professional development opportunities by creating a plan rather than taking an ad hoc approach to workshops or courses.



The main purpose of growth plans is to provide the best learning conditions for students by enhancing teachers' knowledge, skills and attributes.

Teachers usually have the greatest insight into how their development can best be matched to the needs of students in their classrooms.

A coordinated and focused professional development plan that targets needs identified by teachers has a much greater likelihood of creating the desired changes in the classroom. Teachers usually have the greatest insight into how their development can best be matched to the needs of students in their classrooms.

STRUCTURE: Growth plans should be simple. They also need to be flexible to allow for different circumstances and abilities.

Since they rely on teachers' professional ability to assess themselves, growth plans are generally not used in the first year of teaching or in cases where performance is unsatisfactory. They are also not used in years when a formal evaluation is conducted. Although policies are developed at the provincial or territorial level for the evaluation of teachers and the establishment of teacher professional growth models, the specifics of policies such as the growth plan structure are developed at the school board level.

ACCOUNTABILITY:

Administrators supervise the growth plans. The oversight they provide ensures that the growth plans achieve professional standards and meet submission and review requirements. When teachers create growth plans, administrators often assist in making them simpler so that the goals are realistic and attainable (Fenwick and Smulders 2001). Administrators have many other techniques, including the current evaluation model, to identify areas where teachers need to improve.

POLICY: The YTA is a member of the Canadian Teachers' Federation (CTF), which has created a policy regarding teacher evaluation. The policy states that policies and procedures should be formulated at the provincial and territorial levels with the cooperation of teacher unions. Other policies highlight the responsibility that teachers have to self-assess, pursue lifelong professional development and improve learning conditions (CTF 2005).

Many CTF affiliates have policies to assist teachers in making professional growth plans. Since growth plans recognize the ability of teachers to assess their own needs, teacher organizations tend to support their use. These organizations can provide support for growth plans, both in development and implementation, to make them as successful as possible.

IMPLEMENTATION: Several key elements are needed for successful implementation:

- making people aware of growth plans;
- skills in determining goals;
- time for implementation;
- time to write and review the growth plans; and
- resources (including time) for teachers to participate in professional development.

All political and administrative levels are involved in implementation. Provincial or territorial teacher federations may provide training through workshops or web-based materials. The department or school board may support workshops or individual school staff meetings. Financial resources are required, both to support professional development opportunities and to pay for the time needed for teachers to participate. School-based administrators are critical to the implementation of growth plans. Their examples, support and encouragement are essential.

POTENTIAL CONCERNS: In the education field, many changes are made for political reasons or are based on sketchy or preliminary evidence. Changes often receive only halfhearted support and educators have come to expect them to be short-lived. For growth plans to be successfully implemented, the rationale, resources and time invested have to be well-planned and sustained. Plan implementation in other jurisdictions should be studied for any guidance it can provide.

Teachers who identify areas that they wish to improve in when they set their goals need to be assured that this will not be cited as a shortcoming in their abilities in a formal evaluation. Without this assurance, it is unlikely that professional growth plans will target the areas needing improvement.

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RECOMMENDATIONS

RECOMMENDATION 1. The Department of Education and the Yukon Teachers' Association should develop and implement a model for Teacher Professional Growth Plans.

RECOMMENDATION 2. Annual growth plans should be required but only in years when formal evaluations are not carried out.

RECOMMENDATION 3. Growth plans should address the needs of the individual, the school, the system, the community and the profession.

RECOMMENDATION 4. The Department of Education and the YTA should develop quality standards for the teacher evaluation process.

RECOMMENDATION 5. Formal evaluations should be retained for probationary teachers or when required by the system.

RECOMMENDATION 6. Formal evaluations should be carried out every five years rather than every three years, as is now the case.

RECOMMENDATION 7. All school-based instructional staff and Department of Education staff should have a professional growth plan or professional development plan.

Site-based management

THE TERM “SITE-BASED MANAGEMENT” (SBM) refers to a decentralized approach to educational governance. According to Beck and Murphy (1998), it “emphasizes moving authority away from districts and states and establishes representative decision-making systems within individual schools” (p.359). Implementation of SBM can also provide the foundation for subsequent educational initiatives.

ORIGINS OF SBM: Site-based management (SBM) is not solely a North American educational reform initiative; it is being applied, in various ways and to varying degrees, in educational systems around the globe (Hanson 1998).

The principle underpinning SBM is not new. It is founded on an industrial and business model, and is based on the belief that involving and empowering employees in decisions about their work increases their job satisfaction (Cromwell 2000, Holloway 2000). Similarly, SBM is based on the principle that the people most closely affected by decisions should be involved in a significant way in making those decisions.

According to Levey and Acker-Hocevar (1998), SBM typically incorporates the following components:

- devolution of authority to individual schools;
- shared decision-making that involves various stakeholders; and
- leadership at the school level.

There are many forms of site-based management (SBM). It ranges from the transfer of tasks or work, but not authority, to transferring decision-making authority from higher to lower hierarchical units, to the devolution of authority to a unit that can act independently (Hanson 1998).

SBM IN A SCHOOL SETTING: SBM requires a school-level committee to be formed. Depending on the jurisdiction, committee representation may be mandated (Vann 2000) or may be determined with the guidance of the principal. Often a council at the school has at least some responsibilities for budget, personnel and curriculum (Wohlstetter and Mohrman 1995, p.18).

Yanitski (1998) describes a site-based management committee at the school level in Alberta as being comprised of a range of educational stakeholders, including parents, students, teachers, administrators, superintendents, trustees, government, businesses, and other community members.

Alberta Education (1999, p.2) states that school councils must include a majority of parents of students attending the school as well as the principal, at least one teacher, at least one parent of an Early childhood services (ECS) child enrolled in the school or a non-parent community member with an interest in the school, and at least one student in a senior high school. It requires a school council of an elementary or junior high school to have at least seven members and a council of a senior high school to have at least nine members.



Similarly, SBM is based on the principle that the people most closely affected by decisions should be involved in a significant way in making those decisions.



SBM brings a shift from the principal as primary decision-maker to an environment where power is devolved to others.

THE SCHOOL PRINCIPAL:

Regardless of how the site-based management committee is organized, the school principal is extremely important in bringing together and leading this diverse group.

SBM does not diminish the principal's importance in any way. Rather, the success of any SBM reform is linked to him or her.

SBM brings a shift from the principal as primary decision-maker to an environment where power is devolved to others. Stakeholders need to understand when the principal must make decisions and when collaboration and consultation are appropriate. This is not a straightforward task, and any lack of clarity will add to the challenges principals face.

The change to a site-based management approach poses challenges to school principals, who become the force that drives decentralization initiatives. Principals will see more diversity and complexity in their roles and responsibilities, and will need to share power and responsibility. These tasks require a greater range of management and leadership skills. One possible risk is that SBM may result in a principal becoming more like a CEO, which can lead him or her away from student-centred issues (Yanitski 1998, Cranston 2002).

The devolution of decision-making can bring increased accountability, responsibility, authority and workload to the principal (Yanitski 1998, Beck and Murphy 1998, Cranston 2002) as

he or she becomes the focal point for diverse groups and processes. Often the principal's job expands to include a wider array of leadership and management tasks, which require interpersonal abilities (Cranston 2002, p. 5).

The tension of balancing management and educational leadership appears to increase in SBM environments. Principals face the following challenge: although they need to adhere to the collaborative processes of SBM and include teachers, parents, community, and the department or school district, they are still responsible for the sound operation of the school and will sometimes have to make unilateral decisions. In light of these complexities, the leadership style of the principal is a key factor in determining the extent to which SBM efforts will be successful (Yanitski 1998).

SBM AND STUDENT

ACHIEVEMENT: A misconception of SBM is that decentralized school decision-making leads to improved student performance (Latham 1998, p.85). Although SBM can allow schools to respond directly to the specific needs of their students (Cromwell 2000), it does not necessarily improve achievement results. According to Archer (2005), school systems that implement SBM need to marry the approach to a district-wide focus on instruction. SBM is a means to an end, not an end in itself. "To be considered truly useful, SBM must be tied to real reform in how educators interact with one another and in how they teach their students" (Latham 1998, p.86).

BENEFITS OF SBM: Beck and Murphy (1998) outline examples where an SBM model has transformed a school by bringing parents and educators together to achieve goals. This change in approach is vital. Without it, changes in structure are largely superficial and will not likely result in improved results for students.

In a study of SBM that included schools in the United States, Canada and Australia, Wohlstetter and Morhman (1995) stated the following: “The implementation of SBM represents a fundamental and systemic organizational change to increase the local presence of four key resources: power, information, knowledge and skills, and performance-based rewards.”

They cite Edmonton Public Schools as an example of a participative structure where parent councils were formed not as policy-making bodies but as a means of providing input that could be incorporated into educational decisions.

One appeal of SBM appears to be that, “In at least some forms, [SBM] has the potential to create schools that are fundamentally more democratic” (Bradley 1992; Cross and Reitzug 1996). Including teachers in planning processes is part of this process. The increased autonomy and local control as a result of SBM enables educators to be more responsive with their planning and teaching and brings faster results than if they have to wait for approval from a central governing authority.

LESSONS LEARNED: A literature review conducted by Bauer and Bogotch in 1997 (in Holloway, 2000) found that school districts that rush implementation of SBM without carefully considering its implications — regardless of the model — may experience serious and unintended consequences.

From the onset, stakeholders in a SBM governance structure need to be clear on their responsibilities and those of others. All stakeholders need to understand who has the authority for making final decisions. They also need to know where to focus their commitment and expertise. Yanitski (1998) makes the assumption that not all stakeholders wish to be involved in all decisions: “Collaboration is important, but if the process used is extremely time-consuming and has everyone involved at all stages and on numerous committees, then the primary focus of participants’ energies will not be on the frontline interaction with students” (p.18).

Timely and relevant professional development for all participants must be a part of SBM efforts. An important factor to consider in the implementation of SBM reforms is the increased demand on participants’ time due to the change in approach (Yanitski 1998). Wohlstetter and Mohrman (1995) reinforce the common conclusion in SBM research that, “teachers become frustrated by the enormous workload of teaching and managing.” They go on to say, “subcommittees allowed greater numbers of teachers to participate in the formal decision-making process and also helped reduce the burden on any one teacher” (p.83).

All stakeholders need to understand who has the authority for making final decisions.



By giving stakeholders at the school level real input into such factors as budget, staffing, and curriculum, SBM can help schools better address student and community needs.

The long-term approach is illustrated by the transition to SBM by Edmonton Public Schools. Although SBM is often considered a new method, the site-based reform approach extends back more than 30 years to 1974, when the superintendent allowed schools to create their own alternative educational programs (Archer 2005).

SBM initiatives are more likely to succeed when they are not identified as the initiative of a particular political party. Hanson (1998) describes the problems of political affiliations, where decentralization initiatives are changed or dropped mid-course.

SUMMARY: Educational transformation is an extraordinarily complex and time-consuming process. It is often unpredictable and is influenced by a variety of factors, both internal and external to schools.

SBM is not an end in itself, although research indicates that it can help foster an improved school culture and better decisions (Wohlstetter and Mohrman 1995).

School-based management can engage the talents and enthusiasm of a school's stakeholders more effectively than a traditional centralized governance system. By giving stakeholders at the school level real input into such factors as budget, staffing, and curriculum, SBM can help schools better address student and community needs.

SBM comes in many forms and many contexts. It is not a quick fix but a long-term, locally developed collaborative strategy that should be implemented incrementally and only in locations that are ready for it (Hanson, 1998).

SBM management processes, in and of themselves, should not be seen as a means to improve student achievement. Instead, SBM may support educational and instructional change through participation and input from stakeholders.

The principal — and his or her skills and leadership style — is crucial in the process of moving towards site-based governance. He or she must become an agent of change and facilitator as well as a manager, administrator, and instructional leader.

While not all ideas or approaches have a financial cost, funds need to be allocated to site-based management committees; otherwise, control still rests with the central jurisdiction or superintendent (Vann 2000). SBM processes require a lot of time. Steps need to be taken so that participants don't burn out.

Customized in-servicing and training is required for all participants in order to meet the specific needs of the system and the individual.

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RECOMMENDATIONS

RECOMMENDATION 1. A committee should be formed with the following educational stakeholders: the Department of Education, the Yukon Teachers' Association, the Association of Yukon School Administrators, Yukon School Council representatives, Yukon First Nations, Catholic Schools, and the *Commission scolaire francophone du Yukon* N°. 23.

RECOMMENDATION 2. The committee should examine the following topics:

- models of SBM from a broad and diverse range of jurisdictions;
- the knowledge and experiences of participants involved in SBM initiatives;
- implementation processes where SBM has been adopted as an operating principle for schools and school systems, and
- the extent to which particular SBM processes are already employed in the Yukon.

RECOMMENDATION 3. Based on this examination, the committee should develop a definition of SBM and develop a conceptual model that is relevant and workable within the Yukon.

RECOMMENDATION 4. When a Yukon-derived SBM conceptual model has been developed, the committee should determine resource allocations for information sessions, leadership development and training, and planning for implementation, assessment, and evaluation.

RECOMMENDATION 5. Schools should be identified to pilot the identified SBM model, including assessment, evaluation and refinement of the process.

Professional development

THE FOUR PARTNERS IN EDUCATION — the Department of Education, the Yukon Teachers' Association (YTA), Yukon First Nations, and school councils, boards and committees — along with others involved in K-12 public schooling in Yukon, have a commitment to professional development (PD) and training. Creating common training funds and a venue for collaboration, along with increasing individual partner funding, could greatly enhance the Yukon education system.

Increasing professional development (PD) will require more financial resources. It will also require new structures of decision-making and greater coordination among partners.

Increasing the training funds for each partner in isolation will not be enough to enhance professional development. Professional development and training would be more effective if the agencies working with schools took joint action. For example, newly hired principals, newly-elected school council members, First Nations Education Directors and social studies teachers all benefit from a training session on the legislation that affects Yukon schooling. These types of training needs are predictable and can be coordinated to serve the purposes of many different individuals.

Currently, much of the communication between partners is more a result of happenstance than of planning. Collaboration could be greatly encouraged by creating a forum of the partners and agencies involved in public schooling.

YUKON EDUCATION FORUM:

This would be a permanent organization such as the Yukon Education Forum. It would enhance the activities, communication and coordination of the four partners in education and the other agencies involved in schools. It would focus on creating training opportunities

and professional development programs that address the shared needs of forum members. Each member of the forum would also be able to create opportunities for its own constituents.

Coordination can be strengthened and training opportunities improved through the coordination of common training funds. A common fund would not negate the need for separate funding; each of the partners also has individual needs.

The partners in education can be mutually supportive in their efforts and can participate in each others training events. Common training can take place in areas where partners' interests overlap.

To date, some formal partnerships have been formed, such as the department's and YTA's professional development trust fund for teachers. All other training funds are independently acquired and dispensed. In certain circumstances, partners share professional development opportunities. Examples include the recent Self-Government Secretariat Education Conference and the school council's bi-annual conference.

DEPARTMENT OF EDUCATION:

The department's limited financial resources and the current practice of scheduling nearly all training while schools are in session



Coordination can be strengthened and training opportunities improved through the coordination of common training funds.

The First Nation, school council and school staff would all benefit from sharing cultural ideas and strengthening relationships.

hinder the ability to expand training opportunities. In addition, YTA's professional development fund has no capacity to support the expansion of existing partnerships.

More training would create an increase in disruptions. Nearly each time a training event is held, educators are replaced by substitutes who are not necessarily certified for classroom work. There are limited funds to pay for these substitute teachers. Non-classroom personnel, such as administrators or special needs program providers, are frequently not replaced. This means that service to students and educators can suffer.

The department cannot provide any more PD opportunities within the school year without also increasing disruption. One option is to increase the number of days available for training when students are not attending school.

Although the department's summer programs have been well attended, since attendance is voluntary, the programs can only deliver non-essential PD. Rural YTA members who attend summer programs have to find their own accommodation. They receive a subsidy for travel and accommodation, but are responsible for any other financial demands.

ORIENTATIONS: The preamble to the *Education Act* states that Yukon curriculum must include the cultural and linguistic heritage of the Yukon's aboriginal people and the multicultural heritage of Canada. Training for new employees includes an orientation to Yukon First Nations. This training should be broadened so that new and existing staff members participate in orientations of the individual First Nation and community.

A community focus can shift from a traditional examination of First Nations culture to a broader approach that engages all of the local partners in education. It could, for instance, involve community input on new school programs and include workshop sessions provided by the school council and First Nation. This would increase opportunities for cross-cultural understandings and encourage partnerships. The First Nation, school council and school staff would all benefit from sharing cultural ideas and strengthening relationships.

Funding for community orientations would need to be predictable. It could be provided through the department or the Yukon Forum on Education.

YUKON TEACHERS' ASSOCIATION:

Many of these issues — including PD funding and additional PD days within the school year — have implications for collective agreement negotiations. Additional training could involve days that are otherwise used at the employees' discretion. Increased training days cannot be done without losing face-to-face contact between classroom teachers and their students, or without taking away administrators and other service providers during regular school days. Several ideas would need to be discussed with the YTA in order to be implemented effectively.

Increasing the extent of professional development will require more financial resources — the funds provided to local PD opportunities are already under pressure — as well as greater coordination services by the PD chair (who currently works half time), more clerical support time and additional days

scheduled for PD within the school year. These days would have to be provided outside of teaching hours so as not to reduce the amount of time that students spend with their regular teachers.

MENTORSHIP: The teacher mentorship initiative has entered the final year of a five-year pilot program. Surplus funds will allow it to continue for another year. The benefits of a mentorship program include a better-trained workforce and higher retention rates among new teachers, which are critical issues in many Yukon schools.

This program should be extended and expanded. All newly hired teachers should have a mentor for their first year of teaching. The program could be expanded to follow student teachers as they progress through employment. Many student teachers do not enter teaching and take jobs in another field instead. Providing mentors would support them in the difficult transition that most of them experience in the first year and encourage them to become teachers.

A permanent mentorship coordinator position needs to be created. It could be filled in a similar fashion to other secondments (temporary reassignments from a school) within the department or YTA offices.

TEACHER CERTIFICATION COURSES: These courses should be re-examined by the bodies that originally created them to see if changes are necessary. The original intent of these courses was to address FN issues and northern cultural issues so that educators from other parts of Canada could adjust more easily to Yukon schools. More importantly, Yukon

teachers would be able to integrate cross-cultural understandings into teaching and understand their students better.

Specific course content should be examined as one part of this review. Other courses may be necessary; for instance, a course on self-government agreements and implementation.

There has been some success with experiential courses. The costs are prohibitive, although teachers can be reimbursed from the PD fund for some of these expenses. Land-based experiences incorporate many of the cultural issues that these courses are attempting to address; however, their effectiveness needs to be evaluated.

Other options to meet certification requirements should be considered if teachers can demonstrate an ability to integrate First Nations cultural knowledge into their students' learning, such as pairing an elder with a teacher. These options would need to be evaluated by cultural and educational experts.

STUDENT TEACHERS: An integral part of developing new teachers is their practicum work with "cooperating teachers" who formally mentor them. The cooperating teachers receive tuition credits toward university studies they might take in the future. Since teachers can be partially reimbursed from the PD fund for tuition, and since fewer teachers are taking university courses, these tuition credits are not an effective incentive. This initiative is of particular interest to the Yukon Native Teacher Education Program (YNTEP), which relies solely upon Yukon educators for sponsorship. It would be



Other options to meet certification requirements should be considered where teachers can demonstrate an ability to integrate First Nations cultural knowledge and understanding into their



Increasing the number of rural placements means that graduating student teachers would be more likely to seek out rural jobs.

more effective if cooperating teachers received money instead of tuition credits. These funds could be used to purchase classroom materials, which would benefit the student teacher, the cooperating teacher and the students.

Although hosting student teachers is a rewarding experience, it is also a large responsibility and a burden for the teacher and the school. Targeted funds could be directed to the school administration to enhance school-wide programs for hosting student teachers. Creating more rural “lab schools” — which are dedicated to receiving several student teachers simultaneously — would help relieve the pressures on Whitehorse teachers to accept student teachers.

Student teachers often have family commitments that make it difficult to travel to the communities. Even placements in Whitehorse can be problematic for students without vehicles. Financial resources also tend to be limited. The greatest barrier is a lack of accommodation in the communities. Housing and travel subsidies could help address these needs.

Increasing the number of rural placements means that graduating student teachers would be more likely to seek out rural jobs. Teacher retention by rural communities should increase when student teachers’ experiences are positive throughout training and employment.

CELIC TRAINING: Community Educational Liaison Coordinators (CELICs) organize cultural events and celebrations, assist with field trips and school visits with elders, and attend school staff meetings. They are liaisons

between the family, classroom teachers, administration and other agencies such as social services.

The training of CELICs is more complex than it is for other employees. Canada’s Department of Indian Affairs and Northern Development provides the funding for CELICs through FN governments. Individual FN governments would be responsible for training if the consideration is only for employment status. There is also the question of overlapping jurisdiction; the federal government has obligations to care for aboriginal children and ensure that the quality is of an acceptable standard.

The Yukon education forum would provide an excellent mechanism for the partners to coordinate their efforts to make the best use of existing opportunities to train CELICs and to develop new initiatives. CELICs should at a minimum attend school-based professional development and seek out other community opportunities to further their effectiveness.

Shared CELICs objectives could be identified across the territory. This could form the basis for training and possibly certifying CELICs. Certification could bring an increase in pay. A higher training standard with a corresponding higher salary would lessen the turnover within this group and raise the level of service.

ELDERS: The training of elders who wish to be engaged in schools and education committees needs to be explored through elder councils and, where these do not exist, through First Nations and directly as individuals. Like others involved in classroom work who do not normally teach, elders would benefit from skills that allow them to

participate in the school setting more effectively. Training can be designed that addresses this need. Community-based cross-cultural training sessions could provide a venue for elder training.

SCHOOL COUNCILS: Nearly all 28 schools in the Yukon have their own school council. There is also a francophone school board and a school committee in the territory. Councils provide a strong community voice that should be reflected in the daily workings of schools.

The Association of Yukon School Councils, Boards and Committees has identified professional development needs for council members. One barrier to training is the amount of travel and time required for council members to participate. In order to participate, council members often require time off from paid employment; this may necessitate subsidized travel and accommodation. Holding training sessions in the communities could help to address this issue.

Most of the training needed by councils would also benefit other partners. The education forum could design professional development to address these common needs. Shared training could lead to enhanced communication among partners and council members. School council members, as community representatives, could also be part of community-based cross-cultural training.

NON-GOVERNMENTAL ORGANIZATIONS: Education-related non-government organizations (NGOs) include the Yukon Association for Community Living (YACL), the Learning Disabilities Association of Yukon (LDAY), the Fetal Alcohol Syndrome

Society of Yukon (FASSY), Bringing Youth Towards Equality (BYTE) and Yukon Learn. These NGOs are responsible in large part for advocating for student services within schools. They also provide most special-needs training for educators and parents. NGOs make a valuable contribution to Yukon schools and are a good example of community involvement in children's education.

Their activities could be supported by assured funds; this would allow them to focus on training instead of fund-raising. NGOs could also focus more on training for professionals and the public.

NGOs could be members of the education forum and could provide or participate in training that would benefit forum members. This could be encouraged by providing targeted funds to the education forum for community partnerships.

MAKING CHANGES: Structural change and program changes require well-planned implementation. New funds cannot simply be provided. Policies and support systems that currently support programs also have to adjust over time to new demands and circumstances. Given the consultation and negotiation required, it will likely take three to four years to implement programs and change funding levels.

Scheduling training events when students are not in session would allow volunteer organizers to avoid having to simultaneously prepare lessons, communicate with substitute teachers and facilitate PD events. It would also eliminate the need for substitute teachers and would not take away from teachers' time with their students.



Shared training could lead to enhanced communication among partners and council members.

Some jurisdictions allow up to ten days for PD during the school year. These days are dedicated to training as directed by the department, the profession (teachers' associations) and individual schools. In some cases, jurisdictions load several of these days at the start of the school year or schedule them at natural transition points. This means that families are less affected by training disruptions.

Increasing the number of PD days from three to nine would mean an average of one day per month for PD. If more PD days were scheduled, some of them would likely be committed to system-wide needs, others to the profession and still others to the individual school. The local school council could set the dates for individual school PD, as they

do now. These local days could include community-based cross-cultural training.

Territory-wide activities need to be scheduled a minimum of one year in advance. Some activities require at least two years of planning. Territory-wide conferences must have the commitment of all stakeholders before booking facilities and speakers are booked. Ideally, a single body or person needs to set these dates. The Minister of Education previously had this authority; today these events are scheduled at the suggestion of the YTA. Individual school communities can continue to set the dates for school- and community-based activities. Schools need to know at least a year in advance how many days they are able to assign to PD.

RECOMMENDATIONS

RECOMMENDATION 1. The Department of Education should make new training funds available whenever a new curriculum initiative or program is launched.

RECOMMENDATION 2. The segment of annual orientations for newly hired staff related to First Nations topics should be expanded.

RECOMMENDATION 3. The Department of Education and YTA should discuss how to include and fund additional training days within the school year.

RECOMMENDATION 4. The Department and YTA should continue the mentorship program and make it accessible to educators with all levels of experience.

RECOMMENDATION 5. The Yukon teacher certification courses should be reviewed to determine if they are still relevant.

RECOMMENDATION 6. Training for CELCs should be designed to align with their duties and with the needs of students, families, schools and communities.

RECOMMENDATION 7. The department should establish an honorarium for cooperating teachers and their schools to sponsor students in YNTEP.

RECOMMENDATION 8. The number of PD days per year should be increased to a maximum of nine. This increase should be phased in over three years.

RECOMMENDATION 9. A Yukon Education Forum should be established by the four partners in education.

Educational research

AN EDUCATIONAL RESEARCH PROGRAM in the Yukon would improve educational practice, benefitting Yukon students, schools and communities. It would also expand the knowledge and skills that teachers need to meet the needs of a diverse student population.

The field of education is constantly changing. Keeping current with educational research and best practices is a challenge, but is essential for classroom instructors. An educational research program for educators in the Yukon would promote continuous learning and lead to a greater understanding of education in the Yukon. This improvement in educational practice would benefit Yukon students, schools and communities.

Educational research and practice have traditionally been separated by a wide gulf. There are several reasons for this:

- research has not been valued due to a failure to apply its results to day-to-day practice;
- a perceived lack of relevance, other than in an academic post-secondary environment;
- a perception of researchers as scientists conducting esoteric work in a lab; and
- a lack of time and resources for practitioners to implement new research or conduct their own.

A DIFFERENT APPROACH: A common perception of research in education is that it is scientific in nature, involving “experts” from places other than the Yukon conducting a study of research subjects. Historically, these researchers have taken their data with them, with no guarantee that their findings would in any way benefit those

being studied. This reinforced the view that research was exploitative and had little practical use (Stringer 1999).

A different method of research, referred to as community-based action research, takes the approach that the traditional subjects of research take on the role of co-researchers. The research “commences with an interest in the problems of a group, community, or an organization” (Stringer 1999, p.10). Conducting research in this way requires the development of appropriate research tools and an understanding of context in order to be relevant. Locally conducted research provides the additional benefits of skill development in addition to new knowledge relevant to the Yukon context.

LOCAL RELEVANCE: Effective approaches employed in educational systems can foster locally developed research and make it directly relevant to educational practice. Funding and resources are provided to support research projects after they have been approved through a defined application and selection process. A central goal is the improvement of student learning by students, teachers, school administrators, system staff, parents and the broader school community. Educational research initiatives also support educational partners in working together on locally defined topics and shared goals.



A central goal is the improvement of student learning by students, teachers, school administrators, system staff, parents and the broader school community.

EXISTING PROGRAMS:

Educational research programs are found in a number of educational systems throughout Canada. In some cases they are tied to larger programs of school improvement, such as the Alberta Initiative for School Improvement (AISA), introduced in 2000. AISA funds or sponsors research projects that support teachers, parents and the community to improve student learning through innovation that is suited to local needs and circumstances. In other examples, the Saskatchewan Teachers' Federation and the British Columbia Teachers' Federation have created endowment funds to support teacher-led research. The School Leadership Centre at UBC in Vancouver focused on this topic in their 2006 review of teacher-led research (B.C. Educational Leadership Research 2006).

COMMON ELEMENTS: Most educational research programs have the following components:

- a focus on student learning and the improvement of students educational experiences;
- relevance to the examination and improvement of teaching practices;
- data that is gathered in a number of ways and from a range of sources;

- measures that are both qualitative (satisfaction, attitudes, behaviour) and quantitative (test scores, numerical data);
- a system of reporting and disseminating locally-generated findings and data to other schools and the general public; and
- support from a range of sources, both internal (school system staff) and external (universities, professional associations, and school councils).

BENEFITS: Educational research offers several benefits to students. It examines the educational system in which they spend a large portion of their lives, with the intent of improving it. It broadens the knowledge and skills that teachers require to serve the needs of a diverse student population. It can encompass a range of teaching approaches and cultural frameworks.

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Stringer, Ernest T. 1999. *Action Research*. 2nd Edition. Thousand Oaks, CA: Sage Publications.

It broadens the knowledge and skills that teachers require to serve the needs of a diverse student population.

RECOMMENDATIONS

RECOMMENDATION 1. The Yukon Department of Education should conduct a search to compile a wide range of program models that encourage and support educational research.

RECOMMENDATION 2. A Department of Education committee, comprised of a range of Yukon educational stakeholders, should steer this examination process so that a local educational research model can be developed.

RECOMMENDATION 3. Funding and staff should be allocated to support a Yukon-based educational research program.

RECOMMENDATION 4. This program should be piloted, evaluated, refined and implemented in the Yukon educational system.

Teaching social values

SCHOOLS FACE CHALLENGES in regard to diversity, social justice, and responsibility and how to teach these values in schools. This issue continues to take on greater relevance in jurisdictions around the world (Banks and McGee Banks 2003).

Educational jurisdictions across North America have taken steps to address the areas of diversity, social justice and social responsibility. This is partly the result of changing political and economic circumstances, diminished family and social structures (Neufeld and Maté 2004), increased immigration and greater cultural diversity in schools (Gardner 2001).

The question of whether to teach values has been a contentious issue for schools. Most jurisdictions do not have a systematic plan to respond to these issues. Some introduce policy initiatives such as zero-tolerance practices, which target problematic behaviour. Kohn (1998) identifies two definitions of social values education, one being the activities that schools offer outside of academics, the other being a type of moral training based upon specific values.

Walker (2004) asserts that, “school staffs must work to understand the values and needs of the students” to create environments that identify and foster positive values. Students must be encouraged to think for themselves, examine differing viewpoints, and make decisions that take into account the needs of others. This does not detract from the vital role of teachers and school administrators. Educators are expected to be moral leaders, providing social and emotional support so that students can lead worthy and enjoyable lives and become contributing members of society.

DIVERSITY: Diversity can only be embraced in an environment of mutual cooperation, understanding, and support of individual efforts. Schools and education systems must value cultural differences rather than seeing them as a problem. In order to build an inclusive culture, diversity has to be integrated into a range of curriculum activities rather than being segregated as a separate subject, and it has to be consistently endorsed by all staff (Walker 2004).

As Casella (2003) indicates, initiatives that focus on punishment for some and rewards for others are counterproductive. Schools cannot merely impose punitive measures, but must build connections with students by demonstrating positive behaviour and providing supportive structures. Kohn (1998) affirms this, believing that socially democratic children can be nurtured only by being given responsibilities.

Schools need to value social justice in their relations with students and with the broader community. Rather than simply stating that they value social justice, the schools’ staffing and curriculum should be based on a recognition of social justice as the key foundation to success for all students, regardless of ethnic background, socio-economic status or ability.

Some progress has been made. In British Columbia, for example, performance standards include social responsibility goals such as contribution, equality,



Schools cannot merely impose punitive measures, but must build connections with students by demonstrating positive behaviour and providing supportive structures.

Schools must provide inclusiveness and equity in their hallways, playgrounds and classrooms.

democratic and diversity, along with literacy, numeracy and First Nations goals. B.C. also offers an elective course in social citizenship in grade 11. Comprehensive anti-bullying programs are also available, which promote problem-solving and cooperative skills to build tolerance.

A NEW APPROACH: A shift from behavioural management to an insight-based approach is beginning to occur in public education. Emphasis needs to be placed on capacity building in a supportive context among the students, staff, and community rather than relying on punishments and rewards.

In the past, anti-bullying programs or zero-tolerance policies have been reactive and have been implemented in a haphazard manner. Schools must provide inclusiveness and equity in their hallways, playgrounds and classrooms. Only then can teachers promote individualism and social citizenship. When students' needs and interests are responded to, they will be motivated to learn without fear of punishment or sanction (Dewey 1990).

RECOMMENDATIONS

RECOMMENDATION 1. Schools should assess the extent to which their policies and practices either promote or hinder diversity, social justice and social responsibility.

RECOMMENDATION 2. School administrators should discuss social values education with their school councils.

RECOMMENDATION 3. The Department of Education, in conjunction with educational psychologists, should examine current values-based education programs to assess whether they are suitable for the Yukon.

RECOMMENDATION 4. The Department of Education should develop staff training for implementing social values education.

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School nutrition program

THERE IS A STRONG LINK between nutrition and learning. Children who do not get enough to eat are more tired, have a shorter attention span, are irritable or hyperactive, have low self-esteem and poor social skills, and have difficulty solving problems. Poorly nourished children are more likely to drop out of school early and have reduced employment opportunities. In other jurisdictions across Canada as well as the United States of America, food service programs have proved to have positive and long-term impacts on students, schools and communities.

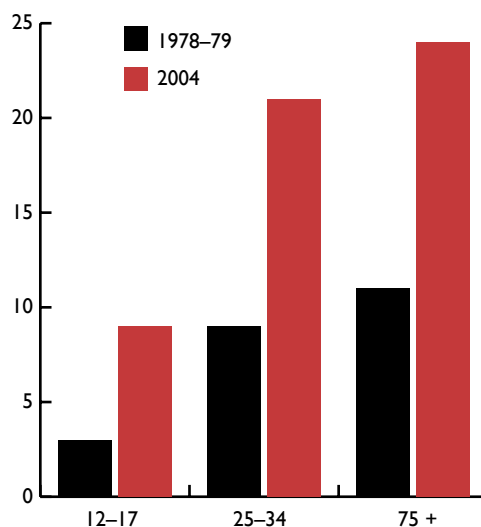
Canadian research by Breakfast for Learning supports the link between nutrition and learning, and indicates how children rate nutritionally in Canadian schools:

- 31 percent of elementary school students and 62 percent of secondary school students do not eat a nutritious breakfast before heading to school in the morning.
- one in five children in Canada does not get the five recommended servings of fruits and vegetables required daily.

CHILDHOOD OBESITY:

Childhood obesity is a fast becoming a major concern in Canada. Statistics Canada reports that obesity rates among children and adults have increased substantially during the past 25 years. The Canadian Community Health Survey (Statistics Canada 2005) indicated that children and youth who did not eat breakfast or lunch (or who ate a nutritionally poor lunch) were more likely to become overweight or obese. Dieticians of Canada also report that 41% of Canadian aboriginal (off reserve) children and youth are categorized as overweight or obese.

Percent of obese individuals, by age



Among young people, the biggest increases in obesity rates over the past 25 years occurred among adolescents aged 12 to 17, where the rate tripled from 3 to 9 percent.

THE RISKS: Obese and overweight children are much more likely to become obese adults. Obese adults are at greater risk for heart disease, high blood pressure and stroke. Obese children are contracting diseases such as Type 2 diabetes, previously found only in adults. This disease is a major health threat for children and youth, particularly First Nations youngsters. The Canadian Diabetes Association found that Type 2 diabetes among



Statistics Canada

reports that obesity rates among children and adults have increased substantially during the past 25 years.

A student coming to school undernourished or hungry is not a new phenomenon.

aboriginal people was virtually non-existent in the 1940s, but is now three to five times higher than for non-natives. Some obese children are also prone to irreversible liver disease and cirrhosis of the liver.

Obesity affects school performance, ability to take part in school activities, and development of positive relationships. Nutrition education and healthy eating at school can enhance children's overall nutrition, promote increased activity and help students make healthy food choices at school and at home.

SCHOOL FOOD PROGRAMS:

There have been school food programs for many years. A student coming to school undernourished or hungry is not a new phenomenon. In the past teachers and community groups often stepped in to fill this need. However, increasing pressures on school systems and a greater awareness of the problem have led to a more organized response.

In the mid-1990s, Whitehorse Elementary School received funding from the newly formed Breakfast for Learning (Canadian Living Foundation) to start a breakfast program. A small group of people came together to support the program.

The group expanded to include the Yukon Teachers' Association, dietitians, a representative of the Department of Education, Yukon College's Public Health and Safety Branch, and Health and Social Services. Health and Social Services also began to provide a yearly grant of \$35,000. This new incarnation of the group became known as Yukon Food for Learning.

Most of Yukon Food for Learning's funding continues to come from Breakfast for Learning through its corporate fund-raising efforts.

CURRENT PRACTICES: Over the past six years, there has been an increased emphasis on the benefits of school food service programs. Every school in Yukon has access to funding and provides some form of school nutrition. Most programs are modest, ranging from breakfast to a lunch or healthy snack. Parent volunteers and teachers operate these programs.

Many of the foods served are expensive and require extensive preparation time. There is not enough funding to buy all the food requested, or to pay the community volunteers. Each year Yukon Food for Learning receives more requests for funding than it can accommodate.

The Education Reform Project team and the School Nutrition Program Focus Group believe that the current programs are a good start. School staff, parents and the community see the current programs as important parts of the school experience. Parents and community members volunteer to bake and help serve the food. Businesses such as bakeries and grocery stores provide food and monetary support. Other businesses and citizens donate money and help with fund-raising. A more complete and sustained approach is required, however.

READINESS: In May 2006, Yukon Food for Learning conducted a survey of kitchen resources and approaches to food programs in all Yukon schools. The most important survey finding was that

all schools had some type of nutrition program. A school nutrition program would be a natural extension of what is already in place. Schools have identified a need for school nutrition programs and are trying to meet that need.

One potential obstacle to a school nutrition program is the lack of adequate facilities. Some schools would require upgrading, but could start by offering a limited nutrition program. Even with the most basic facilities schools could offer lunches featuring soup and sandwiches.

The range of facility readiness and qualified staff could be accommodated in a staggered implementation plan. Schools could continue with their existing programs for a few months until facilities were upgraded, staff were trained and a full school nutrition program could be offered.

All parents should be encouraged to participate. All information about the school nutrition program should acknowledge that many parents succeed in providing nourishing food for their children. They may still wish to participate in the program because it is convenient or because their child wants to be part of the experience. The program would also accept cash donations from parents. The program would be available, but not mandatory.

IMPLEMENTATION: Currently, some schools work in partnership with local First Nations, some use parent volunteers, some have staff paid by community agencies, and some programs are implemented by school

personnel. Many of the programs focus on prepackaged foods and cold foods or, in some cases, warm foods. The schools adhere to the Canada Food Guide as best they can within their limited time and resources.

A school nutrition program could be offered in stages, one community at a time, adapted to the needs of each community. A paid part-time staff person at each school would coordinate and organize the program, supported by adult and student volunteers. Some foods would be purchased in bulk, and in some schools country/traditional foods would be a large part of the program. Preference would be given to locally grown food.

Initially, a school might choose to offer the nutrition program only on certain days of the week. Each school community would decide on frequency based on the initial demand for lunches and the availability of volunteers. A gradual implementation would allow school communities to work through any challenges and create support for the program. Existing initiatives, such as a breakfast program, would be kept in place.

BENEFITS: A school nutrition program would support the nutrition curriculum that is currently being implemented at various stages in many schools. Being well nourished would help students in their academic and training pursuits. Program volunteers would contribute in a meaningful way to the relationship between the school and the community. Schools could

The range of facility readiness and qualified staff could be accommodated in a staggered implementation plan.

Communities would benefit from parents and students having a better understanding of nutrition information.

invite elders and other resource people for lunch and storytelling, perhaps relating stories about hunting, trapping, berry-picking and other food-gathering pursuits. Teachers and students would sit down together each day and share food and experiences. Students could learn about foods from other cultures, including other indigenous cultures.

COMMUNITY BENEFITS:

Providing children with the nourishment that will help them to learn is the primary benefit. In addition, hiring and training cooks provides employment in the community (support could be provided from Advanced Education's Training Trust Fund). Yukon College offers a culinary arts program that provides skills training and pre-apprenticeship training to cooks. These skills are transferable. Food Safe and other programs would be offered to volunteers, which would increase their knowledge of good food-related practices. The nutritional information provided by the program would be shared with the community, which could support other healthy community initiatives. Country/traditional and locally grown foods would support traditional food gathering practices. Schools would be encouraged to buy from local food producers, which could lead to endeavours such as school gardens.

For the most part, schools and communities would be receptive to a Yukon school nutrition program. With the proper resources, all Yukon children could have access to a program. This would better prepare them to learn today and to become life-long learners. Communities would benefit from parents and students having a better understanding of nutrition information and integrating sound practices into their lives. In the long run, this should lead to healthier adults and families and lower health care costs.

These factors will guide the formation of the program:

- nutrition;
- food safety;
- accessibility and availability;
- community involvement;
- parental involvement;
- cost effectiveness; and
- waste reduction and environmental awareness.

It is hoped that people who participate in the program will incorporate these aspects in their communities and homes.

Meals could either be prepared at the school or prepared at a central location.

COMMUNITY/FIRST NATION:

Some communities, such as Carmacks, have had experience delivering a school nutrition program. The coordinator of the school nutrition program could contract with, or work in cooperation with, First Nations or collaborative community organizations to prepare and/or deliver the school nutrition program.

Orientation materials would include policies and implementation guides from existing programs. The schools/council would be responsible for hiring the cook. Volunteers, comprised of students and community members, would form another core group.

Each school would be responsible for implementing its own program. They would build on the strengths of their existing nutrition program. Later in the year the group would meet again to discuss include menus, budgets and Food Safe applications. They would also set dates for implementation.

COST ESTIMATE: Costs cannot be estimated exactly. They include food, administration, dietician services, on-site coordinators, certified cooks, facilities, heating costs, appliances and dishes. Cost recovery estimates will depend on how the program is delivered.

Some schools, such as Del Van Gorder in Faro, close for lunch, and may want to consider other activities such as cultural feasts or enhanced breakfast programs. Two secondary schools in Whitehorse have cafeterias run by students that offer nutritionally sound meals; they may not require a school lunch program.

Schools may decide to phase in the use of cooks and some already have cafeterias, so the cost of cooks may be lower in the initial phase of the program. Some schools will require only a few hours per week or a half-time cook/coordinator position. Other schools may require another cook or a cook and a part-time position. These factors will need to be taken into account when a budget is developed.

Each school would be responsible for implementing its own program.

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RECOMMENDATIONS

RECOMMENDATION 1. The Government of Yukon, in collaboration with CYFN, should identify funds to implement a phased-in Yukon School Nutrition Program for every school.

RECOMMENDATION 2. The Government of Yukon and CYFN, in collaboration with the Government of Canada, should seek funding sources.

RECOMMENDATION 3. In consultation with Yukon Food for Learning, Yukon First Nations, Yukon Teachers' Association, communities and schools, the Government of Yukon should identify a coordinator and determine how to deliver the program.

RECOMMENDATION 4. CYFN and First Nations should identify resources (human resources and financial) to support a school nutrition program for Yukon schools. They should also determine the level of support for the program in the communities.

RECOMMENDATION 5. First Nations traditional foods and their benefits should be included and highlighted in the program where possible.

RECOMMENDATION 6. School administrators and school councils should identify ways to work with First Nations, communities and businesses to support a Yukon School Nutrition Program.

RECOMMENDATION 7. Yukon College should provide certification and support for cooks working in the Yukon School Nutrition Program.

RECOMMENDATION 8. The Government of Yukon and CYFN, in conjunction with the School Health Action Committee, should review and develop policies on healthy foods in schools.

RECOMMENDATION 9. The program should be evaluated after three and five years to determine if it is meeting its goals.

Suspensions and expulsions

SUSPENSION IS ONLY ONE STRATEGY in a complex problem-solving process designed to change inappropriate behaviour. Alternative approaches to discipline would better address the needs of students, particularly special-needs students.

Used judiciously, suspension can have several positive effects:

- ensuring safety for everyone in the school community
- assigning clear consequences for a range of inappropriate behaviours
- providing the time for planning support for behaviour change
- promoting collaboration among family, school, and other community services to solve problems.

Suspending a student is a serious matter that can have lasting effects, however. Suspensions and expulsions can have several unintended consequences for students:

- lowering self-esteem by sending a message to students that they don't belong or are not valued;
- decreased academic success because of the loss of access to instruction or sending a message that adults think they are failures;
- putting students at greater risk from abuse or engaging in dangerous behaviour as a result of not being supervised for part or all of the school day; and
- increasing the drop-out rate by contributing to a feeling of discouragement, which for many students is a factor in their decision to leave school.

Many parents and students feel that changes should be made to the manner in which suspensions and expulsions are handled in the Yukon public school system.

These were some of their most common concerns:

- the need to develop policies on suspension and expulsion specific to students with special needs, including the need for assessments, interventions and plans for successful re-entry to the public school system;
- concerns about school council members' lack of training to hear appeals and representations from students and parents on disciplinary matters;
- the lack of clarification in regulations regarding appeals of suspensions; and
- the need for support such as counseling for children, parents and teachers.

OTHER JURISDICTIONS:

The Education Reform Project team reviewed how five other Canadian jurisdictions (Alberta, British Columbia, Manitoba, Saskatchewan and the Northwest Territories) manage the issue of suspensions and expulsions through legislation and policy. The review also compared these findings to the Yukon's current legislative regime.



Many parents and students feel that changes should be made to the manner in which suspensions and expulsions are handled in the Yukon public school system.

In all the jurisdictions, authority for suspending and expelling students lies with individual school boards or, in some jurisdictions, districts. School boards also develop codes of conduct. All jurisdictions, except B.C., stipulate in legislation the maximum allowable suspension period. Principals have the authority to determine appropriate disciplinary measures, in consultation with superintendents and school boards.

In Alberta and Manitoba, teachers have the authority to suspend students for short terms (up to a maximum of two days). In Manitoba and Saskatchewan principals can suspend students for longer periods. Schools boards can suspend students from ten days until the end of the semester or school year, or, in Manitoba, for “any time period they deem appropriate.”

In the Yukon, a principal can suspend a student for up to ten days. The school board/council can suspend a student for ten days or until the end of the semester or school year, whichever comes first. The most common suspensions are one, two, three, five and ten days; in the past decade, five-day suspensions accounted for almost half of all suspensions.

Many school districts specify that out-of-school suspensions are to be considered only as a last resort after less severe actions have been considered.

SUSPENSION PROCESS: The jurisdictions surveyed do not specify in their legislation the manner in which suspensions and expulsions should be carried out, but leave it to the discretion of school boards. Most schools’ procedures list suspension as one option in a range of disciplinary measures.

Many school districts specify that out-of-school suspensions are to be considered only as a last resort after less severe actions have been considered. Most school boards also emphasize the need to keep students with behavioural problems connected to the school. Several other disciplinary measures are also used:

- in-school suspensions in a supervised environment;
- temporary removal of privileges;
- Saturday school;
- restitution (for damage or theft);
- assessment and counseling (including peer counseling); and
- development of a behavioural agreement between the school, student and parent.

ACCESS TO PROGRAMMING: In the jurisdictions surveyed, with the exception of Saskatchewan and the Yukon, expelling a student does not exempt schools from providing students under the age of 16 with access to educational programming. Jurisdictions can continue to provide education during the suspension/expulsion period in several ways:

- providing students with assignments;
- assigning a school contact to follow up on assignments;
- providing supervised in-school suspension and Saturday programs;
- an approved home study program;
- distance education; and
- transfer to an alternate school program.

SPECIAL-NEEDS STUDENTS:

Students who are suspended from school may be learners whose needs are not being met by the education programs currently available to them. They may be unwilling or unable to follow the school's code of conduct because of psychological, emotional, or education needs.

Students who lack essential interpersonal skills, thinking skills, and decision-making abilities are more likely to have problems with behaviour in school and interpersonal relationships in the school community. These problems cannot be addressed adequately when the student experiences lengthy or repeated suspensions.

YUKON CONTEXT: In the Yukon, principals have the authority to suspend students for up to ten days (Alberta and NWT allow up to five days; Saskatchewan up to three, without seeking approval). The Department of Education does not have a policy on discipline.

The lack of legislation on providing students with access to educational programming while under suspension or expulsion is a critical void.

More suspensions were issued in urban schools than in rural schools. The suspension rates for First Nations students in rural schools are higher than those for non-First Nations students, and lower in urban schools. This may be because First Nations students make up a larger percentage of the student population in rural classrooms. A clearer picture might emerge if the ethnicity of suspended students was tracked.

The lack of legislation on providing students with access to educational programming while under suspension or expulsion is a critical void.

RECOMMENDATIONS

RECOMMENDATION 1. The Department of Education, in collaboration with the Council of Yukon First Nations, (CYFN) Yukon Teachers' Association (YTA) and Association of Yukon School Administrators (AYSA), should develop policies regarding suspension and dismissals. These policies must include provisions to assist with reintegrating students into the educational system.

RECOMMENDATION 2. The Department of Education should establish a policy on student discipline that includes a range of disciplinary approaches including out-of-school suspensions; restorative justice approaches and mentoring by elders; and measures appropriate to students with special needs.

RECOMMENDATION 3. In consultation with superintendents and school boards/councils, the Department of Education should establish policies on length of suspensions.

RECOMMENDATION 4. The Department of Education, in cooperation with CYFN and YTA, should require schools to develop discipline plans that emphasize responsible behaviour and promote self-discipline.

RECOMMENDATION 5. The Department of Education should conduct an in-depth statistical analysis of disciplinary approaches in Yukon schools. The data collected should include grade level, ethnicity, methods employed (verbal warning, detention, dismissal, in-school suspension, out-of-school suspension etc.), length of suspension and number of repeat suspensions, as well as information specific to special-needs students.

RECOMMENDATION 6. The Department of Education should examine current suspension practices including whether suspended students are provided with assignments and how school administrations maintain contact with suspended students.

RECOMMENDATION 7. The Department of Education should conduct an analysis specific to the suspension and dismissal of students with special needs to determine whether current disciplinary approaches are having a discriminatory effect on them.

RECOMMENDATION 8. The Department of Education should ensure that school council members have the appropriate training and tools to make informed rulings on student discipline.

RECOMMENDATION 9. The Department of Education should examine the issue of dismissals, suspensions and expulsions in the context of its duty to provide educational programming for students under suspension.

Length of the school year

THE LENGTH OF THE SCHOOL YEAR varies across jurisdictions in western Canada. At present, the legislated length of the instructional year in Yukon is the shortest of any in western Canada. The Yukon school year currently includes three days for professional development (PD); additional days for PD would develop educators' skills and enhance students' learning.

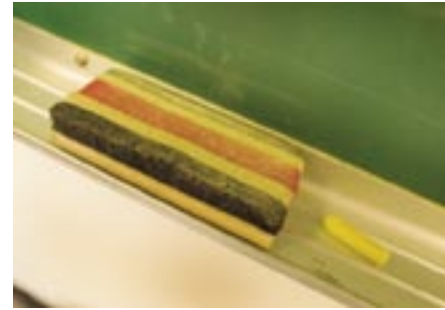
The length and structure of the public school year is legislated to include either the number of instructional days that children attend school, or the number of hours of classroom instruction that students must receive. The Yukon *Education Act* (1990) mandates a school year of 950 hours, which includes 15 hours (three days) of non-instructional days. These days are used for teachers' professional development.

In the Yukon, individual school councils establish the number of days of instruction in the year based on the length of the instructional day at their respective schools. According to the *Education Act*, the length of the instructional day can range in length from five hours to five hours and 25 minutes. This means that the length of the instructional year can vary from 178 to 184 days of instruction. Most schools have instituted a school day of five hours and 20 minutes, resulting in a 178-day school year.

Allowing for three non-instructional days, there are 175 days of instruction. This is 12 days shorter than British Columbia's school year. Given the fact that B.C.'s curriculum is used in Yukon

schools, the shorter length of the Yukon school year may well have an effect on students' educational attainment. The school year can be adapted in order to enhance student learning in Yukon schools.

OTHER JURISDICTIONS: The British Columbia school year minimum is 187 days, not including six days for professional development. In Alberta, the length of the school year is set in hours; these differ depending on grade range. Students in grades 2–9 receive a minimum of 950 hours, while students in grades 10–12 spend a minimum of 1,000 hours and a maximum of 1,100 hours (or 200 days) in session. Under these regulations, students attend school for an average of 185–190 days per year. Manitoba mandates a minimum of 196 days of instruction with a minimum of five days and a maximum of ten days for teachers' professional development. The Northwest Territories specifies a minimum of 195 duty days for teachers, including a minimum of five days allocated to professional development. With the exception of Nunavut, which has no legislated standard, the Yukon school year appears to be the shortest compared to the other western jurisdictions.



With the exception of Nunavut, which has no legislated standard, the Yukon school year is the shortest of the western/northern jurisdictions.

Currently three days are set aside for professional development during the Yukon school year.

PROFESSIONAL

DEVELOPMENT: When jurisdictions determine the length of the school year, the importance of continuous teacher educational growth is recognized in the days set aside for professional development. Currently three days are set aside for professional development during the Yukon school year.

Professional development occurs primarily at one of three different levels:

- the individual level, which includes attendance at a professional conference;
- the school level, which may involve planning for the upcoming school year; and
- the departmental level, which may involve mandatory courses, or training related to new curriculum or policies and procedures.

Because teachers' days are spent in the classroom, working with their students, it can be difficult, if not impossible, for school administrators and teachers to find time to learn together, plan ahead, or develop and evaluate school programs, policies and procedures. Professional development activities require time away from the classroom for educators (which means that a substitute teacher must be hired), must be held on a day set aside for PD when students do not attend school.

Professional development for teachers and school administrators includes examining promising initiatives, reviewing new research, planning for new curriculum innovations, and skill development. Educators must continuously update their professional knowledge to keep abreast of the latest developments in the field. Professional growth plans, which incorporate professional development, are now a part of teacher evaluations.

RECOMMENDATIONS

RECOMMENDATION 1. The school year in the Yukon should be lengthened in accordance with B.C. to a minimum of 187 school days.

RECOMMENDATION 2. The number of professional development days within the school year should be increased to a maximum of nine.

RECOMMENDATION 3. Professional development days should be allocated in the following manner: up to three days for growth plans and/or personal professional development; up to three non-instructional days for school-based initiatives; and up to three days for departmental initiatives.

Educational data

ACCURATE AND COMPREHENSIVE educational data is needed, in forms that can be easily understood and used. This data will allow the department to make more informed decisions about students and programs, and to assess progress more effectively. The Yukon Department of Education could move to data-based decision-making with relatively little difficulty.

Long-term data collection and analysis provides many benefits. It provides a record of academic achievement; it tracks course achievement and attendance; and it provides insights into the effectiveness of specific programs.

Information collected on students as they move through elementary, secondary and post-secondary education can chart individual and group progress. It can also provide insights about the effectiveness of instruction and the effect of various programs and interventions. The usefulness of this information will depend on several factors:

- the type of data collected;
- how it is collected and kept;
- the length of time over which the data is collected;
- accessibility to the data; and
- the ways in which the data is analyzed.

THE NEED FOR DATA:

Administrators must often make decisions with little supporting data. While such decision-making may be necessary in short-term situations, more comprehensive data is needed to support long-term and system-wide planning.

Data should measure a wide variety of indicators. Relying on a single indicator, such as a standardised test, as the principal measure of achievement can be misleading. Greater insights into student achievement can be achieved through assessing a range of factors, such as class tests, teacher assessment of projects, self-evaluation, standardised tests, lab results, records of participation, student portfolios, attendance, student expressions of interest, observations on student behaviour, extracurricular activities, out-of-school successes and problems and previous performance.

The Yukon *Education Act* requires that specific information be kept on a long-term basis. It requires Yukon teachers, under the direction of school administrators, to keep a record of students' attendance and their performance in prescribed courses and program adaptations as outlined in the student's cumulative record. Each student in Yukon schools is given a student identification number when he or she first starts school; all information collected about him or her could easily be correlated to this number.



Relying on a single indicator, such as a standardised test, as the principal measure of achievement can be misleading.

These tests provide a glimpse of student achievement in specific subjects at specific times, and give some insight into relative academic performance.

DATA GATHERING: In Yukon schools, most educational data is maintained electronically and/or on elementary school report cards. Both these sources include wide ranges of demographic and school performance information, including results of standardized tests. Monthly reports are generated from the electronic database and submitted to Central Records. Not all electronic data are kept by schools as part of the central record; although the database record for each elementary student is printed and entered in his or her cumulative record, the electronic records are discarded at the end of each school year. Paper copies of the cumulative records are maintained, however.

STANDARDISED TESTS: For many years, Yukon public schools have periodically analyzed student achievement through a range of standardised tests. These tests provide a glimpse of student achievement in specific subjects at specific times, and give some insight into relative academic performance. The B.C. Grade 12 provincial exams, for instance, provide teachers and administrators with useful information. Since the exams are held in the last year of school, however, the results do little to help improve students' academic standing.

Canadian Tests of Basic Skills (CTBS) were administered to grade 3 to 8 students in the Yukon for about 25 years. They provided information about specific academic areas. The information did not track individual student achievement from one year to the next, however, and did not correlate any other factors, such as attendance, with test outcomes.

The CTBS were replaced with Science, Math and Language Arts tests in grade 9 to 11 and Yukon Achievement Tests (YATs) in grades 3, 6 and 9. Data from these test results are combined with other information about the students, but they are not kept as an integral part of the students' long-term record. This ad hoc approach provides some insights into the success of various programs and administrative practices, but it does not provide detailed information about the success of specific educational approaches, nor does it support in-depth diagnosis or remediation. It also does not measure the number of students who start school in kindergarten and go on to graduate from grade 12.

EXISTING DATA

COLLECTION: The Department of Education conducted an analysis of rural school performance 25 years ago. The study tracked student achievement and other performance indicators over an extended period of time. Tracking individual student performance over time in this way provides the data that supports in-depth analysis. It helps answer questions about how many students start kindergarten and go on to complete grade 12, or whether involvement in extracurricular activities correlates with school achievement.

Currently there is no record of elementary student achievement, contrary to the requirements of the *Education Act*. When Yukon schools moved to a new data collection program, 15 years of data on the previous system was not kept or transferred to the new program. Although the hard copies of cumulative records provide long-term data on each student, they are purged of almost all information.

Yukon schools collect almost all student information in electronic format but the Department of Education does not organize it in a way that permits detailed analysis. Information is collected in an aggregated form, which makes it impossible to obtain specific information about students.

PRIVACY CONCERNS:

Much of the information contained in educational records is confidential. Access to educational data is restricted by both the *Education Act* and the *Access to Information and Protection of Privacy Act*. Safeguards can be built into system management software to ensure the privacy of these records. Certain information can be kept more restricted than other data if necessary.

SUMMARY: The Department of Education has the capacity to readily initiate long-term data collection. The existing data program is keyed to the student's individual identification number and begins collecting information when a child enters school. It provides information about student demographics, course selection, teachers, attendance and achievement, along with a number of other indicators.

A range of users, including teachers and administrators, could benefit from this information source. Training is required at the regional level to ensure that the data gathered is used to its greatest extent. It would take a commitment to collect data electronically in a systematic manner and to provide access to it, but this effort would be well worthwhile.

A range of users, including teachers and administrators, could benefit from this information source.

RECOMMENDATIONS

RECOMMENDATION 1. The Yukon Department of Education should collect reliable, comprehensive, long-term data about students, keyed to student ID numbers, from kindergarten to post-secondary years. This should include data that is already collected electronically as well as other indicators that may affect performance, including elementary report cards, departmental exam results and post-secondary student grant information.

RECOMMENDATION 2. The Department of Education, with Yukon First Nations, should study the feasibility of involving First Nations in data collection.

RECOMMENDATION 3. The Department of Education, in collaboration with First Nations, should provide decision-makers with access to this data.

RECOMMENDATION 4. Cumulative records should be generated from this data and should be reconfigured so that essential information is included and extraneous information and confidential information is deleted.

RECOMMENDATION 5. Data should be maintained in a program that is accessible to a wide range of users.

RECOMMENDATION 6. Data should be configured so that confidentiality is maintained. Protecting the privacy of this data is essential.

Whitehorse school facilities

DECLINING ENROLMENT IN YUKON SCHOOLS is part of a national demographic shift. Whitehorse school enrolments have been declining since 1996. Projected enrolments for the coming decade show a continuous decline for the Yukon to 2016. Existing school facilities and programs in Whitehorse schools need to be reviewed to ensure that programming quality and choice are maintained or increased.

BACKGROUND: Total school enrolment in the Yukon declined from 5,505 students in 2002–2003 to 5,214 in 2006–2007. Department of Education projections for the next five years show a steady decline in student enrolment. This is part of a larger demographic shift that is happening across the country. The pre-school-age and young school-age population in Canada is shrinking relative to the rest of the population. Even if the population increases, the highest growth age groups would be those 50 years and older (Yukon Bureau of Statistics 2006).

In 2000–2001, the Department of Education, prompted by the declining enrolment in the elementary schools in Whitehorse, initiated an in-depth analysis of enrolment trends for kindergarten to Grade 7. The Whitehorse K–7 School Planning Process focused on the enrolment of ten elementary schools from three different programs in Whitehorse: English non-denominational, Catholic and French Immersion. Some of the facility information was gleaned from a Whitehorse School Facilities Study (now outdated) completed in May 1995.

The planning process examined enrolment, school capacity, vacancy rates, catchment areas, costs per student, programming and possible

school closings or redistribution of resources and assigning students to other local schools. In April and May 2001, school meetings were held to discuss the planning process; Department of Education staff also provided information about declining enrolments and the impacts of high vacancy rates on the effectiveness of elementary schools. A summary of the school meetings was provided to the public in the summer of 2001. Although a final K–7 Plan was scheduled to be released in the winter of 2001, it was never developed due to a shift in direction by the government.

Enrolment in schools in Whitehorse is inconsistent; some schools have low vacancy rates while others have high rates. This is a result of growth in some residential areas of the city and an aging or decreasing population in others. These factors indicate a need to plan for the future of Whitehorse schools.

PURPOSE OF THE PLAN:

Given this declining enrolment, a plan for Whitehorse and area facilities and schools is needed. A plan could bring balance to the distribution of school enrolment by aligning school capacity with projected enrolments. It could also help the department manage school facilities and resources more effectively and efficiently.



Given this declining enrollment, a plan for Whitehorse and area facilities and schools is needed.

The plan should include recommendations to the government on any required changes to attendance areas and/or facilities.

The plan should include recommendations to the government on any required changes to attendance areas and/or facilities. This should help the department create initiatives to support student achievement and success.

The plan would be guided by the following principles:

- providing the best educational environment for Yukon students;
- promoting fairness;

- system-wide efficiency and effectiveness; and
- ensuring the appropriate use of facilities in the support and delivery of high-quality educational programming.

REFERENCE

Yukon Bureau of Statistics. 2006. *Population Projections to 2016*. Yukon Bureau of Statistics Information Sheet #66.10-2006.07.

RECOMMENDATIONS

RECOMMENDATION 1. An independent committee should be convened to assess Whitehorse school facilities. A member of the community should be selected by the group to act as chair. The committee would have representatives from the following organizations: Ta'an Kwäch'än Council, Kwanlin Dün First Nation; the Council of Yukon First Nations; Department of Education (including a facilities planner); the Association of Yukon School Administrators; secondary school councils; elementary school councils; the Catholic school council; and the *Commission Scolaire Francophone du Yukon* (CSFY) School Board No. 23.

RECOMMENDATION 2. The committee should examine projected enrolments and vacancy and capacity rates for all Whitehorse schools.

RECOMMENDATION 3. The committee should examine the existing programs offered in Whitehorse schools.

RECOMMENDATION 4. The committee should identify and review current and future needs to determine whether school facilities need to be replaced, constructed or closed.

RECOMMENDATION 5. The committee should review the following school facility options: establishing a Yukon First Nations secondary school; expansion of trades programming in secondary schools; maintaining or adjusting catchment areas; reallocating or realigning the delivery of programs; and assessing the demand and capacity of existing individual learning centres.

Secondary schools and Yukon College

YUKON STUDENTS WOULD BENEFIT from having access to a wider range of courses. Better coordination between programs offered at Whitehorse secondary schools (F.H. Collins, Porter Creek, Vanier Catholic, and École Émilie Tremblay) and those provided at Yukon College would help provide this choice.

BACKGROUND: Better coordination of programs would make better use of limited resources, provide more options for students and address low student numbers. The idea of coordinating programs at Yukon College and secondary schools is not a new one. For instance, advanced placement courses have been offered at Yukon College for secondary school students. These courses allow the student to receive credit at both the secondary school and post-secondary level.

Secondary school students have benefited from the use of Yukon College facilities. Students in secondary school experiential science programs have used the laboratory facilities at Yukon College (the Wood Street Centre has no science lab of its own). The automotive shop at Yukon College has also been used by secondary school students.

POTENTIAL ISSUES: The differences in timetables at the schools and the college are a structural barrier to better coordination. Secondary-school administrators will need to meet to coordinate the courses offered at given times during the school year. Some students may not be able to take a particular course at a certain time. Counselors who assist students with program planning need access to information about courses in order to advise students of their scheduling options.

Secondary schools often run their schedules on a Day 1/Day 2 rotation. This means that students' schedules may differ from week to week, and the school week always begins on a different day of the cycle. In contrast, Yukon College, like many post-secondary institutions, employs a Monday/Wednesday/Friday or a Tuesday/Thursday schedule. This can make it difficult to integrate programs, resources and facilities.

Transportation is another important consideration. Educational systems have a duty of care to students when being transported to and from school and for school trips, even if an independent contractor is used (Brown and Zuker 2002). This means that, if students are left to their own means to transport themselves between their secondary school and Yukon College, educational systems may still be found liable in the event of an accident and/or injury.

Video teleconference course options, along with coordinated schedules, could allow secondary school students in Yukon communities to have access to Whitehorse programs. The secondary schools and Yukon College should study opportunities for increasing access to courses through this type of technology.

REFERENCE

Brown, Anthony F. and Marvin A. Zuker. 2002. *Education Law*. 3rd Edition. Toronto: Thomson Carswell.



Secondary school students have benefited from the use of Yukon College facilities.

RECOMMENDATIONS

RECOMMENDATION 1. The administration of the four secondary schools and Yukon College should meet to explore ways to coordinate scheduling to make the most of student opportunities and access.

RECOMMENDATION 2. The Yukon Department of Education, secondary schools administration and Yukon College should establish a working group to explore options for greater coordination. The focus of this working group should be identifying, reducing or eliminating structural barriers that impede students' access to programs and facilities.

RECOMMENDATION 3. The Yukon Department of Education should examine the issues related to student transportation to ensure that opportunities exist, that they are accessible and safe, and that liability and risk are diminished or eliminated.

RECOMMENDATION 4. The administration of the four secondary schools and Yukon College should investigate options for broader access to courses through video teleconference technology.

Program choice at secondary schools

WITH FEW EXCEPTIONS, all the Whitehorse secondary schools — F.H. Collins, Porter Creek, Vanier Catholic and École Émilie Tremblay — offer the same programs. This does not meet the needs of students and parents, nor does it serve our rapidly changing society. Broadening the approach to programming could contribute to a more responsive education system and create new opportunities for Yukon students.

BACKGROUND: Traditionally, schools have been predominantly structured around a core curriculum, with relatively little variability in the courses they offer. This has begun to change, however. More than 20 years ago the Edmonton Public School Board (EPSB) created a system that eliminated traditional attendance boundaries for secondary schools and established alternative programs. Each school could offer a particular emphasis on a specific curriculum or approaches, including advanced academic performance, visual and performing arts, aboriginal culture, Cree language instruction, Christian education, traditional home education, and a broad range of bilingual (French-English) language programs.

The Calgary Board of Education offers alternative programs at specific schools, with educational themes that include Canadian studies, the arts, sports programs, traditional learning, an all-girls academy, and off-campus programs leading to trade apprenticeships.

The Saskatoon Public School Division is expanding programming at one school to specialize in media production, and at an “outdoor” school that offers secondary school courses within a broader environmental context.

IMPORTANT FACTORS: Although the school jurisdictions cited in the previous section are larger than the territory’s educational system, certain aspects of their initiatives may apply to the Yukon.

The primary programming focus is still the core curriculum and the requirements for graduation. The goal is to provide a range of routes to educational success.

All these school districts focus on student and parent choice in working toward educational success. This underpins the rationale for expanding student options.

They have eliminated traditional attendance boundaries and catchment areas, particularly for secondary school students. They have also provided transportation options that are accessible and safe. In addition to the conventional school buses, school divisions provide bus passes on existing public transportation systems to increase students’ transportation options. In some cases they charter transportation, using providers who have been approved using strict safety criteria mandated by the school system. Parents also have the option of driving their children to classes.



The primary programming focus is still the core curriculum and the requirements for graduation.

RECOMMENDATIONS

RECOMMENDATION 1. The current program choices and options offered by Whitehorse secondary schools should be examined to assess areas of similarity, integration and duplication. A study of school divisions that offer alternative programming should also be carried out.

RECOMMENDATION 2. A committee should be struck to carry out this assessment. It should be composed of representatives from the Yukon Department of Education, secondary school councils, school-based administration and teachers, and other groups as deemed appropriate.

RECOMMENDATION 3. Public consultation should be undertaken to determine the types of alternative programs that would be relevant and useful to Yukon students, their families, and the territory as a whole.

RECOMMENDATION 4. Alternative programs may require the renovation and/or replacement of existing school facilities. Any assessment and consultation should be conducted with this clearly in mind, particularly in light of the commitment to review F.H. Collins Secondary School's options for the future.

RECOMMENDATION 5. Transportation alternatives must have student safety as their focus. A thorough study of legal liability and safe transportation policy options should be conducted by the Yukon Department of Education.

Technology and education

THE IMPORTANCE OF information and communication technologies (ICTs) in education is increasing. ICTs have the potential to increase the quality of and access to education and to expand learning opportunities and resources. This has particular relevance for First Nations communities.

ICTs are not an element to be added to education, but part of a process of change that can contribute to the renewal and transformation of education. ICTs can augment and support conventional school programs; they are not a substitute for schooling.

The Yukon is particularly well-placed to take advantage of information and communication technology because of its high connectivity rate in small and remote communities. According to data collected by Statistics Canada, Yukon students have the most access to computers in their schools compared to students across Canada (Plante and Beattie 2004). In addition, Yukon College has a thriving distance education program. College level courses are offered through high-speed broadband connections to satellite campuses in 12 communities throughout the territory.

TYPES OF TECHNOLOGY:

Information and communication technologies (ICTs) encompass telecommunications technologies (such as telephones, cable, satellite, educational television and radio) as well as digital technologies (such as computers, information networks and software).

DISTANCE LEARNING or distance education is an educational process whereby learners work on their own and communicate via email, electronic forums, videoconferencing, chat rooms, bulletin boards or instant

messaging with their teacher and/or other learners. Most distance learning programs use a learning management system to produce a virtual classroom. Distance education provides access to educational resources for learners who do not have access to face-to-face education opportunities due to work commitments, geographical distance or inadequate prior learning.

E-LEARNING, or online learning, encompasses learning at all levels, both formal and non-formal. It uses the internet and an Intranet (LAN) or extranet (WAN) for course delivery, interaction, evaluation and facilitation.

BLENDED LEARNING combines traditional classroom practice with e-learning opportunities. Learners in a traditional classroom setting can use both print-based materials and web-based enquiry sessions. Blended learning can also refer to a web-based training course facilitated by an instructor on site at a community college or community learning centre.

LEARNING TECHNOLOGIES are electronic ICTs that deliver one-way or two-way learning programs.

CHANGING MODELS OF EDUCATION:

Education is becoming more dynamic with the advent of information and communication technologies. Haddad (2002) writes that education will not be



ICTs are not an element to be added to education, but part of a process of change that can contribute to the renewal and transformation of education.

Using distance education techniques eliminates the geographic barrier, giving students in the communities the opportunity to participate in high-quality secondary school programs.

a location anymore, but a teaching and learning activity. The traditional model of education is no longer appropriate for many First Nations communities (Haddad 2002). Many First Nations communities want to develop a model of education that balances academic goals and traditional lifestyles.

A number of distance learning initiatives have recently been established. They include the Sunchild E-Learning Community, a federally funded, non-profit private school in Alberta and the Keewatinook Internet High School, which serves remote First Nations communities in Ontario. These schools have several objectives:

- providing access to education to First Nations students in remote and rural communities;
- providing affordable access to a greater number and variety of educational programs;
- increasing the retention levels of learners through distance courses that are visually appealing and cognitively stimulating;
- encouraging and supporting First Nations academic goals; and
- offering high-quality, cost-effective education programs for students who wish to stay in their home community.

ACCESS AND QUALITY:

Many Yukon communities are small and remote, with limited educational resources. Using distance education techniques eliminates the geographic barrier, giving students in the communities the opportunity to participate in high-quality secondary school programs. For example, the Sunchild E-Learning Community

provides First Nations learners with access to high-school diploma courses; basic adult upgrading programs, trades training, industry training and university courses. Although the focus is core competencies such as math, science and reading, access to national and international e-learning courses allows for innovative changes to programs.

A similar approach is used at the Keewatinook Internet High School (KiHS), which offers accredited secondary-school courses via the internet. Offerings range from mathematics to cultural courses. Professional development (PD) programs and resources help teachers to incorporate culturally relevant content. This approach provides access to high-quality education for First Nations students who might not otherwise participate. It gives them direct contact with a wide range of teachers who possess a level of expertise generally unavailable in rural and remote communities.

In isolated, less populated areas, multi-grade schools can become viable alternatives using ICTs. While one group of students is engaged in an online learning activity, a teacher can facilitate a hands-on activity with another group. While simulation of lab activity cannot replace hands-on activities, the sophistication of ICTs allow for video and digital demonstration of science experiments that can prepare a learner to conduct real-life experiments.

A strong connection between learning and culture adds to the success of an education program. Distance education programs can improve learning opportunities by linking cultural content

with learning programs profiled on the Internet. ICTs and distance education programs have the potential to educate First Nations students in ways that are more consistent with their learning styles. According to Care (2003), “experiential learning, storytelling, observation... and rituals and ceremony are powerful educational tools for aboriginal students.” This is in contrast to the dominant values of the current education system, which is “linear, time-oriented, truth-focused, definitive and individualistic” (Waldram, Herring and Young 1993). If developed appropriately, “e-learning can help students learn in ways that are consistent with aboriginal perspectives on learning” (Nickerson and Kaufman 2005).

The flexibility of distance education programs allows students to attend school for part of a day with more time available for local educational activities. Experiential learning with elders, traditional ceremonies and storytelling can all become part of an effective education program.

PROFESSIONAL DEVELOPMENT: ICTs have several advantages in helping support PD for teachers in small and remote communities:

- reducing or eliminating travel time;
- decreasing the disruption to classroom activities; and
- familiarizing the teacher with technology.

Teachers can also have access to a multitude of websites that help develop lesson plans. They can participate in mentoring programs and online conferences, and work in partnership with colleagues across the country or around the world.

USING TECHNOLOGY:

According to a study by the Conference Board of Canada (Greenall and Loizides 2001), a successful learning technology initiative has several characteristics:

- community support;
- a technology vision and champion;
- training for teachers that enables them to maximize the potential of technology for learning;
- strong physical and telecommunications infrastructure;
- ongoing technical support and maintenance and,
- linking of technology with culture and tradition.

There are potential disparities between technology goals and cultural traditions. Technology should not be separated from community goals for lifestyle, health and education, and teachers must be mindful of local realities. A participatory process should be used to determine the need for ICTs. It should identify the elements of ICTs that can facilitate effective and responsive educational programs.

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The flexibility of distance education programs allows students to attend school for part of a day with more time available for local educational activities.

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Waldram, J., D. Ann Herring and T. Kue Young. 1995. *Aboriginal Health in Canada: Historical, Cultural and Epidemiological Perspectives*. Toronto: University of Toronto Press.

RECOMMENDATIONS

RECOMMENDATION 1. To build upon the distance education program at Yukon College, the Department of Education should strike a committee of Yukon and First Nations governments, professionals and practitioners in the fields of education and ICT to identify gaps in the delivery of distance education courses, and outline steps to maintain and expand service to all Yukon communities.

RECOMMENDATION 2. The committee should also examine successful distance-learning models that have been established to support remote and rural communities, particularly First Nations communities.

RECOMMENDATION 3. A liaison and exchange program should be established between Yukon and First Nations governments and professionals in collaboration with Yukon College and educators involved in successful distance education models.

RECOMMENDATION 4. The Department of Education should collaborate with the Council of Yukon First Nations (CYFN) to help Yukon First Nations explore ways in which technologies can support and promote educational opportunities, and ensuring that they are aligned with First Nations' values and traditions.

RECOMMENDATION 5. The Governments of Canada, the Yukon and First Nations should provide ongoing and stable funding to ensure that ICT programs continue to be developed and expanded.

RECOMMENDATION 6. The use of technology should be aligned with the local community's development goals in education, lifestyle and health. Communities will require access to various funding sources to meet their specific needs. The multi-tiered Community Development Fund, under the Yukon's Department of Community Development, may be a source of project-specific funding.

FASD pilot project

AN FASD PILOT PROJECT would provide on-site assistance for teachers at the point when students with FASD are most at risk of failure. The project could allow the education system to implement best practice strategies and achieve greater success in educating students with FASD by adapting to their learning needs.

The term “Fetal Alcohol Spectrum Disorders” (FASD) refers to the broad range of effects on a child who has been prenatally exposed to alcohol. Many of the common physical deformities associated with FASD occur during very early pregnancy, although the fetal brain is vulnerable throughout the entire pregnancy. The changes caused by prenatal alcohol exposure are permanent.

The part of the fetus affected depends on when during the pregnancy alcohol was consumed and the amount of alcohol consumed. Alcohol can easily cross the placenta and damage developing cells. With exposure to alcohol, the brain does not grow as it should. This directly influences several aspects of the brain’s capacity:

- abstract thought;
- linking cause and effect;
- generalizing information;
- memory;
- attachment; and
- sexual behaviour.

FASD affects students in two ways: primary disabilities and secondary disabilities. Primary disabilities are the direct result of alcohol exposure on the developing fetus. Secondary disabilities occur after birth as a consequence of the primary disabilities and, often, of the school system’s inability to adapt to the child’s learning challenges.

The primary effects of FASD can’t be fixed or changed, but the secondary disabilities associated with it can be limited. Streissguth (1997) identified five universal environmental protective factors that decrease secondary disabilities:

- living in a stable and nurturing home;
- not having frequent changes of household;
- not being a victim of violence;
- receiving developmental disabilities services; and
- being diagnosed before age six.

Several secondary disabilities — which include mental health problems; repeated school failures; trouble with the law; inappropriate sexual behaviour; and problems with drugs and alcohol — can be lessened or eliminated through early diagnosis and appropriate intervention (Streissguth 1997, p.105).



The primary effects of FASD can't be fixed or changed, but the secondary disabilities associated with it can be limited.

The pilot project would provide on-site assistance for teachers at the point when students with FASD are most at risk of failure: Grades 8 and 9.

THE SCHOOL SYSTEM:

Educators can help protect a child against the development of secondary disabilities. By understanding the permanent learning and behavioural differences consistent with FASD (with or without a formal diagnosis), the school system can help these students achieve success.

Students with FASD are out of synch with the school system every step of the way. Although their physical development may seem to be on track, they have a developmental age far below their chronological age. A typical 17-year-old student with FASD comprehends the world and makes behavioural decisions as a child of 8–10 would.

Children with FASD are unable to process information in the same way as other students of their age and intelligence level. Although most students with FASD are not mentally handicapped, and have average intelligence, they are unable to consistently function at that level. Teachers and other adults may interpret these students' inability to govern their actions and difficulty learning as intentional misbehaviour.

If a child with FASD is blamed rather than supported, it can lead to secondary disabilities and failure in adult life.

PRESCHOOL AND EARLY

CHILDHOOD: This is often the stage where students with FASD do the best they ever will do in the school system, because of the structure, concrete language and multi-sensory learning provided.

ELEMENTARY YEARS: The learning and behaviour differences in students with FASD are often viewed as attention deficits, misbehaviour or the result of poor parenting.

SECONDARY SCHOOL: In early adolescent years the world of the student becomes more abstract, with many ongoing changes and expectations. This is where students with FASD really have difficulties.

TECHNIQUES: Teachers and administrators can suffer from burnout as they repeatedly use academic and behavioural techniques that do not work with students with FASD.

Many students with FASD do not make it through secondary school. If they lose the structure of a supportive school system, their ability to learn is greatly diminished and they are at high risk of failure and abuse. It is beneficial to both the child and the community to keep the student in school.

Because techniques that work for students with FASD are not currently taught in most education programs, teachers need ongoing technical assistance to understand and implement these techniques. The pilot project would provide on-site assistance for teachers at the point when students with FASD are most at risk of failure: Grades 8 and 9.

CONTEXT: The pilot project is based on the 12 components outlined in *Making a Difference: Working with students who have Fetal Alcohol Spectrum Disorders* (Department of Education 2006).

1. Meeting the challenge — believing that success is possible for students with FASD.
2. Families and FASD — families living with FASD deal with strong emotions. Knowledge, beliefs and judgments about alcohol influence interactions with these families.
3. A different approach — children, like adults, do the best they can with the understanding they have. When they repeatedly make the same mistakes, a different approach is needed.
4. Establishing a structure — structures and habits need to be put in place for success. The need for structure is lifelong for persons with FASD.
5. Observing behaviour — when an academic or behaviour support is not working with a student with FASD, the S.O.A.P. (Stop action/ Observe/Assess/ Plan) approach is needed.
6. Interpreting behaviour — misbehaviours in students with FASD, such as inattention or lying, likely stem from a lack of understanding, rather than noncompliance.
7. The physical environment — sensory input and sensory processing affect a student's ability to be successful in the school environment.
8. Using concrete language — students with FASD need to hear

concrete, practical terms in order to understand.

9. FASD and memory — memory is an important part of a person's ability to learn and to sustain a consistent level of performance.
10. Academic and social skills — a brain damaged by alcohol cannot process information in a typical manner. This causes lifelong difficulties in learning academic and social skills.
11. Transitions — all transitions in the life of a person with FASD, particularly the transition into adulthood, are challenging. They require the ongoing teaching of daily living skills.
12. Measuring success — success needs to be redefined, and accomplishments, in both students and the education system, should be recognized and applauded.

PILOT PROJECT: An FASD pilot project would help accomplish the following goals:

- ending the cycle of failure and despair currently experienced by most children, adolescents and adults living with FASD;
- assisting Yukon teachers and administrators, making their jobs easier and increasing their job satisfaction;
- decreasing discipline problems in the schools;
- recognizing the talents and achievements of many students who are currently being overlooked and who bring added dimension to our schools;
- putting the principles of best practices to use throughout an entire school system;

- helping parents who are raising children with FASD; and
- promoting stronger, safer and more peaceful communities throughout the Yukon.

The pilot project could allow the education system to implement best practice strategies and achieve greater success in educating students with FASD. The project could be implemented at F.H. Collins Secondary School and, if it is successful, eventually expanded throughout the entire territory.

Implementing the project would require additional full-time teachers. FASD specialists would provide on-site technical assistance as well as training.

Initially the project should focus on students in grade 8 and 9, while providing training and support to students and teachers in grades 10-12. Baseline and ongoing follow-up data should be compiled as part of the pilot project. This data could be used to provide ongoing feedback and allow for

any necessary changes as the program progresses.

FASD support should eventually be increased at all Whitehorse schools. This support would require additional full-time educators trained in FASD. Data would continue to be gathered, and changes to the program would be made as necessary.

FASD support would then be expanded to all the schools in the Yukon. The design of the territory-wide program would be based on data and lessons learned during the pilot project.

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RECOMMENDATIONS

RECOMMENDATION 1. The Government of Yukon should provide funding and support for a Fetal Alcohol Spectrum Disorders pilot project and include the following components as a minimum:

- a full-time secondary specialist teacher specifically trained in FASD;
- compilation of baseline and ongoing follow-up data for program adjustment, expansion and changes;
- future expansion of the program to provide FASD support to all schools in the Yukon; and
- on-site technical training and assistance for school-based staff.

RECOMMENDATION 2. The Government of Yukon should establish a comprehensive assessment process to assist in the diagnosis and evaluation of FASD students.

Apprenticeship and trades training

IN ORDER TO BUILD a sustainable and competitive economy, the territory must address skill shortages by helping employers identify needs for skill development and attract skilled workers to Yukon. Yukon workers do not yet have all the necessary skills. A practical and effective approach to apprenticeship and trades education is needed.

BACKGROUND: Yukon people have a long history of training and working in the trades. Although resource-driven economies such as the Yukon's tend to fluctuate, trade skills have helped Yukoners to be independent and self-sufficient.

The demand for skilled tradespersons is increasing in Yukon and in the rest of the country. Nunavut and the Northwest Territories are experiencing increased activity in mining, oil and gas exploration and construction. With the recent rise in metal prices worldwide, mining exploration and development in Yukon are also increasing. The territory has also seen increases in construction activity.

If current mining exploration properties move into development and production, the mining industry will provide more jobs. Pipelines and oil and gas development also offer potential employment opportunities. If Yukon workers do not have the necessary skills, however, these new jobs will not be filled by local workers.

In the Yukon, about 16 percent of the population have a university undergraduate degree; 15.6 percent of Yukoners have a trades certificate or diploma (Yukon Bureau of Statistics 2003). Students who do not pursue a university education are potential candidates for training in trade, technical or industry occupations.

An effective approach to apprenticeship and trades education has several components:

- making people aware of trades as a viable career choice;
- a variety of learning opportunities for all students to learn the basic skills needed; and
- an apprenticeship system and pre-employment training that meets the needs of both individuals and employers.

Trades training initiatives should be continued. For instance, women make up 50 percent of Yukon's population, and aboriginal people about 23 percent, but neither group is well represented in northern trades workplaces.

Technical education classes in schools, along with apprenticeship training, could support viable careers for all Yukoners, including First Nations, women and people in Yukon communities.

APPRENTICESHIP: Apprenticeship combines technical training in the classroom with on-the-job learning in the workplace. The system allows people to improve their skills through formalized training and certification.

The Department of Education's Advanced Education Branch offers several apprenticeship and training programs. The department designates certain trades for apprenticeship and establishes standards for training and



Students who do not pursue a university education are potential candidates for training in trade, technical or industry occupations.

The Yukon Secondary
School Apprenticeship
Program allows
students to earn
apprenticeship credits.

certification, many of which are part of a Canada-wide inter-provincial standards program.

Even with a receptive labour market and a shortage of skilled workers, not all employers are willing to hire an apprentice and provide the training required. Some employers see apprenticeship training as a cost rather than an investment. In Ontario, an apprenticeship tax credit has been introduced to encourage employers to invest in apprentices (Lior and Wortsman 2006).

Many employers do not have qualified journeypersons who are willing to train apprentices. Research into barriers to apprenticeship and innovative approaches to apprenticeship reveals the importance of schools' recognizing and promoting apprenticeship (Lior and Wortsman 2006).

The Canadian Apprenticeship Forum (CAF) and Skills Canada have launched a campaign that promotes skilled trades for young people. The campaign is aimed at students, guidance counselors and educators. Government-employer partnerships such as these should be supported.

SECONDARY SCHOOLS: Yukon secondary schools offer a variety of technology education courses designed to teach the skills needed for the trades. Programs include mechanics and automotive technology, carpentry and joinery, drafting and design, welding and metalwork.

Carpentry apprenticeship programs begin at the secondary school level. The Yukon Secondary School Apprenticeship

Training program allows students to earn apprenticeship credits.

Technology education teachers use a range of innovative ways to introduce young people to trades. A snowboard fabrication course in Whitehorse is very popular, and has brought in large numbers of young women. The skills program in Carmacks begins in grade three; it incorporates aboriginal technologies into the curriculum, including the use of traditional tools to build drums and fish traps.

Local businesses, communities and First Nations have been generous in supporting these school programs. Budgets for technology education at some schools, particularly in Whitehorse, have increased, although many schools, especially those in the communities, lack the funding to run a skills-focused program. Money for operations and maintenance and supplies is particularly critical.

Technology education in schools does more than certify students for careers as tradespeople. It also fosters an aptitude in skills that are useful in daily life and work. Learning to use tools, make repairs, and undertake creative projects fosters independence, self-sufficiency and confidence.

Young people must see the trades as a realistic career choice. Many people still define occupations by gender, social class, and culture, among other factors. Some regard blue-collar work as a career choice for certain social classes, or for students who don't have academic skills. These attitudes about work, expressed by parents, peers and teachers, can influence career choices.

Attitudes to the trades are changing. Seeing a greater variety of people working in the trades helps young people to consider them for a career. Many students in technology education classes in Yukon have family members who work in a trade. Students need to know about the financial opportunities involved and how to set up an apprenticeship.

Information about apprenticeships is not readily available to young people in schools or to others looking for work. Information about careers requiring a university education is more accessible.

It can be difficult to find certified tradespeople who have education degrees. Attracting technology education teachers to the territory, particularly to community schools, is important.

TRADES AT YUKON

COLLEGE: Yukon College was formerly a vocational and technical training centre, but gradually expanded to include university-level programs and courses. It offers core pre-employment courses in several trades: carpentry, electrical, pipe trades, mechanics, welding and culinary arts. These courses meet the educational requirements of journey-level certification. Yukon College also offers shorter continuing-education courses, including home wiring, carpentry for beginners and chainsaw operation and maintenance. In addition, the college has developed the Apprenticeship Preparation Program, which readies students for government apprenticeship entrance exams.

Yukon College has increased its trades programs through partnerships with other organizations, such as NWT's

Aurora College, Yukon's Advanced Education, trade unions and several Yukon First Nations. For example, a course in log construction was held in conjunction with Selkirk First Nation and Advanced Education (Yukon College 2004).

In recent years, Yukon College has offered more apprentice-level trades courses. Registration numbers in core trades programs at the college have remained relatively constant over the years. A full-time 16-week course entitled *Women Exploring Trades and Technology* was offered for the first time in 2006 and will be repeated in 2007.

Statistics for First Nations registrations in trades are not available. First Nations enrollments in the trades have remained fairly constant over the years, except when training programs have targeted First Nations students in their home community or have been requested by a First Nation.

EMPLOYERS' NEEDS: Since the apprenticeship system is driven by industry, partnerships with employers are important. In order to build a sustainable and competitive economy, the territory must address skill shortages by helping employers identify needs for skill development and attract skilled workers to Yukon (Yukon Economic Development 2004).

EXISTING PROGRAMS

ELEMENTARY LEVEL: Programs such as Youth Exploring Trades Camps, the Innovators in the School's Bridge Building Competition and the annual one-day Young Women Exploring Trades (YWET) Conference, for grade 8 girls,

Attracting technology education teachers to the territory, particularly to community schools, is important.

allow young people to try out new skills in an enjoyable setting.

SECONDARY LEVEL: Skills Canada offers a number of programs, including Parent-Child Carpentry. The Yukon Secondary School Apprenticeship Program (YSSAP) has been in place for a number of years, although it does not have a high participation rate.

ADULT LEVEL: Yukon College and the Yukon Women in Trades and Technology Society (YWITT) offer short-term continuing-education courses in skill development and safety.

FINANCIAL ASSISTANCE: The cost of training in the skilled trades can be an obstacle to some students, although apprenticeships allow participants to earn wages during the work portions of training. Financial assistance is available through Yukon Advanced Education, federal government programs such as Employment Insurance and through most First Nations, although it may not be accessible for all Yukoners. Students in the communities face travel and relocation costs. Adequate funding for child care is an important issue for many potential students, particularly women.

ABORIGINAL PARTICIPATION: First Nations communities have indicated that the apprenticeship model of on-the-job training is well suited to traditional ways of learning (CLFDB 1999). Aboriginal participation in the apprenticeship system across Canada is limited, however.

Only one percent of Yukon apprentices are aboriginal women. Aboriginal women in Yukon communities have

expressed particular interest in training options that are available in their home communities (Hrenchuk 2004).

According to the 2001 census, nearly one third of Yukon aboriginal people have not completed a high school education; 21 percent have a trades certificate or diploma (Statistics Canada 2001). The two main reasons given by Yukon aboriginals for leaving high school were “wanted to work” and “had to work.”

The unemployment rate for aboriginal people is much higher than for non-aboriginals. The aboriginal employment rate is rapidly increasing, however, particularly in Alberta and British Columbia. Education and training are a key part of this growth. Construction, natural resource industries and the trades provide most of the employment opportunities, particularly for aboriginal men (Luffman and Sussman 2007).

Partnerships between the Yukon government, aboriginal development corporations and employers are one way to provide training and investment in Yukon.

WOMEN IN THE TRADES: In the Yukon, specific training to prepare women for careers in trades and technology has been offered by Yukon Women in Trades and Technology (YWITT) and the Department of Education in partnership with Yukon College and YWITT. These programs have been very popular.

Although jobs in the trades offer high wages — women who work in trades and technology occupations earn 20–30 percent more than those in retail and

Partnerships

between the Yukon government, aboriginal development corporations and employers are one way to provide training and investment in Yukon.

administrative jobs — Yukon women remain concentrated in lower-paying jobs (Irwin 2005). Yukon women with trades careers find that the benefits include job satisfaction, high wages and increased confidence.

Yukon women who wish to enter trades face specific challenges, including the limited numbers of tradeswomen as role models or teachers. Many women lack any hands-on experience with tools and have no experience in a trades workplace. Having to travel for training or work is another difficulty. Lack of awareness of the benefits of a career in trades, lack of community supports, and women's own attitudes are also barriers.

Other drawbacks include discrimination and having to prove themselves as capable in a male-dominated environment. Lack of child care is another barrier for women who want to train or to work. Training programs that target Yukon women should consider providing or funding day care.

Past approaches to raising women's interest in the trades have not been effective. Organizations and programs must specifically recruit women for trades careers (Canadian Apprenticeship Forum 2004).

NORTHERN ISSUES: Shop facilities and certified tradespeople are scarce in the communities, and there are few local opportunities for job shadowing or apprenticeships. On the other hand, many Yukoners, especially women, cannot leave their home communities to attend training because of a lack of housing in the training community, the cost and availability of day care, and the cost of travel.

People may also be held back by personal and family issues such as substance abuse, violence and poverty, and may lack the self-confidence to seek out training. A lack of essential skills — including the literacy and numeracy skills needed to pass the trades entrance exam — can be a barrier, particularly for adult learners.

Most technical trades require a minimum of secondary school completion. To register as an apprentice, a person may have to upgrade his or her education or take specific courses in mathematics, science or English.

According to the Conference Board of Canada (2000), basic employability skills include problem solving, decision-making and flexibility. Employers need workers who possess these skills and apprenticeship training must address these basic skill deficiencies.

OTHER JURISDICTIONS: The Alberta Aboriginal Apprenticeship Project (AAP) is a joint initiative among industry, aboriginal representatives and government. The project is designed to promote apprenticeship and industry training for aboriginal people, communities and organizations. AAP operates in five Alberta communities. In each community, a project officer works to build supports for aboriginal people who choose trades training. He or she works with local employment centres, employers and a community advisory committee to identify suitable candidates and refer them for interviews with employers.

Ontario has increased funding for technological education programs. In the spring of 2005, the government

Training programs

that target Yukon women should consider providing or funding day care.

Another pilot project will bring apprenticeship training to remote communities through a traveling classroom.

announced 45 million dollars in one-time funding to support technological education programs. Recipient schools also engage in community partnerships and multi-year planning (Ontario Ministry of Education 2005).

Successful pre-trades programs for women include introductory, entry-level programs for girls and women as well as advanced programs, such as the non-profit organization Women Building Futures (WBF) in Alberta. WBF works to ensure women's economic stability by introducing them to trades. The program has a strong relationship with aboriginal communities and with business and industry partners. The success of WBF's programs is partly due to the fact that graduates are screened for suitability, work ethic and aptitude, and that the program provides job retention support for graduates and their employers (WBF 2007).

The Pictou Landing First Nation in Nova Scotia responded to high unemployment rates for women in the Mi'Kmaq community in a creative way. Since there was little traditional work available for women and few qualified carpenters to work on upcoming construction projects in the community, the First Nation developed a course to teach local women the necessary skills. The women wanted to learn their trade on the reserve, so they sought support from the Native Women's Association of Nova Scotia and the Apprenticeship Training division of the provincial Department of Education, who helped find a certified Mi'Kmaq carpenter to be a community trainer (Milsom 2001).

In 1999, the Saanich School District in British Columbia initiated a Technology

Education Renewal Project to increase enrollment, engagement and student success in post-secondary pursuits of trades and technology. The money was used to upgrade traditional shops and purchase new equipment. Traditional shop programs were strengthened, with greater connections to post-secondary classes, the workplace and apprenticeships. New programs were developed to engage learners, and a half-semester Grade 9 course increased the profile of technical education. Enrollments, particularly by young women, have increased since the project began (Elder 2002).

British Columbia's Industry Training Authority (ITA) has adopted a number of initiatives to increase flexibility in trades accreditation. They include streamlining classroom time and introducing web-based tutorials to decrease the amount of time that apprentices spend away from home and work. Another pilot project will bring apprenticeship training to remote communities through a traveling classroom. The ITA also funds high schools to partner with colleges, allowing students to do their first year of technical training for a trade as part of their secondary school diploma (Anderson 2006).

In general, apprenticeship training projects that are community-focused and have participation from aboriginal groups, unions, employers, trainers, community groups and apprenticeship administrators have been successful. Training for women has been successful when it is hands-on, and is taught by women in a women-only class. Other important factors are partnerships with employers and communities and

the provision of a network of supports for trainees, including counseling and academic upgrading for trades, as well as child-care, mentorship and financial assistance while training.

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RECOMMENDATIONS

RECOMMENDATION 1. Hands-on training in shop skills should be provided at the elementary school level.

RECOMMENDATION 2. The Yukon Secondary School Apprenticeship Program (YSSAP) should be revitalized. Students should get dual credits for apprenticeship course work and a secondary school diploma.

RECOMMENDATION 3. To prevent a shortage of technology education instructors, the Department of Education should provide teacher training incentives for Yukon tradespeople, education leave for teachers to train in this area, and incentives to attract technology education instructors to the territory.

RECOMMENDATION 4. Pre-trades training and promotion should be developed and delivered through partnerships between Advanced Education, community groups, training providers, industry and labour organizations. Programs that work in partnership with community-based organizations, First Nations, Yukon College and the Yukon government will be the most effective.

RECOMMENDATION 5. Wage subsidies and/or other incentives should be considered for employers to increase apprenticeships in targeted trades and with targeted apprentice groups, such as women and First Nations people.

RECOMMENDATION 6. Useful hands-on experience in communities without trades training facilities is needed. Distance education, online training, and mobile resources and techniques may be viable options.

RECOMMENDATION 7. Academic upgrading specific to the trades should be part of community training initiatives. Pre-trades or pre-apprenticeship qualifier training programs should include personal supports, such as communication and life skills training, academic upgrading and counselling.

RECOMMENDATION 8. Aboriginal tradespeople should be used as role models, mentors and trainers in the communities and in schools.

RECOMMENDATION 9. Yukon First Nations should consider administering aboriginal apprentices through an organization that serves as employer and coordinator.

RECOMMENDATION 10. Community organizations, such as Skills Canada Yukon and Yukon Women in Trades, should be supported with a variety of resources to enhance their capacity to deliver successful pre-trades training to Yukoners.

RECOMMENDATION 11. The department should provide schools, especially those in the communities, with funding to run a skills-focused program.

Rural secondary schools

RURAL STUDENTS who attend urban secondary schools tend to leave school and not graduate. Having secondary schools in the communities leads to increased student success and a higher rate of secondary school completion. The question of whether to establish rural secondary schools in small communities, which was studied in the late 1970s, needs to be revisited. We also need to determine what form these schools would take.

Historically, the Department of Education has not provided secondary-school programs in communities with predominately First Nations populations. Students from these communities who wished to complete secondary school were required to attend boarding schools or residential schools away from home.

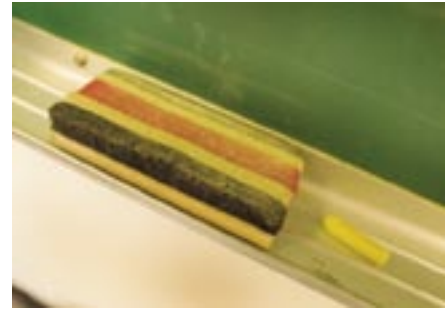
BACKGROUND: In 1979, the Yukon Department of Education undertook a study to examine how well rural students performed in urban schools. The study found that most students left school and returned home within a year (Sharp 1979). Only a small percentage of them graduated. Many factors contribute to this less than desirable outcome, including academic difficulties and being counseled to take non-graduation or special education programs.

The report recommended that rural secondary schools be established. In 1980, the Department of Education established a committee to examine the question of opening secondary schools in smaller Yukon communities. Such schools were opened in Teslin and Haines Junction; communities such as Carmacks, Ross River, Pelly Crossing, Carcross, Destruction Bay, Beaver Creek and Old Crow were considered too small or did not wish to have a secondary school at the time.

ANALYSIS: In 1985 the Department of Education undertook an analysis to determine whether the new secondary schools had led to better student performance. The study tracked students, teachers and principals in rural Yukon communities over a ten-year period and followed the activities of rural students after they left school. It demonstrated that having secondary schools in small communities led to increased student success and a higher rate of secondary school completion.

The report recommended that secondary-level courses be provided in rural schools, and that courses appropriate to rural schools be developed (Sharp 1985). In addition, it recommended that data about rural students be collected so that decisions about their schooling could be based on accurate statistics. Detailed tracking of students is not done, although individual schools have some data.

The question of whether to establish rural secondary schools in small communities needs to be revisited. What options are available and what has experience shown about them? The best approach is the one that is believed in by students, parents, teachers, administrators and the whole community.



The best approach is the one that is believed in by students, parents, teachers, administrators and the whole community.

APPROACHES: There are five different approaches to secondary schooling in small communities:

1. composite secondary schools;
2. essential secondary schools;
3. program-based secondary schools;
4. education collaboration; and
5. boarding programs.

COMPOSITE: Composite secondary schools are the most common type of secondary school. This approach involves a range of course options in a rotational timetable with specific daily time blocks. These may be year-long classes, semestered classes or quartered classes. This type of school works best where there is a large number of students and a wide range of courses, a situation not found in small rural communities. Academic courses are emphasized, with departmental exams at the grade 12 level. Many courses go beyond graduation requirements, providing direct entry into universities and colleges.

ESSENTIAL: Essential secondary schools also offer courses essential to graduation, although courses may vary according to staff capability and student ability and interest. These schools determine how they can meet basic graduation requirements. Fewer courses lead directly to specific university programs but more students graduate and have post-secondary opportunities, which can in turn lead to more training. This type of school works well in small communities. It can respond to the skills and interests of students, teachers and the community. It can pace program delivery to ensure that all students succeed. Many courses permit the community to participate. These schools

require a special kind of teacher in order to work well, one who is able to teach a number of subject areas with clarity and simplicity.

PROGRAM-BASED: Program-based secondary schools cluster students who are taught a number of related courses by a single teacher for a portion of the year. These classes, which are often organized around a theme, include a range of graduation courses. This approach responds to a diversity of student interests and abilities and provides opportunities for a range of instructional practices. Programs engage students and assist them in choosing a career. The courses allow teachers and students to be away from school facilities for sustained periods of time. These programs have a record of academic and attitudinal success. Teachers need to focus on students, employ a wide variety of instructional practices and be comfortable with and knowledgeable about experiential approaches to instruction and learning. Community involvement is often central to class activities.

COLLABORATION: Educational collaboration with community colleges, distance education, extension community programs and other educational opportunities is another approach to rural secondary schooling. The collaborative approach works best with essential secondary schools and program-based schools, and it requires flexibility in programming and scheduling. In the Northwest Territories, Aurora College offers secondary school courses in many small communities. Courses are often offered outside regular school hours and are available

The collaborative approach works best with essential high schools and program-based schools, and it requires flexibility in programming and scheduling.

to community members as well as secondary school students. College programs cover a wide range of academic, technical and applied courses, as well as apprentice programs and certification training.

BOARDING PROGRAMS: Boarding schools only work well for students who wish to be away from home. These students appear to have less difficulty adjusting to living away from home than their peers who are enrolled in composite secondary schools. Courses such as those at Wood Street school provide theme-based programs. These programs have demonstrated high levels of student engagement and academic success and students following related career paths. Rural students who have taken part in these programs have established new circles of friends, improved their personal academic standards and set some career goals.

Many organizational plans consider a combination of these five approaches. How well any approach works depends on teaching staff, resources, administration and community educational goals. Changes in any of these conditions may require changes in the school's organization. Establishing a new type of school requires support from all parties, extensive collaborative planning, adequate resources and appropriate staff. Each phase of this process requires clarity of purpose and goals.

Small secondary schools need teachers with the following skills:

- competency in a range of core secondary academic programs;
- the ability to explain complex problems in simple terms;

- the ability to work well with a range of students;
- knowledge of local First Nations culture; and
- good interpersonal skills.

Teachers are not often selected based on these criteria, however. Alternative selection processes should be explored, and communities should be involved in setting the selection criteria.

The principal of a small secondary school needs to be a strong advocate of the organizational model selected. If not, even concerted community effort will result in frustration. Before principals are selected, the community should identify their educational goals, the type of organizational model they would like for their community and the number of students in the school. School principals who believe in the community's goals have much greater likelihood of running successful schools.

NEXT STEPS: The size of the senior class, staff background and training and community goals all determine the best approach for a small rural secondary school. If the community is large enough to provide a grade 11/12 then a modified essential or composite secondary school might work well. These options provide graduation opportunities while offering a range of courses. For smaller schools, an essential secondary school or program-based approach might best serve the students and community.

What steps can a community and the Department of Education take to increase the success of rural students in secondary school? The first step is realizing that the status quo is not

Establishing a new type of school requires support from all parties, extensive collaborative planning, adequate resources and appropriate staff.

A collective planning process can provide new educational approaches that are supported by the community.

acceptable. The second step is deciding that an alternative approach to rural secondary schools is needed. The third step is examining a variety of small community schools and seeing what can be learned from them. A collective planning process can provide new educational approaches that are supported by the community.

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RECOMMENDATIONS

RECOMMENDATION 1: Student and school performance should be reviewed, with special attention to areas requiring improvement, especially for students of First Nations ancestry. Performance indicators should include graduation rates, student retention rates and results from Yukon Achievement Tests.

RECOMMENDATION 2: The Department of Education should facilitate a process to make communities aware of alternate types of secondary school programs and obtain their feedback on the options available.

RECOMMENDATION 3: Alternate types of secondary school programs should be evaluated to determine which is most appropriate for a particular community. This evaluation will consider community demographics, students and community expectations, the financial resources and expertise required, and the suitability of available staff.

RECOMMENDATION 4: A planning team consisting of (as a minimum) a Superintendent, Secondary Programs Consultant, School Council representative, designated representative of the local First Nation or First Nations and school principal should determine the approach to be used by the school.

RECOMMENDATION 5: Community ownership and support needs to be promoted and facilitated before going ahead with a new school.

Experiential education

AN EXPERIENTIAL APPROACH to education engages students in learning and helps them succeed academically. Teachers and schools need training and professional development to be able to provide experiential education. Communities also need to take steps to establish such schools.

Experiential learning is already part of the Yukon's educational system. Kindergarten is largely based on learning by doing, but didactic processes become more common in subsequent grades. It is then that schools begin to lose students, both emotionally and physically.

Expanding the use of experiential learning strategies requires a change in the ways we think about schools. Schools should be about learning, not teaching. Learning requires engaged students. Experiential instructional strategies offer a significant opportunity to involve students in relevant, meaningful activities that reflect curricular objectives.

BACKGROUND: Before setting up experiential programs in Yukon schools we first need to define experiential learning, identify its educational purpose and develop a framework for establishing classrooms and schools that focus on this approach to learning.

Experiential learning is far more than just outdoor activities. It begins with engaging the learner in direct experience; this is followed by reflection, discussion, analysis and evaluation of the experience. As Wight (1970) has noted: "From this processing of the experience come the insights, the discoveries, and understandings that are generally referred to as experiential learning."

In *The School and Society*, John Dewey (1991) advocated an experiential approach to student learning in the local environment: "Experience [outside the school] has its geographical aspect, its artistic and its literary, its scientific and its historical sides. All studies arise from aspects of the one earth and the one life lived upon it."

EXPERIENTIAL LEARNING:

Three aspects of education encourage teachers and schools to become more active in experiential learning:

1. Students learn in many different ways. Learning styles develop from personality, information processing, social interaction and instructional methods. Some students analyze information logically and break it down into smaller parts; others watch for patterns and relationships between the parts. Both these learning styles should be reflected in teaching, but secondary schools tend to reflect only one. Teachers tend to teach in the style that benefited them. Experiential learning broadens the scope of instructional approaches and resonates with more students.
2. Although students are assumed to be intrinsically motivated in their studies, they see many of their school studies as irrelevant, uninteresting obligations. Experiential learning provides bridges between curriculum and



Experiential

instructional strategies offer a significant opportunity to involve students in relevant, meaningful activities that reflect curricular objectives.

Teachers in an experiential learning environment need to have a clear understanding of the curriculum goals addressed in activities.

students' personal and community needs and interests. Linking the curriculum with the students' world gives them insights into why classes might be meaningful. This motivation is a key to student success.

3. Students are often not engaged in their studies. Many students show more interest in extracurricular activities that are experiential and social in nature.

Classrooms that involve students in active learning are more open to the wider community. Teachers and students are often actively doing things, experimenting and exploring problems. Groups of students work collectively on hands-on projects. Students deal with real-world problems and work on projects that reflect their personal interests. Subjects such as math are taught as exercises using everyday situations and case studies.

TEACHERS: Teachers in an experiential learning environment need to have a clear understanding of the curriculum goals addressed in activities. They must demonstrate considerable facility in integrating various curriculum outcomes. Teachers need to ensure all students are included. Almost all students succeed in this setting.

Creating an experiential classroom requires several components:

- teachers with appropriate training;
- resources that support such approaches; and
- a school organizational plan that permits both in-school and out-of-school learning activities.

Teachers are key to establishing such classrooms but the structure and organization of the school must also support experiential learning. For instance, the amount of time allocated to different subjects needs to vary to accommodate out-of-school activities and hands-on projects.

SCHOOLS: Schools that encourage experiential learning differ in several ways. Administrators in experiential schools help staff and students overcome hurdles. Time is organized to accommodate projects, out-of-school activities and community involvement. Teachers often work as a team (Jurich and Estes 2000).

These schools are open to involvement in community projects. Administrators are actively involved in many learning situations, work as a team to address difficulties, and actively support the experiential approach. They encourage a range of approaches to achieving learning outcomes. Teachers and administrators have high academic and behavioural standards and believe that all students can succeed in the appropriate learning environment.

School programming and resources reflect student interests and needs. Evaluation processes tend to be varied using multiple references. Regional evaluations are used as methods for evaluation instructional practice while there is a clear focus on learning as opposed to teaching.

COMMUNITIES: How do communities develop such schools? The first step is to define the type of school desired by the broader community. A set of concrete goals is needed that relates to processes, programs and evaluation.

Once goals are defined, communities need to hire school administrators and teachers who can provide an experiential approach. These educators need to have a clear grasp of the community's goals. They must understand experiential programs and have a comprehensive understanding of school curriculum.

School administrators and staff need to develop a school organizational plan that accommodates the community's educational goals. The plan needs to organize time in way that supports experiential instruction. It also needs to reflect the wider interests of the community and must focus on engaging students, parents, teachers and community members to create a learning community.

Once school plans and organizational models have been established, school staff need to determine student interests and goals. They then need to identify how curriculum goals will be covered. They also need to identify existing resources and resources needed to deliver their programs.

With these steps in place, schools should develop a comprehensive assessment and evaluation program. This should include program evaluation and long-term student tracking.

REFERENCES

Dewey, John. 1991. *The School and Society*. Revised edition, originally published 1915. Chicago: University of Chicago Press.

Jurich, Sonia and Steve Estes. 2000. *Raising Academic Achievement: A Study of 20 Successful Programs*. Washington, D.C: American Youth Policy Forum.

Wight, Albert R. 1970. "Participative Education and the Inevitable Revolution." *Journal of Creative Behaviour* Vol. 4, No. 4, Fall 1990: 234-282.

The first step is to define the type of school desired by the broader community.

RECOMMENDATIONS

RECOMMENDATION 1. Administrators, school councils and communities should review a range of experiential programming options to help schools develop organizational plans.

RECOMMENDATION 2. School administrators need to fully understand both the implications and the possibilities of experiential programming in schools.

RECOMMENDATION 3. School administrators need to obtain the support of First Nations, the business community and post-secondary institutions.

RECOMMENDATION 4. Department of Education staff need to support teachers in reviewing and selecting experiential education options.

RECOMMENDATION 5. Department of Education staff and administrators need information about the benefits and appropriate use of experiential education programs as well as ways to support experiential education programs.

RECOMMENDATION 6. The Department of Education should present various experiential education models to schools and outline their benefits and suitability.

RECOMMENDATION 7. The Department of Education should support teachers' use of an experiential approach and provide professional development and evaluations.

RECOMMENDATION 8. The Department of Education should enhance its Resource Centre by creating, maintaining and promoting a list of resource people (including other teachers).

RECOMMENDATION 9. Teachers and administrators should increase the use of elders and community resource people in schools.

RECOMMENDATION 10. The Department of Education should provide training to teachers on teaching techniques and the risk factors related to outdoor education.

RECOMMENDATION 11. The Department of Education should remove barriers to experiential education such as certain elements of the Field Trip Policy.

RECOMMENDATION 12. The Department of Education should hire a full-time instructional strategies coordinator for a five-year term to initiate, support and implement experiential education programs in schools.

RECOMMENDATION 13. The Department of Education should support a continuous learning process where experiential education programs can grow and evolve.

RECOMMENDATION 14. The Department of Education should evaluate and improve existing experiential education programs.

RECOMMENDATION 15. The Department of Education should provide professional development activities on learning styles, particularly those of visual-spatial learners.



Education Reform Project

**Response to
recommendations, 2002–04
Education Act review**

Recommendation #1

CURRENT ACT: Recognizing that Yukon people agree that the goal of the Yukon education system is to work in co-operation with the parents to develop the whole child including the intellectual, physical, social, emotional, cultural, and aesthetic 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; and

Recognizing that the Yukon education system will provide a right to an education appropriate to the individual learner based on equality of educational opportunity; prepare students for life and work in the Yukon, Canada, and the world; instill respect for family and community; and promote a love of learning; and

Recognizing that meaningful partnerships with greater parental and public participation are encouraged for a high quality Yukon education system; and

Recognizing that the Yukon curriculum must include the cultural and linguistic heritage of Yukon aboriginal people and the multicultural heritage of Canada; and

Recognizing that rights and privileges enjoyed by minorities as enshrined in the law shall be respected.

PROPOSED CHANGE: Change the Preamble to read:

Recognizing that Yukon people agree that the goal of the Yukon education system is to support the partnership among students, parents and educators so that children are able to develop to the full extent of their abilities, and

Recognizing that Yukon students have a right to an education appropriate to their individual needs and abilities, and

Recognizing that the Yukon education system respects the rights of Yukon First Nation people and minorities as enshrined in the law.

The Commissioner of the Yukon Territory, by and with the advice and consent of the Legislative Assembly, enacts as follows:

CLARIFICATION: The steering committee received many requests to include more ideas in the preamble. The inclusion of all the suggested ideas would make the preamble very detailed and it would duplicate many of the revised goals and objectives in the *Act*. Therefore the committee is recommending a shorter, enabling preamble that contains the major principles for our education system. The substantive suggestions submitted by the public are included in the body of the *Education Act*.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Review and revise to include reference to First Nations governments and recognition of First Nations self-governing rights as per law.

Recommendation #2

CURRENT ACT: Part I – Interpretation

PROPOSED CHANGES: Change and/or add the following definitions.

- “Consult” or “Consultation” – means to provide:
 - a) to the party to be consulted, notice of a matter to be decided in sufficient form and detail to allow that party to prepare its views on the matter; and
 - b) a reasonable period of time in which the party to be consulted may prepare its views on the matter, and an opportunity to present such views to the party obliged to consult; and
 - c) full and fair consideration by the party obliged to consult of any views presented.
- “School Plan” – means a strategic and operational plan prepared for each school by the school administration in consultation with the school council and staff, pursuant to regulations.
- “Conflict of Interest” – means any vested interest a participant may have.
- “Dismiss” – means to prohibit a student from attending school for the period of time specified pursuant to Section 40 of this Act.
- “Suspend” – means to prohibit a student from attending school for the period of time specified pursuant to Section 41 of this Act.
- “First Nation Language Teacher” – means an instructor of First Nation languages who is deemed to be a teacher for the purposes of Section 166 of this Act.
- “Locally Developed Course of Study” – means any course of study not prescribed under Section 5a of this Act.
- “Specify” – for the purposes of Section 46 (School Year), means to designate specific days, but not the content of the days.
- “Vice-principal” – means a teacher who is appointed or designated to be a vice-principal pursuant to this Act.
- “Language of Instruction” – means the language being used by the teacher when delivering a course or program.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team Agrees with EARSC recommendation. Also revise definition of aboriginal people as follows: **aboriginal people means descendants of the original inhabitants of North America including all three aboriginal groups recognized by the Canadian Constitution: First Nations, Inuit and Métis**

Recommendation #3

CURRENT ACT: Part I: Interpretation

PROPOSED CHANGE: Replace “school-age” with the following two definitions.

- “mandatory school-age” means 6 years 8 months to 16 years 0 months as of September 1.
- “age of entitlement” means a student is entitled to attend school from 6 years 0 months to 19 years 0 months as of September 1.

CLARIFICATION: There has been confusion about the use of the term “school-age.” Does it refer to the mandatory age for attendance or the age at which students have a right to be in school? Separating and labelling the two concepts in the definition section of the Act clarifies the terms for communication with the public.

CONSENSUS: June 14, 2001

ERP TEAM RESPONSE: Team agrees with EARSC recommendation and consider mandatory school age up to 18 years so as to discourage students from dropping out of school. Also require permission from principal in conjunction with school council to allow students over 19 years as of September 1 of that school year.

Recommendation #4

CURRENT ACT: Part I: Interpretation

PROPOSED CHANGE: Change the definition of “Yukon First Nation” to read: Yukon First Nation means any First Nation recognized in the Yukon Umbrella Final Agreement.

CLARIFICATION: This definition is consistent with the Umbrella Final Agreement and the self-government agreements.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team agrees with EARSC recommendation

Recommendation #5

CURRENT ACT: Part I: Interpretation

PROPOSED CHANGE: Add the definition: “Home Schooled Student” means a student registered pursuant to Section 31 of this Act.

CLARIFICATION: Children who receive their education at home are defined as students.

CONSENSUS: June 14, 2001

ERP TEAM RESPONSE: Team agrees with EARSC recommendation

Recommendation #6

CURRENT ACT: Part I: Interpretation

PROPOSED CHANGES:

- Change the definition of “attendance area” to read: the area designated by the Board of Education for each school in its jurisdiction;
- Change the definition of “Individualized Education Plan (IEP)” to read: IEP is a document which outlines the educational program for a student as determined by an Individualized Education Plan Team, containing a description of the student’s present level of functioning; long term or annual goals; short term goals or specific behavioural objectives; special resources required; suggested instructional materials, methods and strategies; IEP review dates; persons responsible for the implementation of the IEP, including parents; and parents’ written, informed consent for implementation;

CONSENSUS: June 14, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation part two. Omit part one in reference to Board of Education

Recommendation #7

CURRENT ACT: Part I: Interpretation

PROPOSED CHANGE: Replace “aboriginal people” with “First Nations people” and delete definition of “aboriginal people”

CLARIFICATION: At the request of the Council of Yukon First Nations, the term “aboriginal people” should be replaced by the term “First Nations people.” A definition for “aboriginal people” is no longer necessary with the change in language throughout the Act.

CONSENSUS: June 14, 2001

ERP TEAM RESPONSE: Team suggests that aboriginal people remain because not all citizens of a particular First Nation are aboriginal (e.g. YFN citizenship obtained through marriage, also includes Métis and Inuit)

Recommendation #8

CURRENT ACT: Throughout

PROPOSED CHANGE: Replace “Council for Yukon Indians (CYI)” with “Council of Yukon First Nations (CYFN)”

CLARIFICATION: This recommendation reflects the change in the name of the central First Nations organization.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #9

CURRENT ACT: Throughout

PROPOSED CHANGE: Replace “Indian” with “First Nation”

CLARIFICATION: This change reflects the current language used by Yukon First Nations.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #10

CURRENT ACT: Section 4(a)(v) – The Minister shall establish and communicate for the Yukon education system goals and objectives, which are: ... appreciation and understanding of creative arts

PROPOSED CHANGES: Change to read: appreciation, understanding and knowledge of creative arts

CLARIFICATION: This change was recommended to encourage a more substantive approach to the study of fine arts in our education system. Knowledge of the fundamentals in music, dance, visual arts and drama for example assist in all areas of learning.

CONSENSUS: March 30, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #11

CURRENT ACT: Section 4 – The Minister shall establish and communicate for the Yukon education system goals and objectives, which are:

- a) to encourage the development of the students' basic skills, including
 - (i) the skills of literacy, listening, speaking, reading, writing, numeracy, mathematics, analysis, problem-solving, information processing, computing
 - (ii) critical and creative thinking skills for today's world
 - (iii) an understanding of the role of science and technology in society, together with scientific and technological skills
 - (iv) knowledge of at least one language other than English
 - (v) appreciation and understanding of creative arts
 - (vi) the physical development and personal health and fitness of students, and
 - (vii) the creative use of leisure time.
- b) to develop self-worth through a positive educational environment
- c) to promote the importance of the family and community
- d) to provide opportunities to reach maximum potential
- e) to promote the recognition of equality among Yukon peoples consistent with the Canadian Charter of Rights and Freedoms and the *Human Rights Act*
- f) to develop an understanding of the historical and contemporary role of women and the reinforcement of the principle of gender equality and the contribution of women to society
- g) to promote understanding of the history, language, culture, rights, and values of Yukon First Nations and their changing role in contemporary society
- h) to increase awareness and appreciation of the Yukon's natural environment
- i) to develop an understanding of the historical and contemporary role of labour and business in society, and
- j) to prepare for participation in a Yukon, Canadian, and global society.

PROPOSED CHANGES: Add new Section 4(a)(viii) "trades and vocational skills"

CLARIFICATION: Many Yukon students choose not to go to university or college and the needs of these students should be reflected in the goals and objectives of the *Act*.

CONSENSUS: March 30, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #12

CURRENT ACT: Section 4 – The Minister shall establish and communicate for the Yukon education system goals and objectives, which are:

PROPOSED CHANGE: Add a new (b) and re-letter remainder: to promote an understanding and valuing of the need for lifelong learning

CLARIFICATION: First Nations view lifelong learning as a basic goal in education. It emphasizes the concept that learning occurs throughout life and not just during the public school years. First Nations have requested that the concept of lifelong learning be included in the goals and objectives section of the *Education Act*.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #13

CURRENT ACT: Section 4(b) – The Minister shall establish and communicate for the Yukon education system goals and objectives, which are: ... to develop self-worth through a positive educational environment

PROPOSED CHANGES: Change to read: to encourage the development of self-worth through a positive educational environment

CLARIFICATION: It is difficult to measure self-worth to determine whether or not it is developing. However, self-worth can and should be encouraged routinely.

CONSENSUS: March 30, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #14

CURRENT ACT: Section 4 – The Minister shall establish and communicate for the Yukon education system goals and objectives, which are:

- a) to encourage the development of the students' basic skills, including
 - (i) the skills of literacy, listening, speaking, reading, writing, numeracy, mathematics, analysis, problem solving, information processing, computing
 - (ii) critical and creative thinking skills for today's world
 - (iii) an understanding of the role of science and technology in society, together with scientific and

technological skills

- (iv) knowledge of at least one language other than English
- (v) appreciation and understanding of creative arts
- (vi) the physical development and personal health and fitness of students, and
- (vii) the creative use of leisure time.
- b) to develop self-worth through a positive educational environment
- c) to promote the importance of the family and community
- d) to provide opportunities to reach maximum potential
- e) to promote the recognition of equality among Yukon peoples consistent with the Canadian Charter of Rights and Freedoms and the *Human Rights Act*
- f) to develop an understanding of the historical and contemporary role of women and the reinforcement of the principle of gender equality and the contribution of women to society
- g) to promote understanding of the history, language, culture, rights, and values of Yukon First Nations and their changing role in contemporary society
- h) to increase awareness and appreciation of the Yukon's natural environment
- i) to develop an understanding of the historical and contemporary role of labour and business in society, and
- j) to prepare for participation in a Yukon, Canadian and global society.

PROPOSED CHANGE: Add new 4(e) “to provide a safe and secure environment for learning and teaching,” and renumber remaining points.

CLARIFICATION: The *Education Act* should contain a statement that promotes safety from violence within our schools. regulations and policies will contain procedures to help create a safe school environment.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #15

CURRENT ACT: Section 4(f) – The Minister shall establish and communicate for the Yukon education system goals and objectives, which are: ... to develop an understanding of the historical and contemporary role of women and the reinforcement of the principle of gender equality and the contribution of women to society

PROPOSED CHANGES: Change to read: to develop an understanding of the historical and contemporary role of women and the reinforcement of the principle of equality of opportunity and an understanding of the contribution of women to society

CLARIFICATION: The *Education Act* Review Steering committee wishes to reinforce the concept that genders should have equal opportunity.

CONSENSUS: March 30, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #16

CURRENT ACT: Section 4(g) – The Minister shall establish and communicate for the Yukon education system goals and objectives, which are: ...to promote understanding of the history, language, culture, rights and values of Yukon First Nations and their changing role in contemporary society

PROPOSED CHANGES: Change Section 4(g) 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 Nations’ way of life.

CLARIFICATION: First Nations are an integral part of our society. Their culture, history, language and rights should be valued and promoted through our education system.

CONSENSUS: March 30, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #17

CURRENT ACT: Section 4(h) – The Minister shall establish and communicate for the Yukon education system goals and objectives, which are: ... to increase awareness and appreciation of the Yukon’s natural environment

PROPOSED CHANGES: Change to read: to support the Yukon way of life by promoting an awareness of and respect for the natural environment

CLARIFICATION: This goal has been strengthened by including the notions of “support for the Yukon way of life” and “respect”, not just “appreciation,” for the environment.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #18

CURRENT ACT: Section 5(a) – The Minister shall: establish courses of study for the implementation of the goals and objectives for the Yukon education system.

PROPOSED CHANGE: Change 5(a) to read: prescribe courses of study for the implementation of the goals and objectives for the Yukon education system

CLARIFICATION: The term “prescribe” is used in other sections of the *Act* (for example, Section 51) and this change maintains consistency of terms. The *Education Act* Review Steering committee thought “prescribe” more accurately described the Minister’s role of determining what courses of study would be taught.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #19

CURRENT ACT: Section 5(c) – The Minister shall... contribute to the professional development of teachers

PROPOSED CHANGES: Change word “teachers” to “Yukon Teachers’ Association members”

CLARIFICATION: Professional development is provided for teachers and First Nations language instructors, educational assistants and other paraprofessionals. This proposed change reflects the current situation.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #20

CURRENT ACT: Section 5 – The Minister shall

PROPOSED CHANGE: Add new 5(d) and re-order existing sections: The Minister shall ... upon the request of a First Nation negotiate with the First Nation or its delegated authority support for the development of First Nations curriculum and/or programming.

CLARIFICATION: The negotiation will provide support to begin the curriculum development process. The Act is not currently an impediment but the proposed language is an attempt to draw attention to the fact that the system has not worked effectively to develop First Nations curricula.

CONSENSUS: May 8, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #21

CURRENT ACT: Section 5(h) – The Minister shall...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 the year for which the report is made.

PROPOSED CHANGES: Change Section 5(h) to read: The Minister shall...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 the year for which the report is made. The annual report shall include performance indicators that will demonstrate the effectiveness of Yukon education and academic programming as per regulations and policies.

CLARIFICATION: People want to know how students (First Nations and non-First Nations) and schools are doing academically. The information is necessary to monitor progress of groups of children and for parents to place their child’s performance within the context of their community school, the territory and the country.

CONSENSUS: March 30, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #22

CURRENT ACT: Section 5 – The Minister shall

- a) establish courses of study for the implementation of the goals and objectives for the Yukon education system
- b) provide lists of textbooks, apparatus, equipment and other materials that are prescribed, approved or recommended for use in any school
- c) contribute to the professional development of teachers
- d) issue, suspend, and cancel teaching certificates in accordance with the requirements of the regulations
- e) institute adult training and continuing education programs
- f) provide for human resource development, planning services and employment development job retention programs
- g) provide for the financing of the Yukon education system out of funds appropriated by the Legislative Assembly, and
- 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 the year for which the report is made.

PROPOSED CHANGES: Add new 5(i) “maintain, repair, furnish, and keep in good order all of its real and personal property”

CLARIFICATION: School boards are required to maintain property in the schools under their jurisdiction. This proposed change is parallel language to ensure that the Minister has the responsibility to maintain property in the remaining schools.

CONSENSUS: May 10, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #23

CURRENT ACT: Section 5(a) – The Minister shall: establish courses of study for the implementation of the goals and objectives for the Yukon education system

PROPOSED CHANGES: Add new Section 5(j) when developing local First Nations/Cultural curriculum or programs do so in partnership with the local First Nation or delegated authority.

CLARIFICATION: The goal is to have a meaningful partnership with First Nations and not have curriculum and programs developed in isolation. The emphasis is that First Nations curriculum should be developed with the local First Nation. One generic First Nations program is not adequate because each First Nation wishes to be involved in the development of the program content for use in their community.

CONSENSUS: May 8, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #24

CURRENT ACT: Section 5 – The Minister shall ...

PROPOSED CHANGE: Add a new Section 5 provision in the Act for an appropriate period of notice and opportunity for the review and consideration by First Nations, school councils and Yukon Teachers' Association of all new regulations enacted by the Minister.

CLARIFICATION: The goal is to have the four partner groups consulted in a meaningful way during the development of regulations. regulations should not be developed in isolation. This recommendation is in accordance with the Umbrella Final Agreement and self-government agreements.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #25

CURRENT ACT: Section 6(i)(c) – The Minister may approve a locally developed course or courses of study for use in a school

PROPOSED CHANGE: Delete Section 6(c)

CLARIFICATION: The authority for approval of locally developed courses is given to the Board of Education under the new Section 43(3).

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #26

CURRENT ACT: Section 6(l)(d) – The Minister may ... supply textbooks and other instructional materials, apparatus or equipment to students, teachers, school boards, or councils

PROPOSED CHANGES: Move this statement to Section 5 “The Minister shall” rather than retaining in Section 6 “The Minister may”

CLARIFICATION: School councils, Yukon Teachers' Association, First Nations – Agree. Moving this statement to Minister “shall” adds strength to the requirement of the Minister to provide instructional materials for courses he prescribes. This is parallel language with the requirement for school boards.

Department of Education – Disagree. Moving the statement to the “Minister shall” prevents the granting of requests for specialized texts, supplies and out of the ordinary textbooks. The language is less enabling in the “Minister shall” section.

NO CONSENSUS: March 30, 2001

ERP TEAM RESPONSE: Team agrees that “Minister may” should be retained

Recommendation #27

CURRENT ACT: Section 6(1)(g) – The Minister may ... 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, and

PROPOSED CHANGES: Change to read: establish and provide, solely or in conjunction with other partners 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

CLARIFICATION: This change provides the opportunity for the Department of Education to operate a residence in partnership with other groups. The *Education Act* does not prohibit this option now but the statement makes it more explicit to address some concerns that have been heard from the public.

CONSENSUS: March 30, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #28

CURRENT ACT: Section 6 – The Minister may

- a) establish schools and provide for the closure of schools subject to the guidelines
- b) designate the grades and special programs to be offered in each school operated by the Minister
- c) approve a locally developed course or courses of study for use in a school
- d) supply textbooks and other instructional materials, apparatus or equipment to students, teachers, school boards, or councils
- e) appoint such advisory, administrative, or consultative bodies as may be considered necessary subject to the regulations
- f) prescribe forms and notices as required for the administration of this *Act*
- 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, and
- h) provide for any other matter that the Minister considers advisable to effectively administer the *Act* and the Yukon education system.

(2) The Minister shall seek advice from the school board before exercising any power pursuant to paragraph 1(a) that may affect a school operated by that school board.

PROPOSED CHANGES: New subsection 6(1)(i) to read: at the request of, or with the agreement of a First Nation, develop and implement local Yukon First Nations programs with the involvement of local First Nation or its delegated authority on the history, language, culture, rights and values of Yukon First Nations.

CLARIFICATION: This change provides the opportunity to carry out the goal of Section 4(g). The local First Nation would be involved in decision-making about their curriculum. The goal of Section 4(g) is to promote First Nations history and culture, Section 5(j) establishes that curricula will be developed in partnership and 6(i) provides for the development of First Nations programs at the request of First Nations. Therefore First Nations initiate the process and it must happen.

FN Concern: The First Nation representatives were concerned that including this section in the “Minister may” section raises concerns that curricula will actually be developed when requested. However, the First Nations representatives agreed in principle with the process that must be followed as outlined above.

CONSENSUS: May 8, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #29

CURRENT ACT: Section 7 – The Minister may make agreements on any matter respecting education or the operation of schools in the Yukon Territory with the Government of Canada, a Yukon First Nation, the Central Indian Education Authority, or if the Central Indian Education Authority has not been established, the Council for Yukon Indians, the government or agent of any other jurisdiction, a school board or council in accordance with terms and conditions approved by the Commissioner in Executive council.

PROPOSED CHANGES: Change to read: The Minister may make agreements on any matter respecting education or the operation of schools in the Yukon Territory with the Government of Canada, a Yukon First Nation or its delegated authority, the Central Indian Education Authority, or if the Central Indian Education Authority has not been established, the Council of Yukon First Nations, the government or agent of any other jurisdiction, a school board or council or the Yukon Teachers’ Association in accordance with terms and conditions approved by the Commissioner in Executive council.

CLARIFICATION: Adding “Yukon Teachers’ Association” reflects the reality of current practice.

CONSENSUS: March 30, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #30

CURRENT ACT: Not applicable

PROPOSED CHANGES: Create new section, Access to Education, and put the following into it: Section 19 – Choice of Education; Section 11 – Responsibility to resident students; Section 13 – Access; Section 14 – Choice of other educational program; Section 30 – Distance education; Section 31 – Home education; Section 47 – Transportation; Section 48 – Accommodation

CLARIFICATION: This grouping is recommended to make related sections of the Act readily accessible to members of the public who are not frequent users of the legislation.

CONSENSUS: March 30, 2001

ERP TEAM RESPONSE: Team agrees that sections may be reviewed; however, other configurations from a legislative drafting perspective could be considered

Recommendation #31

CURRENT ACT: Section 10 – Persons are entitled to receive an educational program appropriate to their needs in accordance with the provisions of this Act

- a) who at September 1 in a year are 5 years and 8 months of age or older and younger than 21 years of age, and
- b) who are Canadian citizens, lawfully admitted to Canada for temporary or permanent residence, a child of a Canadian citizen, or a child of an individual who is lawfully admitted to Canada for permanent or temporary residence.

PROPOSED CHANGE: Change (a) to read: who at September 1 in a year are 6 years 0 months of age or older and younger than 19 years of age, and

CLARIFICATION: Age 6 years 0 months maintains parallel ages to the proposed 4 years 0 months and 5 years 0 months entry ages for K-4 and K-5.

The goal is to bring a coherent program to children in a consistent way from 4 years 0 months, 5 years 0 months to 6 years 0 months.

The increase in age may encourage parents to subscribe to one of the earlier programs (K-4 or K-5).

During the public consultation members of the public and the teaching force expressed a concern with placing 21-year-old students in a secondary school where grade 8 students attend.

Although the maximum age is recommended to be 19 years, Section 13 permits a senior official to allow an older student to attend a high school if the situation is deemed to be appropriate. This has been the current practice and has allowed the necessary flexibility and judgement.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation. Review and consider mandatory school age up to 18 years to discourage students from dropping out of school. Also consider permission from principal in conjunction with school council to allow students over 19 years to attend school.

Recommendation #32

CURRENT ACT: Section 12 – Free Education. No tuition fees consequent to the student's attendance for an educational program as determined under Section 11 shall be charged to the student or the parents of the student.

PROPOSED CHANGE: Change title to read: Tuition Fees

CLARIFICATION: The title of Section 12, Free Education, has been used as a rationale against levying school fees and other operational charges. Education is free because families do not pay for the educational program. However, school fees and other operational charges may be levied. The body of this section addresses the charging of tuition fees, but it does not provide direction regarding the concept of a free education in relation to charging fees. The change in title will remove the confusing notion of a “free” education.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation to change title to Tuition Fees

Recommendation #33

CURRENT ACT: Section 12 – No tuition fees consequent to the student’s attendance for an educational program as determined under section 11 shall be charged to the student or the parents of the student.

PROPOSED CHANGE: This section should include three main ideas:

1. No tuition fees will be charged for Yukon students
2. Schools may charge school based fees pursuant to regulations
3. Affordability must NOT be a barrier to participation in an education program.

CLARIFICATION: This change permits the practice of collecting school fees while maintaining the notion that tuition will not be charged.

Section 12 must be supported by clear policy to ensure that affordability is not a barrier.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #34

CURRENT ACT: Section 13 – The Deputy Minister or where there is a school board, the school board may permit a person who is 21 years of age or older to enroll in an educational program on such terms as may be prescribed by the Deputy Minister or school board.

PROPOSED CHANGE: Change to read: The Deputy Minister, or where there is a school board, the school board may permit a person who is 19 years of age or older to enroll in an educational program on such terms as may be prescribed by the Deputy Minister or school board.

CLARIFICATION: During the public consultation members of the public and the teaching force expressed a concern with placing 21-year-old students in a secondary school where grade 8 students attend.

Although the maximum age is recommended to be 19 years, Section 13 permits a senior official to allow an older student to attend a high school if the situation is deemed to be appropriate. This has been the current practice and has allowed the necessary flexibility and judgement.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #35

CURRENT ACT: Section 15(2) – A student who is entitled to an Individualized Education Plan shall have the program delivered in the least restrictive and most enabling environment to the extent that is considered practicable by the Deputy Minister or by a school board in consultation with professional staff and parents, having due regard for the educational needs and rights of all students.

PROPOSED CHANGE: Add to end of statement “as per guidelines under 15(3)”

CLARIFICATION: This references the current guidelines as the resource for the definition, processes and forms necessary for the implementation of Individualized Education Plans.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #36

CURRENT ACT: Section 16(2)(d) – 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
- b) the parent of the student shall receive written information concerning the procedures outlined in this section
- c) prior written informed consent by a parent for the psychological and other specialized tests that are not routinely used by teachers shall be obtained
- d) where appropriate, the assessment shall be multidisciplinary
- e) the results of the assessment reports shall be provided and explained to the parent
- f) a parent and, where appropriate, the student, shall be consulted prior to the determination of and during the implementation of an Individualized Education Plan, and
- g) the parents shall be provided with information concerning the right of appeal to the Education Appeal Tribunal.

PROPOSED CHANGE: Change (d) to read: where appropriate, the assessment shall be coordinated across disciplines”

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #37

CURRENT ACT: Section 16(3) – Parents shall have the right to request for their children a determination in accordance with this section.

PROPOSED CHANGE: Change to read: Parents shall have the right to request for their children a timely determination in accordance with this section.

CLARIFICATION: A determination should be done quickly and efficiently without placing specific timelines on the process.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team does **NOT** agree with EAR recommendation. Leave as is. “Timely” is not easily quantified.

Recommendation #38

CURRENT ACT: Section 16(4) – Parents shall be invited to be members of a school-based team that is established for their child.

PROPOSED CHANGE: Replace “school-based team” with “individualized education plan team”

CLARIFICATION: The school-based team is an advisory body in each school consisting of the school administrator, the learning assistance teacher and the school counselor. The team assists classroom teachers in dealing with a student’s educational difficulties by engaging in collaborative problem solving. Parents are not members of the school-based team; however, they are a vital component of the Individualized Educational Plan team that develops, implements and monitors the plan for their child.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #39

CURRENT ACT: Section 18 – Rights and responsibilities of parents

PROPOSED CHANGE: Add section “Parent Responsibilities”

“It is the responsibility of parents to support their children in achieving learning success by:

- a) causing his or her child to attend school as required by this Act,
- b) ensuring the basic needs of his or her child are met,
- c) having due care for the conduct of his or her child at school and while on the way to and from school
- d) encouraging his or her child to attend to assigned homework, and
- e) communicating reasonably with school personnel employed at the school his or her child attends as required in the best interests of the child.

CLARIFICATION: This is a clarification of what can reasonably be expected from parents, who are a vital partner in the education of their child. Including both rights and responsibilities sections in the Act for parents parallels the two sections written for teachers and students.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team does **NOT** agree with EAR recommendation. Suggest to include only first line proposed “It is the responsibility of parents to support their children in achieving learning success” Rationale is that parents can determine how this can be done in their particular situation

Recommendation #40

CURRENT ACT: Section 18(1)(a) – Parents of students attending school are entitled... to be informed of the progress, behaviour and attendance of their children

PROPOSED CHANGE: Change to read: to be informed of the progress, behaviour and attendance of their children in a timely fashion

CLARIFICATION: If there are concerns about a student, parents want the information early so a plan can be discussed to remedy the situation.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team does **NOT** agree with EAR recommendation. Leave as is; “timely” is difficult to quantify

Recommendation #41

CURRENT ACT: Section 18(1)(c) – Parents of students attending school are entitled ... to appeal decisions that significantly affect the education, health or safety of their children, and

PROPOSED CHANGE: Change (c) to read: to appeal decisions that significantly affect the education, health or safety of their children, as outlined in Part 8, and

CLARIFICATION: This change refers parents to the specifics of the appeals process in Part 8.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #42

CURRENT ACT: Section 18(1)(d) – Parents of students attending school are entitled... to be consulted in the development of any specialized educational programs prepared for their children.

PROPOSED CHANGE: Change (d) to read: to be a member of the Individual Education Plan team that is established to develop and implement a specialized education plan for their child.

CLARIFICATION: This wording reflects the desired participation of parents as full and active members in the Individualized Educational Plan (IEP) process.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #43

CURRENT ACT: Section 22(2)(c) – A student is excused from attendance at school if

- a) the student is unable to attend school by reason of sickness or other unavoidable cause
- b) the student is a participant in religious observances, celebrations, or activities recognized by a religious denomination
- c) the student is a participant in Yukon aboriginal cultural activities or in aboriginal harvesting activities
- d) the student has been suspended by a school and has not been given permission to enroll in another school
- e) the student is enrolled and in regular attendance at a private school or a home education program in accordance with this Act, or
- f) the student is enrolled in distance education courses as approved by the Deputy Minister.

PROPOSED CHANGE: Change (c) to read: the student is a participant in Yukon aboriginal cultural and spiritual activities, or in aboriginal harvesting activities

CLARIFICATION: This change acknowledges the importance of spirituality in First Nations culture.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #44

CURRENT ACT: Section 23(1) – The superintendent or director may, on application from a student or a parent of a student, excuse the student from attendance at school and may attach conditions to the permission to be excused.

PROPOSED CHANGES:

- Remove Section 23 (1-3) from Act; move to regulations.
- Add new subsection 22(2)(g): approved by the superintendent or Director on application by the student or parent, pursuant to the regulations.

CLARIFICATION: Principals currently operate under Section 22. Adding a new 22(2)(g) allows for referral from principals to superintendents for decision/approval for longer term or atypical absences as currently outlined in Section 23.

The process for consideration required by the superintendent should move to regulations.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team does NOT agree with EAR recommendation. Leave as is.

Recommendation #45

CURRENT ACT: Section 25 – The Deputy Minister or a school board may designate school attendance counsellors to assist in the enforcement of the compulsory attendance provisions of this Act.

PROPOSED CHANGE: Change to read: The Deputy Minister or a school board shall designate school attendance counsellors to assist in the enforcement of the compulsory attendance provisions of this Act pursuant to regulations.

CLARIFICATION: Attendance is an identified issue of concern in all communities. It is important for someone to have the mandate to work towards improving attendance. The *Education Act* Review Steering committee would encourage the identification of funds to support this initiative.

The *Education Act* Review Steering committee recognizes the need for flexibility from school to school when identifying an attendance counsellor. In a small school, the attendance counsellor may be the principal. In another community, the First Nation's worker may be assigned the duties of the attendance counsellor.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team does NOT agree with EAR recommendation. Leave as is in Act currently.

Recommendation #46

CURRENT ACT: Section 26 – school boards, councils, and, where a school committee exists, the superintendent, shall establish an attendance policy for their students.

PROPOSED CHANGE: Add “pursuant to regulations” at the end of the sentence.

CLARIFICATION: The goal is to define the parameters for attendance policies in the regulations and to provide a core set of attendance guidelines common to all schools. Currently, attendance is being handled in a variety of ways.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #47

CURRENT ACT: Section 27(1) – If a child is required to attend school pursuant to this Act and the parent neglects or refuses to take reasonable steps to cause the child to attend school, the parent is guilty of an offence and is liable to a fine of not more than \$100 and each day's continuance of such failure or neglect shall constitute a separate offence.

PROPOSED CHANGE: Change Section 27(1) to read: If a child is required to attend school pursuant to this Act and the parent neglects or refuses to take demonstrable steps to cause the child to attend school, the parent is guilty of an offence and is liable to a fine of not more than \$100 and each day's continuance of such failure or neglect shall constitute a separate offence.

CLARIFICATION: “Reasonable” is unclear where “demonstrable” requires information and reporting.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team does NOT agree with EAR recommendation. Leave as “reasonable”

Recommendation #48

CURRENT ACT: Section 31 – Home education

PROPOSED CHANGE: The Act should contain two basic notions:

1. Support for home education, and
2. Support for registration of home-educated students.

The rights and responsibilities that flow from these statements should be in regulations.

Some of the issues that will be included in drafting of the home schooling regulations are outlined below:

- Parents who wish to have their children home schooled should be required to register those students with the Department of Education
- Those parents should be required to submit a one-year plan for the learning of the students, as opposed to the current three-year plan.
- Students involved in home schooling should be encouraged to participate in territory-wide numeracy and literacy tests approved by the Minister. Those home school students receiving support from the Minister are required to take the tests.
- The Department of Education should be responsible to provide support to registered home school students.
- Registered home school students should have reasonable access to school facilities and equipment where available and needed for successful completion of coursework.
- The commencement of home schooling should only be an option at the beginning of a school year or semester, except in exceptional circumstances.

CLARIFICATION: Operational information should be moved to regulation to allow the system to fashion the changes that will occur as more and varied forms of education appear in the system.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #49

CURRENT ACT: Section 32(3) – Children are not eligible for a kindergarten program unless they have attained the age of 4 years and 8 months by September 1.

PROPOSED CHANGE: Add a K-4 program throughout the system.

Children are eligible for K-4 program if 4 years by September 1.

Children are eligible for K-5 program if 5 years by September 1.

CLARIFICATION: The addition of a K-4 program (kindergarten for four-year-olds) is to provide an earlier learning experience to improve pre-literacy and socialization skills. The K-4 program is preparatory to the traditional K-5 program.

The K-4 and K-5 programs are both optional.

The proposed changes to the kindergarten program are summarized below:

K-4	Optional	4 years 0 months by September 1
K-5	Optional	5 years 0 months by September 1
Grade 1	Optional	6 years 0 months by September 1
Grade 1	Mandatory	6 years 8 months by September 1

Regulations should contain information about the formation of a K-4 class that parallels existing regulations for K-5 classes. That is, they should state the required number of students who reside in an area and who request a K-4 program to establish a new class.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #50

CURRENT ACT: Section 32(4) – A child may not attend more than one session of kindergarten per day as defined in the regulations.

PROPOSED CHANGES:

- Outline “kindergarten day options” in regulations.
- Define “session” in regulations.

CLARIFICATION: Many options for full/half day kindergarten, every-day kindergarten and alternate days were presented during the public consultation.

The goal of the proposed regulation is to have maximum flexibility in the kindergarten program schedule rather than mandating a full day every day.

As the public and Department of Education learn the most effective program schedule over time, the regulations can be updated and adjusted.

The Act states that a student cannot attend more than one session of kindergarten, but full-day and half-day options exist; the notion of session is currently unclear.

The number of instructional minutes is missing from Act. It is recommended that “required minutes of instruction” be included in the definition of “session” in regulations.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation. Consider that full-day kindergarten is implemented in most schools

Recommendation #51

CURRENT ACT: Section 32(6) – Where there is more than one school in a community, the Minister or school board shall designate the school or schools that shall offer the kindergarten program.

PROPOSED CHANGE: Change to read: Where there is more than one school in a community, the Minister or school board in consultation with the relevant school council, shall designate the school or schools that shall offer the kindergarten program.

CLARIFICATION: When there is a choice of school building to house the local kindergarten program(s), the parents and community should be given the opportunity to voice their opinions and preferences.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Not applicable as most schools have their own kindergarten programs

Recommendation #52

CURRENT ACT: Section 34 – Rights of Students

PROPOSED CHANGE: Add the following to Section 34: Every student has the right to a learning environment that is free from physical and other abuse.

CLARIFICATION: This recommendation reflects the desire of the *Education Act* Review steering committee, on behalf of the public, to state clearly the type of learning environment students have a right to enjoy.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #53

CURRENT ACT: Section 34(f) – In accordance with this *Act*, students attending school are entitled to ... appeal, either individually or with their parents, decisions that significantly affect their education, health or safety.

PROPOSED CHANGE: Change to read: appeal, either individually if older than 16 years, or with their parents, decisions that significantly affect their education, health or safety.

CLARIFICATION: The proposed change recognizes 16 years as the age a student may legally leave school. It follows that the student should also be able to appeal a decision without their parents.

The inclusion of the age limit prevents younger students from appealing decisions without the involvement of their parents.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #54

CURRENT ACT: Section 38 – Duties of Students

PROPOSED CHANGES:

- Change Title of Section 38 to “Responsibilities of Students”
- Change Section 38 to read: Every student shall
 - (a) observe the rules of the school
 - (b) accept increasing responsibility for his or her learning as he or she progresses through his or her schooling
 - (c) pursue in a diligent manner the courses of study and carry out learning activities as may be required by a teacher
 - (d) attend school regularly and punctually
 - (e) attend school free from the influence and possession of alcohol and illegal substances
 - (f) contribute to a safe and positive learning environment
 - (g) be responsible for his or her conduct at school and while on the way to and from school
 - (h) co-operate with the principal, teachers and all persons authorized to provide school programs and other services
 - (i) be respectful of the cultural, spiritual and religious values and beliefs of others
 - (j) return any schools books or apparatus on loan when required to do so by a teacher or principal, and
 - (k) refrain from damaging or mutilating any school property.

CLARIFICATION: This section clarifies and expands the direction students receive from the legislation about how they are expected to behave.

CONSENSUS: June 14, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation except (j) and (k), which should be reviewed

Recommendation #55

CURRENT ACT: 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.

PROPOSED CHANGE: Include the power for the Minister to establish, by regulation, a core of school rules and consequences for the territory.

CLARIFICATION: The development of these regulations will allow for a core group of school rules and consequences that will be common for all schools. With this core as a basis, individual school communities may complete the set of school rules that best meet the unique needs of their students.

The regulations must clearly define the roles of school councils, boards and superintendents in administering discipline.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team does NOT agree with EAR recommendation. School rules should be developed by school councils, etc.

Recommendation #56

CURRENT ACT: 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.

PROPOSED CHANGE: Change to read: Discipline of students shall be administered in accordance with this Act, pursuant to regulations.

CLARIFICATION: In the development of these regulations, reference to Section 39(1) will allow the development of a core group of school rules and consequences that will be common for all schools. With this core as a basis, individual school communities may complete the set of school rules that best meet the unique needs of their students.

The regulations must clearly define the roles of school councils, boards and superintendents in administering discipline.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team does NOT agree with EAR recommendation. Leave as is

Recommendation #57

CURRENT ACT: Section 40(2)(b) – When a student has been dismissed, the principal shall ... 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.

PROPOSED CHANGE: Insert “a person may be identified by the parent to accompany them to the meeting if desired.”

CLARIFICATION: Some parents are uncomfortable meeting with a teacher or principal and wish to have a “neutral” person attend with them. It is intended that the person accompanying the parent may speak on behalf of the parent or student.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #58

CURRENT ACT: Section 41(1) – A principal may suspend a student for a period not exceeding ten school days for any breach by the student of the duties specified in section 38.

(2) A principal may recommend to a school board, council, or (where there is no council) a superintendent, that a student be suspended for a period greater than ten school days.

(3) When a principal suspends a student or makes a recommendation for suspension for a period exceeding ten school days, the principal shall report in writing to the parents of the student and to the school board, the council, or where there is no council, the superintendent the reason or reasons for the suspension.

(4) The parent of a suspended student and the suspended student may make representations to the school board, council, or where there is no council, the superintendent with respect to the suspension or the recommendation for a suspension for a period exceeding ten school days.

(5) The school board, council, or superintendent may

- a) reinstate the student
- b) uphold the suspension, or
- c) place the student on a suspension that exceeds ten school days and that ends at the end of the semester or school year, whichever occurs first.

(6) The student shall remain suspended until the school board, council, or superintendent has reached a decision.

(7) A student or a parent of a student may appeal within 14 days of receipt of a suspension decision by a school board, council, or superintendent to the Education Appeal Tribunal established pursuant to this Act.

(8) The school board, council, or superintendent shall inform the student and the parents of the student of the right of appeal under subsection (7).

PROPOSED CHANGES:

- Remove “or” from 41(5)(b)
- Add new 41(5)(c): “alter the term of suspension, or”
- Move wording in current (c) to (d)

CLARIFICATION: School councils have asked for increased options when hearing suspension appeals. They wish to have the flexibility to reduce as well as increase the term of a suspension.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: See position paper on Suspensions and Expulsions

Recommendation #59

CURRENT ACT: Section 41 – Suspension of Students

PROPOSED CHANGES:

- Permit the appeal of a suspension to happen prior to the serving of the suspension in certain circumstances.
- Appeal is to be carried out pursuant to regulations.
- The suspension will be immediate if a student is deemed to be a danger to self or others.

CLARIFICATION: This protocol prevents a student from serving the sentence before he/she benefits from the appeal process. Currently the student is suspended immediately and the appeal process follows.

The appeal must be initiated within a reasonable time period. Best practice is to have the consequence for unacceptable behaviour delivered soon after the infraction.

CONSENSUS: June 14, 2001

ERP TEAM RESPONSE: See position paper on Suspensions and Expulsions

Recommendation #60

CURRENT ACT: No reference

PROPOSED CHANGE: Put Division 6 before Division 3 and renumber.

CLARIFICATION: The reordering of the divisions brings the “Students” and “Parents” sections closer together for comparison and ease of reference.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Team does **NOT** agree with EAR recommendation. Review the need for this.

Recommendation #61

CURRENT ACT: Sections 20, 22 and 37 and Part 8

PROPOSED CHANGE: Review the age of majority in the *Access to Information and Protection of Privacy Act* (ATIPP) and ensure consistency across sections, 20, 22, 37 and Part 8.

CLARIFICATION: If a student is not living with a parent or guardian, then the student alone should be responsible for access to records and authorizing activities.

CONSENSUS: April 21, 2001

ERP TEAM RESPONSE: Refer to ATIPP Ombudsman

Recommendation #62

CURRENT ACT: Section 43 (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.

PROPOSED CHANGE: Change Section 43 to read:

- (1) Locally developed courses may constitute up to 20 percent of the educational program offered to any student in a semester or a school years.
- (2) A Board of Education shall approve or reject a proposal for the development of a locally developed course of study within 30 days of its receipt and shall provide reasons for any rejections and may provide recommendations with any acceptance.
- (3) When a Board of Education rejects a proposal for a locally developed course of study, that decision may be appealed within ten days of receipt of notice to the Minister.
- (4) When a proposal has been accepted, a Board of Education may provide support for the development of the proposed course of study.
- (5) A locally developed course of study may be used in an educational program once it has been approved by the Board of Education.

CLARIFICATION: These steps are elaborated to show the process for developing and implementing locally developed curriculum. The process is outlined under the proposed boards of Education. School councils approve the use of locally developed curriculum in their school once it has been approved by the Board of Education.

CONSENSUS: June 14, 2001

ERP TEAM RESPONSE: Team does NOT agree with EAR recommendation; leave as is

Recommendation #63

CURRENT ACT: Section 46 – School Year

PROPOSED CHANGE: All Yukon schools will have five hours of instruction per day and the total number of instructional days will be 190.

CLARIFICATION: Department of Education, school councils, Yukon Teachers' Association – Agree. Current wording in the Act links the length of the school day with the setting of the school year. By increasing the number of minutes per day, some schools have reduced the school year by two weeks. There is no pedagogical value in decreasing days of instruction and increasing the summer break. With a set length of day, the community would retain flexibility in the organization of the 190 days into a unique school year. This change will provide a benefit to students. It will help to solve some of the problems in communities regarding low attendance and achievement.

First Nations – Disagree. First Nations representatives do not agree that students lose information over a longer summer break and wish to keep the number of school days flexible by allowing different number of minutes in a school day. The proposed model disempowers communities; the prescribed number of days does not empower First Nations. The communities did not say that the Yukon government should have more control; they said communities should decide.

NO CONSENSUS: May 8, 2001

ERP TEAM RESPONSE: See position paper on Length of the school year

Recommendation #64

CURRENT ACT: Section 46(6) – A school board or council shall specify 15 hours for non-instructional purposes for its school or schools in each school year.

PROPOSED CHANGES: Changes to Section 46.

- Delete three non-instructional days included in the current school year.
- Add five professional development days to the school year.
- The school year will be a total of 195 days.
- Five of the professional development days are to be specified by the Board of Education and if not required by Board of Education may be delegated to the school council.
- Yukon Teachers' Association shall determine the content of the five professional development days specified by the Board of Education.

CLARIFICATION: During the public consultation, there was recognition of the value of professional development for all teachers. The public supported an increase in the number of days that are mandatory for teachers to attend professional development sessions. The number of days has been increased from three days to five days.

The result of this is to make the school year 190 days for students and 195 days for teachers.

The term “non-instructional” is replaced by “professional development” because the use of non-instructional days for student interviews, and staff meetings, for example, does not have the support of the public. The purpose of professional development days is to focus on professional growth for educators.

CONSENSUS: May 8, 2001

ERP TEAM RESPONSE: See position paper on Length of the school year

Recommendation #65

CURRENT ACT: Section 46(6) – A school board or council shall specify 15 hours for non-instructional purposes for its school or schools in each school year.

PROPOSED CHANGES: Language in the Act should allow the Minister to determine the timing and content of up to two of the professional development days at the request of the Yukon Teachers' Association or the Board of Education.

CLARIFICATION: This discretion gives the Minister the central authority to identify common professional development days that permit the scheduling of territory-wide initiatives.

CONSENSUS: May 8, 2001

ERP TEAM RESPONSE: See position paper on Length of the school year

Recommendation #66

CURRENT ACT: Section 46 – School year

PROPOSED CHANGE: School councils will recommend to the Board of Education their school calendar for four consecutive years and submit them for Board of Education approval rather than submitting one annually. At the end of the second year of the calendar, two more years will be planned and approved.

CLARIFICATION: This plan retains the flexibility for school councils to set their calendars. It also reduces an onerous process by having a new calendar submitted every second year rather than annually.

Under this plan, school calendars for Whitehorse schools would continue to be coordinated.

boards of Education would set the school calendar a minimum of two years in advance.

CONSENSUS: May 8, 2001

ERP TEAM RESPONSE: Team recommends consideration of a three-year calendar

Recommendation #67

CURRENT ACT: 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.

PROPOSED CHANGE: Change Section 48 to read: 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 solely or may in conjunction with other partners, provide accommodation and may prescribe, by regulations, fees to be charged for the accommodation or may provide an allowance for the accommodation.

CLARIFICATION: Inserting the new phrase adds more enabling language to support the goal of partnerships.

CONSENSUS: May 8, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #68

CURRENT ACT: Section 50 – Language of instruction

PROPOSED CHANGE: Change the section title to “Immersion Instruction in First Nation Languages”

CLARIFICATION: This title clarifies the topic of this section by using the common term “immersion.”

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team does NOT agree with EAR recommendation. Omit immersion

Recommendation #69

CURRENT ACT: 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.

PROPOSED CHANGE: Change Section 50(1) to read: The Minister may authorize an educational program or part of an educational program to be provided in a First Nation language after receiving a request to do so from a school board, council, school committee or, from a Yukon First Nation or delegated authority.

CLARIFICATION: Under self-government agreements, the First Nation is the contact for this type of educational issue. The First Nation may make the request, or they may delegate the issue to another authority. See further clarification in recommendation #71.

CONSENSUS: June 14, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #70

CURRENT ACT: Section 52 – Aboriginal languages

PROPOSED CHANGE: Change the title of section to “Instruction of First Nation Languages”

CLARIFICATION: At the request of the First Nations representatives on the *Education Act* Review steering committee, the term “aboriginal” is to be replaced by “First Nations.”

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team does NOT agree with EAR recommendation- leave as Aboriginal Languages

Recommendation #71

CURRENT ACT: Section 54(1) – Upon the establishment of a Central Indian Education Authority by the Council for Yukon Indians, the Minister shall consult with the Central Indian Education Authority on any matter affecting the education and language of instruction of aboriginal people.

(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.

(3) The cost of any evaluation conducted in accordance with subsection (2) shall be paid by the Minister.

(4) The Minister shall table in the legislative assembly the report and recommendations from any evaluation conducted pursuant to subsection (2) within 30 days of receipt of such report and recommendation or at the next sitting of the legislative assembly.

(5) The Minister shall respond to the recommendations referred to in subsection (4) and shall report to the Legislative Assembly the modifications to the education and language of instruction of aboriginal people in Yukon schools which resulted from such recommendations within six months of receipt by the Minister of the report and recommendations.

(6) The Minister may enter into an agreement with and provide grants to the Central Indian Education Authority for the performance by it of any matter pertaining to aboriginal education including the development and preservation of aboriginal languages.

PROPOSED CHANGE: Change Section 54 with language that includes the following notions.

- Each First Nation is the authority.
- The First Nation can delegate its authority to another body.

CLARIFICATION: Under a First Nation's self-government agreement (SGA), an individual First Nation operates on a government-to-government basis with the Minister. The Department of Education, as a support to the Minister, should approach a First Nation directly in discussions about education. The First Nation may respond directly, or delegate the authority to work with the department. The First Nation should identify that authority. Organizations like the First Nations Education Commission do not have an SGA to negotiate from with the Department of Education; therefore leadership makes the decisions because they work collectively as an authoritative body.

The new language in Section 54 would clarify the procedures for Department of Education to approach the appropriate bodies to deal with educational issues. It would then be clear that First Nations are the recognized authority under their SGAs and can delegate to other bodies.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Review. Changes in education governance may affect this.

Recommendation #72

CURRENT ACT: 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.

PROPOSED CHANGE: Change Section 55 to read: Every school administration at the request of the First Nation and in consultation with the 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.

CLARIFICATION: The added phrase provides for the First Nation to initiate the process of inclusion of the cultural activities in the school program

CONSENSUS: May 8, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation. Add “First Nations”; may be more than one First Nation involved

Recommendation #73

CURRENT ACT: Sections 58, 59, 60, 61, 62, 63 and 67 as well as 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.

PROPOSED CHANGE: Provide wording indicating that the Board of Education should seek input/advice from the affected school committee, council, or First Nation.

CLARIFICATION: School councils believe that decisions affecting them and the others listed above should not be made unilaterally. Parents are seeking a method for input on decisions that affect them. The wording should be broad enough to permit flexibility in who is consulted. The goal is consultation rather than a veto of a decision.

Under Section 58, the Board of Education would determine the attendance area, not the Minister, if the Board of Education proposal were implemented.

CONSENSUS: May 8, 2001

ERP TEAM RESPONSE: Team does **NOT** agree with EAR recommendation. Leave Act as is

Recommendation #74

CURRENT ACT: Section 66 (1) – A person who is elected to a school committee or council shall be called a member.

(2) A person who is elected to a school board shall be called a trustee.

PROPOSED CHANGES: Change Section 66(1) and (2) to read:

- “(1) A person who is elected or appointed to a school committee or council shall be called a member.
- (2) A person who is elected or appointed to a school board shall be called a trustee.

CLARIFICATION: This change includes the First Nation guaranteed representatives who are appointed as well as other members who may be appointed by the Minister.

CONSENSUS: May 8, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #75

CURRENT ACT: Section 67(1) – The Minister shall specify the number of trustees of a school board and members of a council.

(2) Each council shall have no fewer than three members and no more than seven members.

(3) Each school board shall have no fewer than five trustees and no more than nine trustees.

PROPOSED CHANGES:

- Change Section 67(1) to read: The Minister shall specify the number of trustees of a school board and members of a council pursuant to regulations.
- Delete Section 67(2) and move to regulations. The number of school council members should be set for each school in regulations. The negotiated number of guaranteed representatives should be included in the total number of members that is set.
- Delete Section 67(3) and move to regulations.

CLARIFICATION: To clarify the number of school council members and the number of guaranteed representatives for each school, the recommendation is to have each school negotiate with the Minister, a total number of school council members. The number will include the negotiated number of guaranteed representatives. Currently there is confusion about whether the guaranteed representatives are part of the total number, or in addition to the total number of school council members.

The total number will remain the same from year to year until a circumstance warrants a discussion with the Minister about adjusting the number of school council members. It is anticipated that a fixed number of council members will eliminate ongoing negotiation of council size.

CONSENSUS: May 8, 2001

ERP TEAM RESPONSE: Team does **NOT** agree with EAR recommendation

Recommendation #76

CURRENT ACT: Section 68 (1) – The Minister shall negotiate guaranteed representation for aboriginal people on school boards and councils with each Yukon First Nation and, by agreement with each Yukon First Nation, shall, where it is agreed that there shall be guaranteed representation

- a) determine the number of representatives of aboriginal people on a school board or council
- b) establish the appointment or voting process for the filling of the guaranteed positions, and
- c) define the length of time for the guaranteed representation to apply.

(2) Prior to entering into an agreement with a Yukon First Nation pursuant to subsection (1), the Minister shall consult with any school board or council that is affected by the guaranteed representation.

(3) Any agreement pursuant to subsection (1) that requires election of representatives shall be implemented by the calling of an election by the Minister.

(4) Where a school board or council is in existence and the agreement pursuant to subsection (1) requires the appointment or election of representatives, those representatives shall take office and shall be in addition to and not in substitution for trustees or members who hold office until the next general election.

PROPOSED CHANGES:

- Change Section 68(1) to read: The Minister shall negotiate guaranteed representation for First Nation people on school boards and councils with each Yukon First Nation and, by agreement with each Yukon First Nation, shall, where it is agreed that there shall be guaranteed representation, do so pursuant to regulations.
- Delete subsections (a)(b) and (c) from 68(1) and move to regulations.

CLARIFICATION: The details for negotiating guaranteed representation of First Nations on boards and councils is to be outlined in regulations. regulations permit some flexibility in detailing the process and changing it to meet the needs of communities when warranted.

CONSENSUS: May 8, 2001

ERP TEAM RESPONSE: Team does **NOT** agree with EAR recommendation. School councils should have guaranteed representation based on student population

Recommendation #77

CURRENT ACT: From Section 69 (School committees changing to councils) to Section 77 (Transfer of Assets) and Section 112 (School committees: Powers and Duties)

PROPOSED CHANGE: Remove the provision for school committees in the Act.

CLARIFICATION: There is only one remaining school committee in the territory. It is included in all activities that school councils plan and, after ten years, a complete transition to councils would provide consistency across the territory.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #78

CURRENT ACT: Section 73 – Combining councils

PROPOSED CHANGE: Change title to read: Combining councils to form a board

CLARIFICATION: The title of Section 73, “Combining councils,” has content related to combining two councils to form a board. Combining two councils to form one large council appears to be in Section 76(1). Titles need to be clarified to assist in finding the correct information.

This change is pending the outcome of the Board of Education concept contained in these recommendations.

CONSENSUS: May 8, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #79

CURRENT ACT: Sections 78 to 80

PROPOSED CHANGE: School council elections should occur in the spring, not fall.

CLARIFICATION: It is a better time of year to have elections and bring in new members prior to the start of a new school year.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #80

CURRENT ACT: Sections 78 to 111

PROPOSED CHANGE: Move to another piece of legislation.

CLARIFICATION: The details regarding the process of election do not need to be included in the *Education Act*. Shortening the document and focusing on educational issues helps make the *Act* a better reference source for all partner groups.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #81

CURRENT ACT: Section 79(2) – Members of a council shall hold office for a term of two years.

PROPOSED CHANGE: Change 79(2) to read: Members of a council shall hold office for a term of three years.

CLARIFICATION: This proposal, along with staggered terms, will increase continuity for councils. Two-year terms allow one year to learn the job and only one to participate fully and effectively. The increase to three years will reduce the amount of orientation time required for new members and increase the period of experienced, effective participation.

CONSENSUS: May 8, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation (staggered terms should be considered if feasible)

Recommendation #82

CURRENT ACT: Section 82 – Qualifications of Electors; and Section 86 – Qualifications of Candidates.

PROPOSED CHANGES: For Catholic school council elections:

- Catholic Episcopal Corporation of Whitehorse to approve a candidate
- Catholic Episcopal Corporation of Whitehorse to define “Catholic Voters List”
- Regardless of Catholic Episcopal Corporation of Whitehorse Voters List, if you have a child attending the school you are eligible to vote in an election.

CLARIFICATION: This will have the effect of allowing the Catholic Episcopal Corporation of Whitehorse to have the say about who may be a candidate. The “Catholic Voters List” includes members of the Catholic community who may vote for the school councils in Catholic schools. The proposed change also allows any parent who has a child attending the school to vote in an election whether or not he or she is on the Catholic Voters List.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #83

CURRENT ACT: Section 113(1) and Section 177(2)

PROPOSED CHANGE: Add wording to Section 113(1) that councils have a role to play in the evaluation of principals.

CLARIFICATION: Section 177(2) states that a superintendent will receive input from parents through their elected representatives when evaluating a principal, but there is no provision in Section 113 that councils shall provide the input.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #84

CURRENT ACT: Section 113(1)(a) – A council shall...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

PROPOSED CHANGE: Change (a) to read: review, modify if necessary, and approve the school plan, and other matters required for the effective functioning of the school

CLARIFICATION: This wording is consistent with 116(1)(b). It is clearer to refer to the school plan as a whole instead of the individual components. The current Act refers to the components but does not identify them as parts of the school plan. This change also allows for flexibility should the components of the school plan evolve in the future because the list of components does not have to be altered in the legislation.

The school plan is developed by the school administration in consultation with the school staff, school council and other team members as desired.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #85

CURRENT ACT: 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

PROPOSED CHANGE: Change 113(1)(b) to read: make recommendations to the school administration for the allocation of resources within the budget approved for the school

CLARIFICATION: This change represents current practice under site-based management.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation. Consider giving principals access to a spending limit that may be outlined in regulations

Recommendation #86

CURRENT ACT: Section 113(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

PROPOSED CHANGE: Change 113(1)(c) to read: participate, along with the Board of Education and school staff, in the posting and final interviews for the position of principal

CLARIFICATION: Yukon Teachers' Association – Agrees. There are three stages in hiring: posting, short-listing and final interviews. School councils should provide input at the posting stage where they state what they are looking for in a staff member. School councils should be removed from short-listing stage.

School councils and First Nations – Agree to have school staff and department staff participate in posting but not in the interviewing. They do not agree with eliminating school councils from the short-listing stage.

Department of Education – Hiring is an administrative activity and belongs at the Board of Education level. School councils should work in the area of policy development and make political decisions.

NO CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Modify FN and SC involved in various stages of process. Delegate a hiring committee. FNs involved in posting, short-listing and interviews

Recommendation #87

CURRENT ACT: Section 113(1)(d) – a council shall... (d) in consultation with the superintendent, school administration, and teachers, establish a procedure for resolving disputes between schools, parents and teachers

PROPOSED CHANGE: Delete Section 113(1)(d) and replace it with a territorial regulation.

CLARIFICATION: This is a procedure that would be more detailed and flexible in regulations.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Review ADR models, review application via regulation

Recommendation #88

CURRENT ACT: Section 113(1)(e) – keep a complete and accurate report of its meetings and provide a copy to the Minister within 30 days of each meeting, and, (g) keep a complete and accurate record of financial transactions in a form prescribed by the Minister

PROPOSED CHANGE: Change 113(1)(e) to read: keep a complete and accurate report of its meetings and provide a copy to the Board of Education within 30 days of each meeting

Change 113(1)(g) to read: keep a complete and accurate record of financial transactions in a form prescribed by the Board of Education

CLARIFICATION: This change is pending acceptance of the Board of Education recommendation.

CONSENSUS: June 14, 2001

ERP TEAM RESPONSE: Team does NOT agree with EAR recommendation. Copies of report should be sent to the Department of Education

Recommendation #89

CURRENT ACT: Section 113(1)(i) – A council shall ... (i) establish an attendance policy for students who are enrolled in its school

PROPOSED CHANGE: Delete Section 113(1)(i) and replace with a territorial regulation.

CLARIFICATION: This is a policy statement where details of procedure can be outlined in regulations and changed if needed.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team does NOT agree with EAR recommendation. School councils should develop an attendance policy with support of Policy Branch, DOE

Recommendation #90

CURRENT ACT: Section 113 – School councils

PROPOSED CHANGE: Add a new subsection (l) which states: ensure that documents including but not limited to the school plan, the Yukon School Improvement Plan, all school policies and procedures, and the council meeting minutes are in the school and accessible to the school community

CLARIFICATION: Availability of these documents will help facilitate communication among parents and community about school initiatives and progress.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team does **NOT** agree with EAR recommendation. Access to documents should be detailed in a policy, not the Act

Recommendation #91

CURRENT ACT: Section 113 – School councils

PROPOSED CHANGE: Add a new subsection (m) which states: Councils may request and the Minister and/or Board of Education may approve additional roles and responsibilities

CLARIFICATION: This change was a request from the school council submission to support a collaborative working relationship among the partners. As the role of school councils evolves, roles and responsibilities may require some adjustment.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team does **NOT** agree with EAR recommendation. Leave as is in the Act; it already states that Minister may delegate authority

Recommendation #92

CURRENT ACT: Section 113(2) – A council may (a) propose and offer locally developed courses of study and locally approved instructional materials subject to Ministerial approval and this Act

PROPOSED CHANGE: Change (a) to read: propose and offer locally developed or other courses of study and locally approved instructional materials subject to Board of Education approval and this Act

CLARIFICATION: School councils wished to have the opportunity to suggest and review a broader range of courses.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation, subject to Ministerial approval

Recommendation #93

CURRENT ACT: Section 113(2)(c) – A council may (c) provide advice to the Minister respecting

- (i) the establishment of the school year and school day
- (ii) school closures
- (iii) teaching and support staff requirements
- (iv) transportation services
- (v) school renovations and capital budget for the school, and
- (vi) school programs.

PROPOSED CHANGE: Change 113(2)(c) to read: after consultation with school administration, provide advice to the Board of Education respecting

CLARIFICATION: There is currently no onus on school councils to seek input from school administrators and their staff. This addition formalizes what is currently the practice in most school communities.

CONSENSUS: May 8, 2001

ERP TEAM RESPONSE: Team does NOT agree with EAR recommendation – leave as is

Recommendation #94

CURRENT ACT: Section 113(2)(g) – A council may ... (g) direct the superintendent to evaluate a teacher, principal, or other staff member and to provide a report to the council of the evaluation, which report shall be returned to the superintendent forthwith after the council has reviewed and considered it

PROPOSED CHANGE: Change 113(2)(g) to read: direct the superintendent to evaluate a teacher, principal, or other staff member and to provide a verbal report of the process and outcome, to the council

CLARIFICATION: Currently educators are evaluated as “satisfactory” or “non-satisfactory” and school councils are notified only of the final outcome. Under the proposal, there would be three components of the report to the school council: 1) the fact that the evaluation was completed; 2) how it was done; and 3) what the outcome was. The language in the Act should clearly state that the actual evaluation document, which is part of the personnel file, is not given to school councils. This accords with privacy and human resource procedures.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #95

CURRENT ACT: Section 113(2)(h) A council may ... (h) direct the principal to evaluate a teacher and to provide a report to it of the evaluation, which report shall be returned to the superintendent forthwith after the council has reviewed and considered it

PROPOSED CHANGE: Change 113(2)(h) to read: direct the principal to evaluate a teacher and to provide a verbal report of the process and outcome to the council

CLARIFICATION: Currently teachers are evaluated as “satisfactory” or “non-satisfactory” and school councils are notified only of the final outcome. Under the proposal, there would be three components of the report to the school council: 1) the fact that the evaluation was completed; 2) how it was done; and 3) what the outcome was. The language in the Act should clearly state that the actual evaluation document, which is part of the personnel file, is not given to school councils. This will be in accordance with privacy and human resource procedures.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #96

CURRENT ACT: Section 113(2)(i) – A council may (i) recommend to the superintendent the dismissal, transfer, discipline or demotion of a teacher, principal, or other employee in the school and provide reasons for the recommendation

PROPOSED CHANGE: Delete Section 113(2)(i)

CLARIFICATION: Yukon Teachers’ Association – Agree. Due process is the issue. This section encourages a situation that circumvents Public Service Commission process. The request for evaluation sets up due process in legal labour law. This section creates the notion that school councils are not heard because when they request a dismissal it doesn’t happen. School councils do not understand the due process that led to the decision.

Department of Education – Agree. This clause does not make a difference because the process is beyond the control of the employer and Yukon Teachers’ Association. It has the negative effect of not fulfilling expectations.

First Nations – Agree to delete this clause if there is accountability of teachers to the community.

School councils – Disagree. If the recommendation to form a Board of Education is not accepted, school councils have the responsibility to look after the needs in the school, including making recommendations about when educators should be disciplined.

CONSENSUS: May 31, 2001 (Consensus reached pending the formation of the Board of Education model)

ERP TEAM RESPONSE: Team does NOT agree with EAR recommendation – leave as is

Recommendation #97

CURRENT ACT: Section 113

PROPOSED CHANGE: That duties of school councils be changed to read as follows, should the Board of Education model be instituted.

School councils

113. (1) A council shall

- a) review, modify if necessary, and approve the school plan, as prepared by school administration, and other matters required for the effective functioning of the school
- b) participate in the selection of a person for appointment as principal
- c) make recommendations to the school administration for the allocation of resources within the budget approved for the school
- d) keep a complete and accurate report of its meetings and provide a copy to the Board of Education within 30 days of each meeting
- e) make any necessary banking arrangements
- f) keep a complete and accurate record of financial transactions in a form prescribed by the Board of Education
- g) approve or cause to be approved all accounts payable by a council for payment
- h) establish an attendance policy for students who are enrolled in its school, pursuant to Board of Education policy, and this Act
- i) participate in settling disputes pursuant to Board of Education policy
- j) procure a corporate seal, and
- k) prepare reports, provide information, and perform any duties as may be required under this Act.
- l) ensure that documents including but not limited to school plan, Yukon School Improvement Plan, all school policies and procedures, council meeting minutes are in the school and accessible to the school community
- m) add wording that councils have a role to play in the evaluation of principals as per section 177(2).

(2) A council may

- a) propose and offer locally developed or other courses of study and locally approved instructional materials subject to the Board of Education approval and this Act
- b) receive and expend funds pursuant to this Act
- c) after consultation with school administration provide advice to the Board of Education respecting
 - (i) the establishment of the school year and school day, pursuant to regulations
 - (ii) school closures
 - (iii) teaching and support staff requirements
 - (iv) transportation services
 - (v) school renovations and capital budget for the school, and
 - (vi) school programs
- d) establish committees and specify the powers and duties of the committees
- e) establish rules and policies on any matter within its jurisdiction
- f) approve the allocation and expenditure of those discretionary funds allocated to the school within its budget

- g) direct the superintendent to evaluate a principal, and to provide a verbal report of the process and outcome to the council,
- h) direct the principal to evaluate a teacher or other staff member and to provide a verbal report of the process and outcome to the council
- i) approve curricular and extracurricular field trips of more than one day's duration,
- j) approve the allocation of school days for extracurricular activities, and
- k) councils may request and the Minister and/or Board of Education may approve additional roles and responsibilities

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team does **NOT** agree with EAR recommendation. Not applicable as school-board model not recommended

Recommendation #98

CURRENT ACT: Section 114(1)– Powers of the Minister

PROPOSED CHANGES:

- Move Section 114(1) to 116, and
- Change “Minister” to “Board of Education”

CLARIFICATION: With the change to “Board,” it is a duty for school boards (Section 116) not the Minister. This change assumes the existence of Boards of Education.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team does **NOT** agree with EAR recommendation. Not applicable as school-board model not accepted.

Recommendation #99

CURRENT ACT: Section 114(2)

PROPOSED CHANGES:

- This section becomes 114(1) moving to Section 116
- Change Section 114(1) to read: The Minister shall cause to be evaluated, at least once every five years, each of the schools operated by a Board in accordance with guidelines, standards, and procedures established by the Minister.

CLARIFICATION: It is anticipated that the evaluation of schools will be a responsibility of the boards but the Minister will have the responsibility of ensuring that evaluations occur on a regular basis.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team does **NOT** agree with EAR recommendation. Not applicable as school-board model not accepted.

Recommendation #100

CURRENT ACT: Section 116 – School boards

PROPOSED CHANGE: That duties of school boards be changed to Boards of Education and read as follows, should the Board of Education model be instituted.

Board of Education

116. (1) A Board of Education shall

- a) select staff, including principals and teachers, for hiring, dismissal, discipline, transfer, promotion, and demotion subject to this Act and any applicable collective agreement
- b) provide educational programs, including locally developed courses, for its students as required by this Act
- c) establish policies for the administration, management and operation of its schools
- d) maintain, repair, furnish, and keep in good order all of its real and personal property
- e) provide suitable and necessary equipment and supplies for schools operated by it, including locally approved instructional materials
- f) in consultation with the Director, school administration, and Yukon Teachers' Association establish a procedure for resolving disputes between its schools, parents and teachers, pursuant to regulations,
- g) ensure that its schools are conducted in accordance with the requirements of this Act
- h) keep a complete and accurate report of its meetings and provide a copy to the Minister within 30 days of each meeting
- i) procure a corporate seal
- j) establish a school council, where possible, for every school operated by it when it operates more than one school and make rules for the election and operation of the groups
- k) prepare reports, provide information, and perform any duties as may required under this Act, its regulations and guidelines, or by the Minister
- l) arrange for the examination and investigation of
 - (i) student progress
 - (ii) order among and discipline of students
 - (iii) the system of instruction
 - (iv) mode of keeping school records, and
 - (v) conditions of buildings and premises
- m) keep in force any policy or policies of insurance required by the Minister or, with the approval of the Minister, participate in alternative insurance schemes that insure the amounts and against the risks prescribed by the Minister, and
- n) develop and maintain policies for the purchase of goods and services and for undertaking capital works.
- o) receive by grant or contribution such funds as are approved by the Minister
- p) make any banking arrangements necessary for the carrying out of its duties and powers
- q) keep a complete and accurate record of financial transactions in a form prescribed by the Minister
- r) approve or cause to be approved for payment all accounts payable by the Board of Education
- s) establish satisfactory relationships between students, parents, and the community, including Yukon First Nations or their delegated authority, and
- t) advise the Minister respecting
 - (i) school closures, and
 - (ii) transportation services.

- (2) A Board of Education may
- a) establish committees and specify powers and duties for the committees
 - b) purchase or rent school premises or staff residences
 - c) direct the Director to evaluate a principal and provide a verbal report of the process and outcome to the Board of Education.
 - d) direct a principal to evaluate a teacher or other staff member and to provide a verbal report of the process and outcome to the Board of Education,
 - e) acquire real and personal property by way of purchase, bequest, or lease
 - f) provide for professional development of teachers
 - g) such other duties as would be done by a school council, where no such council exists for a schools) operated by it, and
 - h) delegate responsibility pursuant to regulations.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team does **NOT** agree with EAR recommendation. Not applicable as school-board model not accepted.

Recommendation #101

CURRENT ACT: Section 116(1)(h) – A school board shall: in consultation with the director, school administration, and teachers, establish a procedure for resolving disputes between its schools, parents and teachers

PROPOSED CHANGE: Change Section 116(1)(h) to read: in consultation with the director, school administration, and Yukon Teachers' Association, establish a procedure for resolving disputes between its schools, parents and teachers

CLARIFICATION: The Yukon Teachers' Association (YTA) represents educational assistants, aboriginal language instructors and remedial tutors in addition to teachers and administrators. YTA would represent all these employees in the establishment of procedures to resolve disputes.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team does **NOT** agree with EAR recommendation. Leave as is

Recommendation #102

CURRENT ACT: Section 116(1)(j) – A school board shall: evaluate in accordance with guidelines, standards, and procedures established by the Minister at least once every five years each of the schools operated by it and provide a copy of the evaluation to the Minister

PROPOSED CHANGE: Delete Section 116(1)(j)

CLARIFICATION: This is a responsibility of the Minister and the power is already afforded to the Minister under section 114(2).

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team does **NOT** agree with EAR recommendation

Recommendation #103

CURRENT ACT: Section 116(2)(d) and (e) – A school board may

- (d) direct the Director to evaluate a teacher, principal or other staff member and provide a report to the school board on the evaluation, which report shall be returned to the Director forthwith after the school board has reviewed and considered it
- (e) direct a principal to evaluate a teacher and provide a report to the school board on the evaluation, which report shall be returned to the Director forthwith after the school board has reviewed and considered it

PROPOSED CHANGES:

- Change 116(2)(d) to read: direct the Director to evaluate a teacher, principal or other staff member and provide a verbal report to the school board on the process and outcome
- Change 116(2)(e) to read: direct a principal to evaluate a teacher or other staff member and provide a verbal report to the school board on the process and outcome

CLARIFICATION: This change specifies what should be included in the report to the board.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #104

CURRENT ACT: Section 117(1) – A council may make an agreement with the Government of the Yukon for the provision and undertaking of any capital, maintenance, or other project with respect to a school in the council's attendance area.

PROPOSED CHANGE: Change Section 117(1) to read: A Board of Education may make an agreement with the Government of the Yukon for the provision and undertaking of any capital, maintenance, or other project with respect to a school in the Board of Education's education area.

CLARIFICATION: This change is pending acceptance of the Board of Education model.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team does NOT agree with EAR recommendation. Leave as is.

Recommendation #105

CURRENT ACT: Section 120(2) – A school board shall consider any advice provided to it by any parent advisory group established by it.

PROPOSED CHANGE: Change to read: A Board of Education shall consider any advice provided to it by any council or committee established by it, or by a Yukon First Nation or its delegated authority whenever it pertains to local aboriginal education programming.

CLARIFICATION: The notion is that the board shall consider input/advice from all the groups mentioned when it is offered. However, the board should not be expected to initiate consultation with a list of groups prior to each decision it makes.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation but changes school board to DOE.

Recommendation #106

CURRENT ACT: Section 121 – School boards and councils may form and become members of an association of school boards and councils and may make grants or payments to the association.

PROPOSED CHANGES: Change to incorporate the following notions.

- Keep the language that permits boards or councils to form and/or belong to associations.
- Keep the language that permits boards or councils to make grants or payments to the association.
- Add the notion that, when an association is formed, the Minister shall provide support.

CLARIFICATION: This change specifies that the Minister shall provide support for an association of school councils and/or boards.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team agrees that this needs to be reviewed further and considerations be given to whether one or more associations may be formed. Consultation with Justice may be required

Recommendation #107

CURRENT ACT: Section 124(4)(d) – Duties of Director: establishment of satisfactory relationships between students, parents, and the community

PROPOSED CHANGES:

- Change to read: (d) establishment of satisfactory relationships among students, parents, and the community, including Yukon First Nation(s).
- Delete Section 124(4)(d) and move wording to a new 116(1)(u)

CLARIFICATION: First Nation governments did not exist when the *Education Act* was drafted and they should now be included. It should be the duty of the entire board, not the individual Director, to establish satisfactory relationships with other government bodies and organizations.

CONSENSUS: May 31, 2001

Note: There are two changes proposed for Section 124(4)(d). Recommendation #107 is a change that is recommended to the current text of the *Education Act*. Recommendation #108 is a more comprehensive change that assumes the existence of the proposed three-board governance model.

ERP TEAM RESPONSE: Team agrees with EAR recommendation and intent; however, wording needs to be reviewed

Recommendation #108

CURRENT ACT: Section 124 – Duties of Director

PROPOSED CHANGES

- Change title of Section 124 from “Director” to “Superintendent”
- Change “Director” to “Superintendent” throughout the Act.
- Change Section 124(1) to read: Each Board of Education shall select for appointment a superintendent of education who shall be the chief executive officer for the Board of Education. The Board of Education shall establish terms and conditions of employment for the superintendent.
- Change Section 124(2) to read: A superintendent shall be an employee of the Board of Education.
- Change Section 124(3) to read: A superintendent shall possess a valid and subsisting teaching certificate issued in accordance with the regulations.
- Delete Section 124(4) and replace with Duties of Superintendent as outlined:

Duties of Superintendent

The duties to be performed by the Superintendent shall be prescribed by the Board of Education and shall include the following:

- a) providing leadership in all matters relating to education in the district or division,
- b) providing professional services consistent with the highest quality education
- c) supervising and evaluating schools, principals, teachers, and other staff within the jurisdiction of the council
- d) ensuring that the school or schools operated by the Board of Education are conducted in accordance with the requirements of this Act
- e) reporting any non-compliance with this Act to the Board of Education, and
- f) performing other such duties as may be assigned by the Board of Education in accordance with this Act.

CLARIFICATION: The current *Education Act* allows for Directors who are the chief executive officers for school boards. This recommendation assumes the acceptance of the recommendation to establish up to three Boards of Education. The specific changes include a replacement of the title “Director” to “Superintendent” and the duties of the Superintendent under the Board of Education are specified.

CONSENSUS: June 14, 2001

ERP TEAM RESPONSE: Team does **NOT** agree with EAR recommendation. Not applicable as school-board model not recommended; however, aspects of this recommendation should be reviewed or reworded.

Recommendation #109

CURRENT ACT: Section 126(1) – Every council and every school committee shall have assigned to it by the Minister a superintendent of schools who shall perform the duties of a Director for the schools in the attendance area of the council or of the school committee.

And,

(2) Any reference in this Act to a Director shall be deemed to include a reference to a superintendent of schools.

PROPOSED CHANGES:

- Change 126(1) to read: Every council and every school committee shall have assigned to it by the Board of Education a superintendent of schools.
- Delete Section 126(2)

CLARIFICATION: This change is pending the acceptance of the Board of Education model.

CONSENSUS: June 14, 2001

ERP TEAM RESPONSE: Team does NOT agree with EAR recommendation. Not applicable as school-board model not recommended.

Recommendation #110

CURRENT ACT: Section 131 – The *Archives Act* applies to records of a school board and council in the same way as that Act would apply if the school board or council were a department of the Government of the Yukon.

PROPOSED CHANGE: Change to read: The *Archives Act* applies to records of a school board and council in the same way as that Act would apply if the school board, committee or council were a department of the Government of the Yukon.

CLARIFICATION: Records of school committees also need to be protected under the *Archives Act*.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team does NOT agree with EAR recommendation. Leave as is.

Recommendation #111

CURRENT ACT: Sections 132 to 155

PROPOSED CHANGE: Move Sections 132 to 155 inclusive to regulations

CLARIFICATION: This information about procedures for meetings and the operations of school committees, councils and boards is too detailed for the Act. The removal of this information to regulations shortens the *Education Act* and makes its focus the educational issues that the general public is examining.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #112

CURRENT ACT: Section 148(1) – An annual meeting of the electors of an education area or attendance area shall be held by each school board, council, and school committee during the month of September in each year.

PROPOSED CHANGE: Change 148(1) to read: An annual meeting of the electors of an education area or attendance area shall be held by each school board, council, and school committee between May 1 and September 30 of the same year.

CLARIFICATION: This period of time allows flexibility for each council to have a spring or fall annual general meeting (AGM). When a new council is elected in October, it is difficult for the sitting council to have an AGM and then hand over business to new members.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #113

CURRENT ACT: Section 151 – Conflict of Interest

PROPOSED CHANGES:

- Change language to be less restrictive regarding short-term workers' eligibility to hold a seat on school council.
- Change to require a declaration of conflict of interest on any issue where the person may have a vested interest.

CLARIFICATION: It is sometimes difficult for communities to fill the slate of school council members. The intent is to avoid having an interested person disqualified because he or she worked for a short time in a school. The onus should be on the person to declare a conflict of interest if the situation arises.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team does NOT agree with EAR recommendation. Leave as is except 15(e) (is employed by DOE)

Recommendation #114

CURRENT ACT: Section 79(2)

PROPOSED CHANGE: The proposed elections legislation should provide for staggered terms for members of each school council.

CLARIFICATION:

Staggered terms means that half of the school council members will be elected each year. Staggered terms will prevent the election of an entirely new council with no member to act as a link to previous activities.

Elections will be held each year under the staggered-term scenario. It is intended that the first set of elections under this will see one-year, two-year and three-year terms, and that after that all terms will be for three years.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team agrees with three-year terms and supports staggered terms in principle but unsure if staggered terms would be of benefit

Recommendation #115

CURRENT ACT: Sections 69 and 72

PROPOSED CHANGE: Wording is requested in the *Education Act* to permit a board to revert to a council and the council to become a committee if it so requests.

CLARIFICATION: Should a group determine that they do not have the capacity to maintain the responsibility under their current organizational level, they should be able to step back one level.

Pending outcome of Board of Education concept.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation; a section as to process needs to be developed

Recommendation #116

CURRENT ACT: Section 131

PROPOSED CHANGES:

- Include a requirement in the *Education Act* that school councils, boards and committees must develop procedures for managing their records.

CLARIFICATION: These bodies sometimes have access to confidential records; for example, during suspension hearings. The intent is to comply with the spirit of the *Access to Information and Protection of Privacy Act* (ATIPP) to protect the privacy of the public. One way to do this may be to consider the definition of a “public body” in ATIPP in relation to school committees, councils and boards.

School boards, councils and committees do not currently have any obligation to manage their records in a standard manner other than routing records to Yukon Archives as the final location. A mechanism is needed for the consistent coding, scheduling, destroying and management of records, including a process to be followed during a change in government.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #117

CURRENT ACT: Division 2 – Elections

PROPOSED CHANGE: Remove Division 2, Part 7 (Elections) from the *Education Act* and incorporate the information in a new Act with accompanying regulations.

CLARIFICATION: This division contains too much procedural detail to remain in the *Education Act*. Control of the election process needs to rest with the people that are responsible for conducting the election; that is, the Chief Electoral Officer and his or her department.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #118

CURRENT ACT: Not applicable

PROPOSED CHANGE: Include a comprehensive index to the *Education Act*.

CLARIFICATION: The current Act is organized by topic and sections are content-specific. This results in Duties of the Minister, for example, being listed in several parts of the Act. An index would facilitate a thorough review of related sections that may not be written in the same portion of the Act.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #119

CURRENT ACT: Division 1 – Establishment

PROPOSED CHANGE: Enable school councils to join other bodies in the community to form a joint education council.

CLARIFICATION: In many rural communities there is a lack of capacity; a few people play multiple roles in the community. To help prevent active community members from burning out, a concept of a community education council is recommended. The education council could embody the concept of lifelong learning by dealing with issues from daycare to elders in the schools. Facilities and resources currently provided for the college campus, the library board and the school council, for example, could share space, people and ideas. Language should be included in the *Education Act* to enable the implementation of this notion.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #120

CURRENT ACT: Section 72 – The *Education Act* allows for a school board in each community and several in Whitehorse. The establishment of a school board is currently optional and a school council or a community group must initiate the process.

PROPOSED CHANGE: Include language in the *Education Act* that mandates up to three boards of Education as governance structures, specifically: Yukon Francophone Board of Education; Yukon Catholic (Separate) Board of Education; and Yukon Public Board of Education

CLARIFICATION: One of the key themes of the *Education Act*, and a dominating principle during its development, is the importance of public participation. The *Act* was premised on the idea that school governance would move quite rapidly from school committees (the existing model at the time) through school councils to school boards. Although there is now only one small board in existence, the *Act* was designed as if the system operates under a board structure. This creates a serious disconnect in the public school system.

A new governance model for public schools in the Yukon is needed. The current governance model does not adequately provide for a true partnership with all the people that are affected by this very large department. Parents have felt powerless in the current system. The school council structure has not provided an adequate level of involvement for them in shaping the kind of school they want for their children. First Nations parents are frustrated because their children do less well in school than non-First Nations students. First Nation parents also want a say in curriculum development.

CONSENSUS: May 31, 2001

Note: If the three-board governance model is adopted, Section 125 would need to be deleted as it would be inappropriate for a principal to also be superintendent of one of these much larger boards.

ERP TEAM RESPONSE: Delete; not applicable

Recommendation #121

CURRENT ACT: Section 157(4) – 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.

PROPOSED CHANGE: Change 157(4) to read: The Minister shall include in the appointments made pursuant to this section three members nominated by the First Nation(s) or delegated authority.

CLARIFICATION: This change from one to three members more accurately reflects the proportions of the general population.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #122

CURRENT ACT: Section 158(1) – An appeal referred to the Education Appeal Tribunal shall be heard by the chair and two or more members chosen by the chair.

PROPOSED CHANGE: At least one member of the tribunal hearing an appeal must be a First Nations nominee.

CLARIFICATION: This allows for First Nations to be involved and for their perspective to be part of the appeal process.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #123

CURRENT ACT: Not applicable

PROPOSED CHANGE: Add information as per the *Public Service Act*, which reads: No employee shall solicit funds for a political party or candidate for election if:

- a) The employee uses his or her position in the public service to influence any person to contribute funds to a political party or candidate for election;
- b) The employee would be unable to retain impartiality in relation to the performance of his or her public service duties and responsibilities;
- c) The solicitation of funds by the employee would undermine his or her ability to properly discharge his or her responsibilities or the public's trust in the public service would be undermined.

CLARIFICATION: Adding this information to the *Education Act* would ensure parity with employees employed under the *Public Service Act*.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #124

CURRENT ACT: Section 168 – Duties of teachers

PROPOSED CHANGE: Add new subsection that reads: treat all students and parents with dignity and respect.

CLARIFICATION: Everyone in our schools should treat others appropriately. This recommendation directs teachers to model appropriate behaviours.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #125

CURRENT ACT: Section 168(k) – upon the direction of the Director or superintendent, and with the approval of the teacher, cooperate with student teachers and their instructors in the classroom for the purpose of observing and practise-teaching, and render assistance to the student teachers and submit reports on the teaching ability of the student teachers

PROPOSED CHANGE: Change 168(k) to read: upon the request of the Director or superintendent, a teacher is expected to cooperate with student teachers and their instructors unless exceptional circumstances exist

CLARIFICATION: Teachers can be required by the employer to take a student teacher into the classroom and participate in that individual's training to become a teacher.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #126

CURRENT ACT: Section 168 – Duties of Teachers

PROPOSED CHANGE: Include in the Duties of Teachers: participate as a member of the Individualized Education Plan team in the development and implementation of the Individualized Education Plan.

CLARIFICATION: Teachers are an integral part of the planning and delivery of the programs to special-needs students and they must be a part of the Individualized Education Program team. These notions are generally subsumed in this section, but specific statements are recommended for emphasis and clarification.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #127

CURRENT ACT: Section 169 (b) – A principal of a school shall: promote satisfactory relationships with parents and the community served by the school

PROPOSED CHANGE: Change 169(b) to read: promote satisfactory relationships with parents, school councils and the community served by the school

CLARIFICATION: Schools operate according to a school plan that is developed and implemented by the school council and the principal. It is important that the school council and the principal work together effectively to help create the desired school culture.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation but add “First Nations”

Recommendation #128

CURRENT ACT: Section 169 – Duties of Principal

PROPOSED CHANGE: Add the duty: be responsible for establishing the Individualized Education Plan team

CLARIFICATION: The development of an Individualized Education Plan (IEP) for a special-needs student is deemed to be important enough to charge the principal with the responsibility of establishing the Individualized Education Plan team. The notion is generally subsumed in this section and in sections 15–17 but specific statements are recommended for emphasis and clarification.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #129

CURRENT ACT: Section 173(1) – A teacher employed pursuant to this Act is on probation for two years from the date of commencement of employment.

PROPOSED CHANGE: Include the ability to extend the probationary period in exceptional circumstances to three years with the agreement of the Yukon Teachers' Association.

CLARIFICATION: This recommendation permits the extension of the probationary period rather than limiting the options to “passing” or “not passing” after two years. The increased flexibility in timelines allows for continued growth of those new teachers that require the time.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Addressed in *Education Staff Relations Act (ESRA)*

Recommendation #130

CURRENT ACT: Section 177 – Evaluation of principals and teachers

PROPOSED CHANGE: Include two forms of evaluation for teachers and principals:

1. Formative – ongoing as organized by principal and staff to increase professional growth. The evaluation would be flexible and could be done through professional development activities or individual plans.
2. Summative – performance issues are evaluated through the management system. This process is triggered by the school council or administrator for a teacher and, in the case of a principal, by the superintendent. Performance difficulties trigger an evaluation.

CLARIFICATION: Currently summative evaluations are completed once every three years for each teacher. It is inconsistent to have summative evaluations on a cyclical schedule when the trigger for the evaluation is an identified difficulty. These cyclical evaluations take a lot of time and there should be a positive outcome for the teacher and the system after this time is invested; however, there is no growth component included for the teacher. Formative evaluations support continued growth and development of teachers on an ongoing basis. This

process is a benefit to the system when the result is improved classroom practice. Both types of evaluations are necessary in the system.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Addressed in *Education Staff Relations Act (ESRA)*

Recommendation #131

CURRENT ACT: Section 179 (1) – A superintendent may transfer a teacher from one school to another school if

- a) either the teacher or superintendent requests a transfer
- b) the school that the teacher is transferred to or from is not operated by a school board
- c) the notice of transfer is in writing and is received by the teacher before June 1
- d) the teacher has the option of resigning within 30 days of receipt of the notice of transfer, and
- e) the teacher is provided with an opportunity to appeal the transfer to the Deputy Minister.

(2) Where a school board operates more than one school, the Director for the school board may transfer a teacher from one school operated by the school board to another school operated by the school board provided that

- a) either the teacher or director requests a transfer
- b) the notice of transfer is in writing and is received by the teacher before June 1
- c) the teacher has the option of resigning within 30 days of receipt of the notice of transfer, and
- d) the teacher is provided with an opportunity to appeal the transfer to the school board.

(3) A teacher who has been transferred has a right to present a grievance to a grievance resolution person pursuant to subsection 254(3).

(4) Subject to this section and any terms of a collective agreement negotiated pursuant to this Act, the superintendent and school board may establish policies and procedures for teacher transfers.

PROPOSED CHANGE: Delete reference to June 1 in 179(1)(c) and 179(2)(b) and replace with “one month’s notice”

CLARIFICATION: This change will allow for the transfer of teachers during the school year in the unusual situations where this is required.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Addressed in *Education Staff Relations Act (ESRA)*

Recommendation #132

CURRENT ACT: Section 182(1) – A teacher shall be granted a leave of absence without pay by the superintendent or school board 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.

PROPOSED CHANGES: Clarification of language is needed.

- An employee must take leave without pay in order to be a candidate post writ and post nomination and leave without pay must be granted.
- Include First Nations government in the following eligible offices: Chief; Grand Chief of Council of Yukon First Nations; Chief, Assembly of First Nations, and other national positions as identified by First Nation governments

CLARIFICATION: It is not appropriate for teachers to teach and campaign in the educational environment. They must request leave as soon as the writ is dropped or as soon as they declare their candidacy and it shall be granted. First Nations governments must be treated in the same way as non-First Nations governments in this respect.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Addressed in *Education Staff Relations Act (ESRA)*

Recommendation #133

CURRENT ACT: Section 182(5) – A teacher who is elected as a member of the House of Commons or the Legislative Assembly shall be granted a leave of absence without pay by the superintendent or school board as a teacher from the date of election for one term of office.

PROPOSED CHANGES:

- Change Section 182(5) to read: An employee who is elected as a member of the House of Commons or the Legislative Assembly shall be granted a leave of absence without pay by the superintendent or school board as a teacher from the date of election for five years.
- Also add wording to include First Nation governments in the following eligible offices: Chief; Grand Chief of Council of Yukon First Nations; Chief, Assembly of First Nations, and other national positions as identified by First Nation governments

CLARIFICATION: The intent was to have a person serve a term in the local Legislative Assembly or House of Commons and not lose leave without pay after serving a short term following a byelection.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Addressed in *Education Staff Relations Act (ESRA)*

Recommendation #134

CURRENT ACT: Section 185(2) – A teacher or principal may not resign in the 90 days before the beginning of a school year or during the first 30 days of a school year unless, due to exceptional circumstances, the superintendent or school board agrees to accept the resignation.

PROPOSED CHANGES: Change the resignation date to 120 days before the beginning of a school year.

CLARIFICATION: Currently teachers can seek other positions and hold their current job until June 1st. That date is beyond many of the recruiting dates in outside jurisdictions, making the Yukon routinely late in recruiting and hiring. The earlier deadline would provide more time to recruit well-qualified replacement teachers.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Addressed in *Education Staff Relations Act (ESRA)*

Recommendation #135

CURRENT ACT: Section 190(5) – Within 14 days of the suspension, the school board or Deputy Minister shall

- a) reinstate the teacher or principal
- b) reprimand the teacher or principal
- c) terminate the contract of employment of the teacher or principal
- d) where a teacher or principal has been suspended pursuant to paragraph 189(1)(d), confirm the suspension, or
- e) take other appropriate action.

PROPOSED CHANGE: Change 190(5) to read: Within 14 days of the suspension, the school board or Deputy Minister shall

- a) confirm the suspension
- b) alter the duration of the suspension
- c) revoke the suspension
- d) reprimand the teacher or principal, or
- e) terminate the employment of the teacher or principal.

CLARIFICATION: The proposed wording provides clarification of the options available to the Deputy Minister when a teacher or principal is suspended.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Addressed in *Education Staff Relations Act (ESRA)*

Recommendation #136

CURRENT ACT: Section 192(1) – Where a teacher or principal has been suspended pursuant to paragraph 189(1)(d) and is acquitted of the charge, the superintendent or school board shall reinstate the teacher or principal after the expiry of the appeal period or the expiry of the period for appeal from the last court from which the appeal from the acquittal is taken and in which the teacher or principal is acquitted, whichever is the later.

PROPOSED CHANGES: Change 192(1) to read: Where a teacher or principal has been suspended pursuant to paragraph 189(1)(d) and is acquitted of the charge, the superintendent or school board may reinstate the teacher or principal after the expiry of the appeal period or the expiry of the period for appeal from the last court from which the appeal from the acquittal is taken and in which the teacher or principal is acquitted, whichever is the later.

CLARIFICATION: Department of Education and school councils – Agree. The current language prevents discretion in circumstances where it is most needed. The current rules have proven to be problematic for both the employer and the Yukon Teachers' Association. Each case under Sections 191/192 is different and may require a different response from the employer. Criminal law is based on the notion that guilt must be proven beyond a reasonable doubt in recognition of the potential severity of the penalties. Labour law is based on the notion that guilt must be proven with reasonable probability in recognition of the more limited severity of the penalties available to the employer. In such cases, the employer, parents and YTA still may wish to be able to discipline the teacher or administrator for the inappropriate conduct that led to the charge.

Yukon Teachers' Association – Disagree. This section of the *Education Act* deals with the Criminal Code of Canada; other methods exist for dealing with a labour dispute. Once discretion is supported it means the employer can make the decision to discipline even if the person is found not guilty.

NO CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Addressed in *Education Staff Relations Act (ESRA)*

Recommendation #137

CURRENT ACT: Not in current legislation

PROPOSED CHANGES:

- Vice-principal – Part 9. Add: The Board of Education responsible for a school may request the superintendent to employ a teacher as a vice-principal of that school
- Add: Duties of vice-principal
- A vice-principal shall
 - a) act as principal in his/her absence
 - b) perform the duties delegated by the principal.
- Add: The school council shall be consulted in the selection of the vice-principal by being involved in development of the profile and posting of the position to reflect the needs of their school.

CLARIFICATION: Under the current *Act*, there is no apparent formal status for the position of vice principal. This change clarifies the existence of the position and the related duties.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Addressed in *Education Staff Relations Act (ESRA)*

Recommendation #138

CURRENT ACT: Not in current legislation

PROPOSED CHANGE: Provide tenure for vice-principals

CLARIFICATION: Department of Education – Disagree. The Department of Education views the position of vice-principal as a training opportunity to allow someone to eventually assume the role of principal. They do not view the vice-principal position as a career position.

Yukon Teachers' Association – Agree. Some people decide that vice-principal is the position they want permanently and do not want to be promoted to principal; therefore, tenure at the vice-principal level is desired.

First Nations – Agree. First Nations have expressed the hope that First Nations teachers will take advantage of opportunities to be vice-principals so they may gain the knowledge and experience to move into principal positions.

School councils – Agree. School councils agree that vice-principals should have tenure but they do not have specific suggestions for the shape it should take.

NO CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Addressed in *Education Staff Relations Act (ESRA)*

Recommendation #139

CURRENT ACT: Tenure for principals

PROPOSED CHANGE: If a principal successfully completes his/her probationary period, he or she should receive a permanent position and be treated in the same manner as teachers.

CLARIFICATION: Under the current *Education Act*, principals are limited to the negotiation of a two- or three-year term after successfully completing a two-year probation period. The proposed change is based on the notion that principals should be treated in the same way as other employees. Once they successfully complete their probationary period they should enjoy the same security as other employees.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Addressed in *Education Staff Relations Act (ESRA)*

Recommendation #140

CURRENT ACT: Part 9, Sections 170 to 194 inclusive; and all of Part 10

PROPOSED CHANGE: Move Part 9, Sections 170 to 194 inclusive and all of Part 10 into new legislation.

CLARIFICATION: Dealing with labour relations issues in legislation separate from the *Education Act* is consistent with other jurisdictions. The *Education Act* would then become more focused on education issues.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Addressed in *Education Staff Relations Act (ESRA)*

Recommendation #141

CURRENT ACT: Section 195 – Definition of employee

PROPOSED CHANGE: Change definition of employee to mean a person who is employed or appointed under Section 171 of this Act but does not include:

- a) a person to whom the *Public Service Act* applies
- b) a person employed in a managerial capacity

CLARIFICATION: This change to the definition of “employee” allows temporary teachers and substitute teachers to be treated as employees.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Addressed in *Education Staff Relations Act (ESRA)*

Recommendation #142

CURRENT ACT: Division 7 – Strikes

PROPOSED CHANGE: Remove the right for Yukon Teachers’ Association members to strike.

CLARIFICATION: School councils – Agree. In an industrial or public service strike, the people affected can go to another place of service. In this case students suffer and cannot go to another place for an education. If a strike were protracted it could mean the difference between a student graduating and not graduating.

Yukon Teachers’ Association – Disagree. The current wording in the Act should remain as part of the balance in any employee/employer relationship.

Department of Education – The department felt it would be inappropriate to take a position on this issue.

First Nations – No position.

NO CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Addressed in *Education Staff Relations Act (ESRA)*

Recommendation #143

CURRENT ACT: Section 285(1) – A decision, determination, order, direction, declaration, ruling or award of the board

- a) if sent by registered mail to a person, the bargaining agent, the employer or a school board addressed to it at its last known address, shall be deemed to have been released on the second day after the day on which it is so mailed, and
- b) if delivered to a person, bargaining agent, the employer or a school board at its last known address, shall be deemed to have been released on the day next following the day on which it was so delivered.

PROPOSED CHANGE: Change 285(1)(a and b) to read: A decision, determination, order, direction, declaration, ruling or award of the board

- a) if sent by registered mail to a person, the bargaining agent, the employer or a school board addressed to it at its last known address, shall be deemed to have been received on the second day after the day on which it is so mailed, and
- b) if delivered to a person, bargaining agent, the employer or a school board at its last known address, shall be deemed to have been received on the day next following the day on which it was so delivered.

CLARIFICATION: The committee believes that this may be a typographical error and have asked for the language to be verified.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Addressed in *Education Staff Relations Act (ESRA)*

Recommendation #144

CURRENT ACT: Section 285(1) – A decision, determination, order, direction, declaration, ruling or award of the board

- a) if sent by registered mail to a person, the bargaining agent, the employer or a school board addressed to it at its last known address, shall be deemed to have been released on the second day after the day on which it is so mailed, and
- b) if delivered to a person, bargaining agent, the employer or a school board at its last known address, shall be deemed to have been released on the day next following the day on which it was so delivered.

(2) Proof by a person, the bargaining agent, the employer or a school board of failure to receive a determination, order, direction, ruling or award or a notice or report sent in the manner described in paragraph (1)(a) is a defence by such person, bargaining agent, the employer or a school board to an application for consent to institute a prosecution.

(3) Reasonable efforts shall be made to locate and notify the employee of the decision, determination, order, direction, declaration or award of the board.

PROPOSED CHANGE: Change Section 285(1)(a) to read: A decision, determination, order, direction, declaration, ruling or award of the board

- a) if sent by registered mail to a person, the bargaining agent, the employer or a school board addressed to it at its last known address, shall be deemed to have been released on the fourth day after the day on which it is so mailed, and

CLARIFICATION: The change from two days to four days provides a more reasonable period of time for mail to be delivered to the teacher.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Addressed in *Education Staff Relations Act (ESRA)*

Recommendation #145

CURRENT ACT: Not applicable

PROPOSED CHANGE: Create a separate bargaining unit for principals and other supervisory positions.

CLARIFICATION: Yukon Teachers' Association – Disagree. Principals are teachers first and many principals spend part of their day teaching. Unless they have protection as union members and have a strong association to support them, principals do not have protection from their employer.

Department of Education – Disagree. Principals and vice-principals are certified teachers and they have teaching assignments. The Yukon is too small a jurisdiction for separate bargaining units.

School councils – Agree. It is a conflict for management and non-management to be part of the same bargaining unit. Principals manage the schools and teachers are employees who report directly to them.

First Nations – No position.

NO CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Addressed in *Education Staff Relations Act (ESRA)*

Recommendation #146

CURRENT ACT: Section 295(2) – The annual operations and maintenance budget shall include budget items for

- a) administration
- b) regular instruction
- c) special instruction
- d) plant operation and maintenance
- e) special advisory services
- f) tuition and other costs for resident students attending an educational program outside the education area of the school board, and
- g) any other required expenditure.

PROPOSED CHANGE: Include “cultural instruction” in the list.

CLARIFICATION: First Nations – Agree. First Nations want “cultural instruction” mentioned specifically to highlight this activity in the budget process.

Department of Education, school councils, Yukon Teachers' Association – Disagree. The notion of “cultural instruction” is subsumed under the general language of this section. Financial sections of the *Education Act* do not include specific information about the type of instruction. The main idea for this change is included in the proposed new Section 4(g) in the goals and objectives part of the Act.

NO CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #147

CURRENT ACT: Section 298 – A school board may retain from year to year any budgetary surplus from its operations.

PROPOSED CHANGE: Change Section 298 to read: A school, school council or school board may retain any site-based budgetary surpluses pursuant to regulations.

CLARIFICATION: This change allows school councils to also retain their budget surpluses from fiscal year to fiscal year. This change allows councils to budget and plan according to the school year rather than the fiscal year.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #148

CURRENT ACT: Section 301 – The *Financial Administration Act* does not apply to school boards established under this Act.

PROPOSED CHANGE: Change Section 301 to read: The *Financial Administration Act* does not apply to school boards, schools or school councils, for the purpose of site-based surpluses established under section 298.

CLARIFICATION: The goal is to give school boards and school councils the ability to protect site-based funds from lapsing at the end of the fiscal year. This change is needed for two reasons: a) the fiscal year and the school year do not match, and b) the current process discourages good management of financial resources because the money is spent by the deadline to avoid losing it.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #149

CURRENT ACT: Section 304 – The Minister shall consider the recommendations of each council in the preparation of the annual operations and maintenance budget for a school that is located within the attendance area of the council.

PROPOSED CHANGE: Change Section 304 to read: The Board of Education shall consider the recommendations of each council under its jurisdiction in the preparation of the annual operations and maintenance budget for a school that is located within the attendance area of the council.

CONSENSUS: June 14, 2001

ERP TEAM RESPONSE: Team does not agree with EAR recommendation as it is not applicable

Recommendation #150

CURRENT ACT: Section 306(q) – The Commissioner in Executive council may make regulations prescribing the term of appointment for principals

PROPOSED CHANGE: Delete Section 306(q)

CLARIFICATION: This section will no longer be required if the recommendation is accepted and principals receive a permanent position following successful completion of their probationary period.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team does not agree with EAR recommendation. The school board should be able to prescribe principals term of appointment

Recommendation #151

CURRENT ACT: Section 317 – The Commissioner in Executive council shall appoint a Teacher Certification Board for such term as specified composed of

- a) two persons nominated by the teachers' association
- b) two persons nominated by the department
- c) one person nominated by the school boards and councils
- d) one person nominated by the Central Indian Education Authority, and
- e) one person nominated by the Yukon College who is a professional educator.

PROPOSED CHANGE: Change Section 317 to read: The Commissioner in Executive council shall appoint a Teacher Certification Board for such term as specified composed of

- a) two persons nominated by the teachers' association
- b) two persons nominated by the department
- c) two persons nominated by the Boards of Education
- d) two persons nominated by Yukon First Nations or their delegated authority.

CLARIFICATION: This is an advisory board to the Minister and two of six seats are representative of the Yukon First Nations population. The committee has recommended that Boards of Education become new governance vehicles and, if that concept is accepted, that the Boards of Education, not Yukon College, be represented on the Teacher Certification Board.

CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team does not agree with EAR recommendation as it is not applicable

Recommendation #152

CURRENT ACT: Section 326(1) – On or before ten years from the proclamation of this Act, the Minister shall establish a process for a review of the Act.

(2) The Minister shall specify the process to be followed in the review referred to in subsection (1) and shall include in the process consultation with and involvement of the persons elected or appointed under this Act, the Council for Yukon Indians, the teachers' association and other groups interested in education in the Yukon.

(3) A report of the process and recommendations resulting from the process shall be tabled in the Legislative Assembly by the Minister at the next session of the Legislative Assembly after the completion of the report.

PROPOSED CHANGE: Include language that would require a review of the *Education Act* within ten years of the proclamation of the Act.

CLARIFICATION: The committee recommends another mandated review of the *Education Act* within ten years of the proclamation of the legislation. This language allows flexibility in the scheduling of that review.

CONSENSUS: May 9, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation

Recommendation #153

CURRENT ACT: Section 326(1) – On or before ten years from the proclamation of this Act, the Minister shall establish a process for a review of the Act.

(2) The Minister shall specify the process to be followed in the review referred to in subsection (1) and shall include in the process consultation with and involvement of the persons elected or appointed under this Act, the Council for Yukon Indians, the teachers' association and other groups interested in education in the Yukon.

(3) A report of the process and recommendations resulting from the process shall be tabled in the Legislative Assembly by the Minister at the next session of the Legislative Assembly after the completion of the report.

PROPOSED CHANGE: Change 326(2) to read: The Minister shall specify the process to be followed in the review referred to in subsection (1).

CLARIFICATION: School councils, Yukon Teachers' Association, Department of Education – Agree. These partner groups did not think it was necessary to list the groups that would be involved in the review because the Minister would specify the principles of the process to be followed. First Nations would automatically be involved under the self-government agreements.

First Nations – Disagree. First Nations wanted to ensure that they would be involved in the review process and thought they should be listed specifically.

NO CONSENSUS: May 31, 2001

ERP TEAM RESPONSE: Team agrees with EAR recommendation, although First Nations should be identified as participants



Education Reform Project

Appendices

APPENDIX I. TERMS OF REFERENCE, YUKON EDUCATION REFORM, SEPTEMBER, 2005

Background

Addressing the disparity of First Nation and non-First Nation student outcomes by increasing aboriginal learner success continues to be a challenge for both First Nations governments and the Yukon Department of Education.

The Minister of Education and the Chair of the Yukon Chiefs' Committee on Education (YCCOE) have proposed a process for the two orders of government to work together to make changes in the education system to better meet the needs of First Nations. The Education Reform Project process must involve all partners in education. Over the last few years there have been a number of consultation processes around education; the most significant being the *Education Act* Review process. There is a sense that this process is still outstanding. Some 7,500 comments were received – 25% related to the legislation and 75% not related to the *Act*.

Yukon First Nations left the process prior to completion; and the resulting bill was not passed. First Nations have passed resolutions and conducted a number of studies, all demanding changes to the education system.

Education continues to be an agenda item at the Intergovernmental Forum and significant dissatisfaction has been expressed by the Yukon Chiefs in those forums.

Using the *Children's Act* Review and the Correction Consultation process as models, which have been deemed acceptable by the Minister of Education and Council of Yukon First Nations (CYFN), this reform initiative will establish a process to consult with partners in education and initiate change to improve the education system and meet these challenges.

Like the *Children's Act* Review and the Corrections Consultation, the Kwanlin Dün First Nation (KDFN) and Kaska Tribal Council will be invited to join the process as members of the project's Executive Committee. This invitation will be extended to non-CYFN members because the process recognizes the respective jurisdiction of all First Nations and the Government of Yukon for education.

It has been agreed both orders of government will enter into this process without prejudice to the negotiation of any transfer of responsibilities enabled by the Yukon First Nations self-government agreements or any other bilateral agreements made by the parties, including Canada.

Purpose

The purpose of the consultation is to:

- a. Engage the First Nations and other partners in education to effect positive, sustainable change in the education system in Yukon and to ensure it meets the needs and aspirations of all Yukoners.
- b. Initiate effective change in the education system by focusing on:
 - The common goals or outcomes for the education system;
 - The barriers that exist to meeting the common goals/outcomes;
 - The strategies to remove the barriers – legislative, structural, programming, administrative, etc.
- c. Implement an agreed to, prioritized action plan for education change in Yukon.

The consultation will include discussions with First Nations as well as with parents and other stakeholders throughout Yukon. It will include a review and compilation of the input from the *Education Act* Review process, the needs assessments and numerous studies undertaken on education in Yukon over the last number of years.

This process will not take away or derogate from existing or future bilateral agreements between the parties as it relates to education.

Desired outcomes

What we want to accomplish in the long term:

1. An education system in Yukon that meets the needs and aspirations of all Yukoners, including First Nations and ensures that students can participate successfully in work, post-secondary education, training and be life-long learners;
2. Increased involvement of First Nations in schools and in the decision-making process regarding education in Yukon;
3. Increased aboriginal learner success;
4. Provide options for the federal government to provide additional funding for education in Yukon.

Process

The process will recognize the respective jurisdiction for education and that Yukon reserves the right to make decisions for the public education system, just as the First Nations have the right to make their own legislation in this field. At the same time, both the Minister of Education and the First Nations recognize the pervasive nature of education and that other partners in education must also be involved. By using the information gathered through the *Education Act* Review as a basis for the proposed project and process, this will ensure that the input received to date from all partners in education will be reviewed.

It is anticipated that in the short term, this process will:

- identify the common Yukon wide education issues that need to be addressed, based on the findings emanating from the *Education Act* Review;
- identify a common understanding of what the education system needs to accomplish for all Yukoners, including First Nations;
- identify barriers to meeting the common goals/outcomes;
- develop strategies to remove those barriers, including structural, programming, administrative and legislative amendments.

Methodology

A project team will be jointly established. The team will be jointly chaired by representatives of Yukon Government and CYFN and will provide quarterly reports to the Minister of Education and to the Chair of the YCCOE and representatives of the Kaska Tribal Council and Kwanlin Dün First Nation.

The Project Team will:

- compile past findings and identify and confirm the common Yukon-wide issues from the First Nations perspective;
- compile and analyze available statistical information;
- develop goals/outcomes, identify barriers and strategies to overcome the barriers;
- develop a consultation plan for discussion and approval by the Minister and the Chair of the YCCOE;
- talk with and confirm goals/outcomes, barriers and strategies with First Nations;
- talk with and confirm goals/outcomes, barriers and strategies with other stakeholders;

- develop a prioritized list of outcomes and strategies and prepare a draft final report;
- confirm the draft final report with First Nations and other partners;
- submit final report to the Minister of Education and to the Chair of the YCCOE identifying the key issues and goals, outlining barriers and strategies to remove the barriers;
- working together, all levels of governments will respond with implementation plans;
- the Education Reform Project Team in collaboration with all levels of government and partners will develop and approve implementation plans.

Engaging the federal government

The Project Team will also make recommendations to the Minister of Education and the Chair of the YCCOE regarding an approach to engage the federal government during the consultation process and for support of implementation of the strategies.

The Minister of Education and the Chair of the YCCOE may introduce items for discussion with the federal government through the Intergovernmental Forum.

Decision-making

The full project team will approve the following:

1. Consultation Plan;
2. Quarterly reports to the Minister of Education, Chair of the YCCOE and representatives of the Kaska Tribal Council and Kwanlin Dün First Nation;
3. Goals/outcomes and strategies to remove the barriers;
4. Prioritized list of outcomes, strategies and a draft report; and
5. Final report to the Minister of Education, Chair of the YCCOE and representatives of the Kaska Tribal Council and Kwanlin Dün First Nations.

The project team will carry out its work using a collaborative, consensus decision-making approach.

Should the project team be unable to achieve consensus on an issue of importance, the following dispute resolution process will be used:

- The co-chairs will jointly prepare a joint statement of the issue and the points of disagreement;
- The co-chairs will then take the joint statement to the issue to each of their principals for further direction.
- Should the issue remain unresolved; the issue will be referred to the Minister of Education and the Chair of the YCCOE for resolution.

Timeframe

Education Reform Project: Overview of Phases		
Component	Overview of phase	Time estimate
Phase 1	<p>Establishing the Executive Committee, the Project Team and preparing consultation plan and background information</p> <ul style="list-style-type: none"> Executive Committee and Project Team established Project Team commences pre-consultation meetings Project Team reviews existing background information on education including work gathered for the <i>Education Act</i> Review and several other education reports and reviews done over the past five to ten years Project Team prepares draft consultation plan for review with the Executive Committee (members include the Minister of Education, the Chair of the YCCOE and representatives of KDFN and Kaska Tribal Council) Project Team revises draft consultation plan as required Project Team prepares YFN/Cabinet Memo and revises consultation plan as per agreement by the parties 	4 months
Phase 2	<p>Implementing the Consultation Process</p> <ul style="list-style-type: none"> Co-chairs review consultation document with Executive Committee Project team revises document as required Project team conducts community meetings Co-chairs report findings from community meetings to the Executive Committee Project Team develops draft document proposing outcomes, identifies barriers and strategies to remove barriers Project team discusses draft document with First Nations and with other partners in education Project team establishes priorities based on input 	12 months
Phase 3	<p>Reporting the Process</p> <ul style="list-style-type: none"> Draft final report prepared and reviewed with First Nations and other partners Final Report to Minister of Education, Chair of the YCCOE and the representatives of the Kaska Tribal Council and Kwanlin Dün First Nation 	4 months
Phase 4	<p>Developing Implementation Plans</p> <ul style="list-style-type: none"> The Project Team, in collaboration with Yukon and First Nations governments, will oversee the development of implementation plans The Project Team with the Department of Education prepares Cabinet Submissions respecting implementation plans The Project Team with the CYFN Self-Government Secretariat prepares submissions to Yukon First Nations leadership respecting implementation plans 	7 months
Phase 5	<p>Releasing Implementation Plan by Yukon Government, CYFN and the representatives of the Kaska Tribal Council and Kwanlin Dün First Nation</p> <ul style="list-style-type: none"> Identify specific action items along with timelines and cost breakdowns in the implementation plans 	2 months

Education Reform Project Model	
Executive Committee: Minister of Education, Chair of the Yukon Chiefs' Committee on Education, representatives of Kwanlin Dün and Kaska Tribal Councils (receive quarterly reports from project team)	
Project team, September 2005	
<ul style="list-style-type: none"> • YG Co-chair: Colin Kelly • YG Policy Analyst: Shehnaz Ali • YG Support Officer: Chris Belanger • YG/CYFN Administrative Assistant: Tina Elias • YG/CYFN Administrative Assistant: Deby Bodman 	<ul style="list-style-type: none"> • CYFN Co-Chair: Peter Johnston • CYFN Policy Analyst: Mary Easterson • past CYFN Co-Chair: Edmund Schultz
Resources	
<ul style="list-style-type: none"> • Project advisors (as required) • Consultants (as required) • Writers/editors (as required) 	

Consultation: Overview of basic start-up

1. Identify purpose
 - The Department of Education prepares statement of consultation purpose and outcomes for review by the Executive Committee (see below).
2. Identify participants
 - Minister of Education, Chair of the YCCOE and representatives of the Kwanlin Dün First Nation and Kaska Tribal Council form the Executive Committee that will oversee this project.
 - Create the Project Team that will carry out the consultation and report to the Executive Committee.
 - Select two co-chairs (one selected by YG and one selected by CYFN)
 - Select two policy analysts (one selected by YG and one selected by CYFN)
 - Select project advisors.
3. Announce Consultation Process
 - Department of Education prepares a letter from Minister and Chair of the YCCOE to all Chiefs with an update on the consultation process.
 - The Minister of Education and Chair of the YCCOE and Kwanlin Dün First Nation and Kaska Tribal Council representatives jointly announce consultation purpose and the Project Team.
4. Pre-Consultation Planning
 - The Department of Education makes administrative arrangements to establish office space and prepare to start Phase I of the consultation process.
 - The Project Team prepares draft consultation plan for review with the Executive Committee. The consultation plan will include:
 - project participants and roles
 - potential stakeholders
 - process (activities, timeline)
 - costs
 - other matters
 - The Project Team revises draft consultation plan as required.
 - The Project Team prepares YFN/Cabinet Memo on consultation plan for YFN/Cabinet review.
 - The Project Team revises/finalizes consultation plan as directed by YFN/Cabinet.
5. Pre-Consultation Research

The Project Team reviews background information on education reform in preparation for discussions with First Nations. The information reviewed will include the work undertaken during the *Education Act* Review process and a wide range of reports compiled over the years on education.

APPENDIX 2. PROVISIONS REGARDING EDUCATION IN YUKON FIRST NATION FINAL AND SELF-GOVERNMENT AGREEMENTS

By May 2006, 11 of 14 Yukon First Nations had entered into Final and Self-Government Agreements with the Governments of Canada and the Yukon. Through these agreements, the First Nations acquired the authority and jurisdiction required in order to govern themselves, their citizens and their lands and resources in accordance with the provisions of those Agreements.

The Final Agreements, which are modern-day treaties recognized by s35 of the *Constitution Act 1982*, contain provisions about what may be negotiated in the companion agreements regarding Self-Government. Section 24.2.1.4 of each Final Agreement lists “education and training” as one such area for negotiation.

The Self-Government Agreements provide Self-Governing First Nations (SGFNs) with law-making authority in specific areas of First Nation jurisdiction, as well as the power to develop and administer programs in those areas. The specific law-making powers are listed in section 13, Legislative Powers, and include education as stated below:

“13.2 The [name of] First Nation shall have the power to enact laws in relation to the following matters in the Yukon: ...

“13.2.8 provision of education programs and services for Citizens choosing to participate, except licencing and regulation of facility-based services off Settlement Land;”

This legislative power is non-coercive and Citizens cannot be made to choose to participate in the First Nation’s education programs and services.

Yukon laws of general application, such as the *Education Act*, continue to apply to First Nation Citizens and Settlement Land until otherwise agreed, or until a First Nation law displaces the Yukon Government law. Negotiation for the transfer of educational programming from government to a First Nation can take place without a First Nation law in place.

A process to negotiate the transfer of programs and services from government to First Nations is also laid out in the Self-Government Agreements. This process is tied closely to the financial transfer agreements for the operation of a self-governing First Nation. The “Program and Service Transfer Agreement (PSTA)” negotiations are dealt with in sections 16, 17 and 18 of the SGA. Section 17 of the SGA says at s17.1:

“During the term of a self-government financial transfer agreement, the [name of] First Nation and Government shall negotiate the assumption of responsibility by the [name of] First Nation for the management, administration and delivery of any program or service within the jurisdiction of the (name of) First Nation, whether or not the [name of] First Nation has enacted a law respecting such matter.”

One of the objectives of the PSTA negotiations is “to provide resources adequate to ensure that the program or service to be offered by the [name of] First Nation is of a level or quality equivalent to the Government program or service and existing program or service quality is not diminished.”

As to financial aspects of PSTAs, the SGAs state at s16.1:

“Canada and the [name of] First Nation shall negotiate a self-government financial transfer agreement... with the objective of providing the [name of] First Nation with the resources to enable the [name of] First Nation to provide public services at levels reasonably comparable to those generally prevailing in Yukon, at reasonably comparable levels of taxation.”

The SGAs anticipate that when a PSTA is negotiated, Canada is to be the funding agency. Part of the PSTA negotiation process for Yukon programs is for Yukon to share financial information on all costs associated with that program. Where Yukon costs are reduced as a result of a transfer of a Yukon program or service to a First Nation, any net savings that result will be returned by Yukon to Canada, as outlined in s18 of the SGA. Yukon needs retain the funding required to keep providing the program or service to all other citizens.

In the case of education, Yukon will need to maintain capacity and resources to deliver education programs and services to non-First Nation citizens, and also to First Nation citizens who do not choose to participate in First Nation education programs and services.

The negotiations for the financial requirements of a PSTA such as education is a bilateral process between the federal government and the First Nation.

Tr'ondëk Hwëch'in Self-Government Agreement – Unique Provisions

Section 17.7 of the Tr'ondëk Hwëch'in SGA is unique. It provides for the division and sharing between Yukon and the First Nation of program delivery, design and administration of identified educational program components as follows:

- (a) Indian student counseling;
- (b) cross cultural teacher/administrator orientation;
- (c) composition of teaching staff;
- (d) early childhood, special, and adult education curriculum;
- (e) kindergarten through grade 12 curriculum; and
- (f) the evaluation of teachers, administrators and other employees.

Section 17.7 is an alternative to a typical PSTA negotiated pursuant to Section 17.1. The Tr'ondëk Hwëch'in SGA states that should Tr'ondëk Hwëch'in and Government negotiate an agreement on a (typical) PSTA pursuant to Section 17.1, then Section 17.7 and any agreements pursuant to that section shall no longer be of an force or effect unless the parties agree otherwise

Several other Yukon SGFNs have expressed interest in amending their SGAs so they may acquire the same unique provisions as found in the Tr'ondëk Hwëch'in SGA. The origin of these provisions is found in the Final Agreement, s24.3.2.3.

NOTE TO READER: This paper is only a summary of the provisions of the First Nation Final and Self-Government Agreements related to education in order to give a general idea of what the agreements provide. For a complete understanding, a reading of all relevant provisions is necessary.

APPENDIX 3. COMMENTS NOT RELATED TO THE *EDUCATION ACT*

From the submissions to the *Education Act* Review Steering Committee, May 2001

Governance

- a inter-governmental agency meeting and cooperation is needed
- the Canadian Charter of Rights and Freedoms 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 a person's first language
- language and culture are a link to our past and our roots
- the school complements the family's actions in the transmission of language and culture
- the ruling of the Supreme Court of Canada (Prince Edward Island's Summerside School, January 2000) reaffirms minority groups' right to school governance and to language and culture matters
- the Public School Branch (and any other related branches) should be regularly reviewed and assessed
- A third-party performance review, such as those carried out by the Auditor General, would contribute to accountability and build parental and community trust and confidence in the system
- all education-related regulations, policies, procedures and practices should be changed to better align with the fundamental issues of accountability and meaningful partnerships
- school councils need to be trained for governance

Administration

- small schools need more time budgeted for secretaries
- rural students may be more comfortable being overseen by a teacher from another community
- individual schools need to be accountable, based on comparative performance, including graduation and school completion rates, extracurricular activities, attendance and drop-out rates
- school records should remain in the school
- more consultation on policy development is needed
- each community has its own individual needs
- more discussions such as these are needed
- the gap between First Nations and the Government of Yukon needs to be bridged
- programs must be evaluated regularly to ensure that the curriculum is meeting the needs of the students
- land claims, new technology and the Yukon's changing demographics will have a strong impact on schools
- there should be a core set of rules (related to attendance, alcohol and drug use, bus policy, etc.) and they should be the basis for schools rules developed by each board or council
- a territory-wide policy on suspensions is needed to provide a starting point for individual school councils
- age should not be a barrier to accessing the public education system
- a written code of conduct with specific steps for conflict resolution is required and must apply to everyone
- primary classes should be kept small: a maximum of 18 for K-2, 20 for grade 3, split classes 15 for rural and 18 for urban

Federal government support

- records are needed of First Nations students grades, early leave rates, graduation rates, and percentage of total students in general studies, compared to past data to measure whether early daycare programs and other interventions have been successful

- it needs to be determined if the money spent on First Nations programs is proportionate to their percentage of the total population

Human resource development

- the government needs to support the department to deter teacher burnout
- the number of days throughout the year for professional development need to be decreased
- violence is a serious problem
- there are too few teacher aides and assistants and they are not compensated sufficiently
- help kids deal with conflict
- more skilled counselors are needed in order to better provide personal and educational support
- educational assistants have very little training and often require more support than the classroom teacher can provide
- specially trained teachers and aides are required in all Yukon schools to work with behaviourally challenged students
- more professional development should take place outside the school calendar year
- many children in need of attention and support are simply not identified nor served, despite the fact that early identification and intervention are essential
- any offer of employment, transfer or re-employment after lay-off which affects any Catholic school should be made only with the recommendation of the Catholic Episcopal Corporation

School year

- the Yukon should be more in line with other jurisdictions
- Easter and spring break should be combined when possible
- summer holidays should revert to being an eight-week break
- the number of non-instructional or professional days should increase from the present three to five (six in a conference year)
- a consistent start date for the school year is needed, with no more than seven to ten days variation
- the length of the school day should be more consistent throughout the territory so there is more time each day for viable instruction
- the problems created by significantly different school openings and closing dates need to be considered
- ensure consistency in Christmas and spring breaks by establishing guidelines, and some rationale that could assist individual school councils in setting dates
- set the secondary and elementary school years in advance; three to five years ahead should be possible
- 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 to shorten the school year
- there is far too much variety in the school calendar without clear gain
- parents, students and teachers are increasingly confused and frustrated by the lack of common instructional days; this has resulted in enormous logistical problems
- most schools have reduced or eliminated total recess time for younger students
- the wide variance in school day length has resulted in unintentional outcomes: loss of recess, increased pace/stress on students; teachers and parents, increased bus costs
- add five days (25 hours) to the school year for professional development
- establish the school year at 195 days for elementary classes K-7 and 200 days for secondary classes
- establish the school year calendar in five-year blocks, with annual review and approval to permit

adequate planning

- establish a common length of days
- if class time exceeds two hours in elementary grades, children should be permitted an unstructured break (recess)
- encourage a shorter summer break and more and longer breaks during the school year by specifying that the summer break should not exceed ten full weeks

Partnerships

- the Departments of Education, Health and Social Services and Justice all going in different directions; they need to work together
- there should be more cooperation between agencies that are getting money to deal with our children
- those in charge need to work at more partnerships, whether that is territorial, federal, First Nations, municipal or business
- we need supportive strategies that will truly be partnerships with our families and students, including Aboriginal Head Start, ongoing dialogue, parental involvement, culture and language and health
- in-school counselors are needed
- cultural camps are best suited to deliver rehabilitation programs
- government department need to work with parents to support the family and deter bigger problems
- in situations where lack of parental responsibility is detrimental to a child's schooling, an inter-agency approach is needed
- when a student breaks a school rule, the appropriate consequences must be supported by all the partners in education
- the inter-agency approach (early intervention) must be mandated through changes to relevant legislation; other departments such as Justice and Health and Social Services must formally share resources and responsibilities
- the division of responsibilities between government departments causes an unacceptable situation where services such as speech and language therapy, physiotherapy, occupational therapy and hearing services are not available
- services provided by Health and Social Services at the Child Development Centre for preschool children need to be available to them when they enter the school system
- the Department of Education 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
- the community and the Department of Education need to increase their coordination of services

Special education/Gifted children

- the Department of Education needs to develop a vision of special education
- the special education superintendent/coordinator needs to have extensive special-education training and experience
- a different program needs to be developed for gifted children
- not enough is being done for students with special-needs or gifted children
- most discussions usually focus on non gifted children
- teachers need more training in working with special-needs children
- special-needs children should be taught in a different area

- an educational assistant should work with a special-needs student over the long term
- adequate programming and support should be provided for special-needs children
- the system should focus on prevention as opposed to intervention strategies
- it should be determined how much of the budget is dedicated to special needs
- support for autism spectrum children should include hands-on treatment, intensive peer and social planning and support for the family
- bright and gifted students are not being challenged adequately in the classroom, and need more support
- most students with hidden disabilities leave the school system by grades 5/6
- tolerance of behavioural differences is almost nonexistent throughout the system
- recognition of disabilities and modification of classrooms and teaching techniques is rare
- Individual Education Plans 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
- more training is needed in defusing types of interventions for behaviours related to disabilities
- there is a lack of communication due to the department's organizational structure
- school programs and human resource support do not reflect the needs of students who are assessed as gifted
- a case manager is needed to coordinate interventions that involve other departments
- a student advocate be made available to parents, the student (where appropriate), and/or the school administrator involved in a student's IEP for a
- early intervention is effective
- some parents feel that students with special needs draw too many resources at the expense of other children
- some parents feel that the presence of children with special needs in the classroom has a negative effect on other children
- schools must balance the rights of children with special-needs and other students

Junior kindergarten/preschool/kindergarten

- preschool should be available at all schools
- preschool helps children learn and helps them to adjust to the school environment
- a universal school program that begins a year earlier should be explored as a pilot project
- the Yukon government and First Nations should jointly fund a K-4 program
- cultural instruction and First Nations language instruction should be included in a K-4 program
- every school currently offering kindergarten should have the option of full-day five-day-per-week kindergarten if the school council, in consultation with the school administration, request it
- every school currently offering kindergarten should have the option of providing junior kindergarten if the school council, in consultation with the school administration, request it
- if a child is experiencing a delay or is at risk of developing delays, the Child Development Centre is usually involved
- educational opportunities for child-care providers are needed and should be supported by the department
- the Aboriginal Head Start Program and other culturally relevant early intervention programs that involve parents and communities should be supported
- high-quality preschool has a positive impact on children's development and on their success in primary and secondary school

- full-time kindergarten programs bring benefits in language development
- the two factors that have the greatest influence on the quality of preschool services are the educators' level of training and the working conditions
- a pre-kindergarten or extended kindergarten program should be established for those children who are in need of a school readiness program

Home schooling/Distance education

- the department should offer more distance education programs
- home-schooled children are entering the system without the necessary skills; their progress needs to be monitored more closely
- some parents have difficulty using the facilities in the school
- students who have been home-schooled can go into grade 11 and 12 only if they've been at home for three years
- the Department of Education will provide and facilitate access to educational resources upon the request of the parent and/or student
- elected councils of parents, with funding, honoraria and resources consistent with school councils, should be established
- children grow and learn at different rates and that they do so differently in different contexts
- the Yukon should carefully consider how neighboring jurisdictions (NWT, Alberta and B.C.) support home education
- distance education courses (B.C. correspondence courses) should be provided free of charge as another option for home learners
- a Home Education Branch should be established or several staff members should be assigned solely to that function
- a traveling resource teacher should be available in the communities at regular intervals to assist home schooling families
- the department should review legislation, policies and procedures related to home education
- many home educators fail to register their children with the Department of Education
- the Public School Branch is unable to monitor the progress of or provide testing for non-registered students
- many home educators appear unaware of funding of the support and services available
- new technologies permit a blending of home education and conventional schooling
- a more effective communications strategy is needed to provide better information to parents and students about their rights and responsibilities regarding home education

First Nations students

- rural students should be able to go to Whitehorse and spend three weeks in Porter Creek Secondary School to do a unit to bridge the gap and make the transition easier
- rather than send students to Whitehorse, an option might be distance education
- grade 11 and 12 students should be able to take some post-secondary courses
- more consultation with parents is needed when a student is going to be held back a grade or is having problems
- early intervention is needed to help students
- parents must teach at home and support their children

- more educational assistants should be available to students
- more First Nations educational assistants and more First Nations teachers are needed
- more positive reinforcement should be used
- students should be more involved in planning what courses they will
- student exchanges within the territory should be tried
- the department should deal with the family when children come to school hungry
- Individualized Education Programs should be defined more clearly
- if students have special needs, extra staff are needed
- education standards differ from school to school
- basic skills such as reading, writing and arithmetic, must be taught effectively in kindergarten and grade 1
- the Aboriginal Head Start program should be supported
- year-round schooling might be effective
- data is needed about the number of students who continue their education after grade 9
- children should be tested as soon as possible after a problem is suspected
- students don't get the academic courses they need to get into university
- more one-on-one help is needed for children who have difficulties getting their work done
- more trades training should be available in school
- each school has its own policy to deal with truancy
- provide more incentive through the *Student Financial Assistance Act* for students to go into occupations where jobs are plentiful
- incentives should be provided for graduates to stay in the Yukon for a minimum length of time; e.g. five years for a doctor, three years for a nurse
- children who don't do very well in reading and writing are often strong visual learners
- once children have been identified as having a problem, that label stays with them for their entire school career
- there is no follow-up with the family of students who have left school without completing it to try and find a way for them to return to school
- if parents do not feel comfortable about the school environment they should have the right to be represented by the Director of Education, CELC, Chief or other person
- without First Nations involvement, Yukon schools will continue to fail to meet the needs of their First Nations students
- tutoring should be provided instead of special classes
- career planning guidance should be provided starting in grade 10
- First Nations children need to develop the academic skills expected of all students
- student exchanges, visits to other schools, career and educational planning must be included in the curriculum to prepare rural students for secondary school

Transition: Preschool to kindergarten

- the transitional work being done with kindergarten students should be supported
- better bridging is needed between the CDC and schools, as are more clinical resources in special programs
- when a child moves from the CDC to school he or she should receive an automatic referral to special programs
- it is very difficult for some children who require extra support to get it when they are not deemed to be exceptional, especially in the area of speech and language therapy

Transition: High school to post-secondary

- the transition between secondary and post-secondary education should involve flexible programming development of meaningful career paths
- students should be able to obtain dual credit where there is a fit between a Yukon College course and a secondary school course
- new methods and strategies for delivering educational programs should be developed, using information technology and communications infrastructure
- students 19 years of age and older are better served by post-secondary education programs

Transition: Rural to urban

- rural students have difficulties keeping up with students in Whitehorse
- children are taken out of their homes too early and are not mature enough to make appropriate choices
- rural students should be able to go to Whitehorse and spend three weeks in Porter Creek Secondary School to do a unit to bridge the gap and make the transition easier
- grading criteria should be looked at
- students are pushed through the system without the skills necessary to do the work
- once they are in Whitehorse, students feel inadequate because they have lower grades
- distance education could be an alternative to sending children to Whitehorse
- the child should remain in the home community so the family can have more influence on child's life
- educating children in Whitehorse is expensive; other options are needed
- children are just entering adolescence, and are extremely impressionable
- rural high schools should be considered
- the drop-out rate is high because it is a big step to move to Whitehorse
- although the priority is to have the children stay in the community, they need the opportunity to get the required courses for university
- more First Nations workers are needed at the residence
- children going from Old Crow are not up to standard for their grade in Whitehorse
- the drop-out rate is extremely high
- students quit after a week in grade 10 in Whitehorse
- communities have different issues and problems than Whitehorse
- schools in the communities should provide programs up to grade 12
- If the students fail in an educational system that has been imposed upon them, then the governing body that manages the delivery of services must ensure that changes are made to ensure success of First Nations students
- students are not prepared for the new system when they go to Whitehorse and they face difficulty and failure
- community schools must have the same standards and outcomes for courses as Whitehorse schools

Unqualified graduates

- students are being pushed through the system without the necessary skills
- people are angry when they think they have grade 12 and they don't
- there isn't enough communication between the department and the parents and students
- students pushed through the system end up frustrated because they know they haven't learned what they need to know

- students should be held back until they learn the necessary skills
- if children who don't go to school are allowed to pass, it influences the other children
- children should be held back if necessary; if they are moved to the next grade additional resources will be necessary to help them catch them up
- offering alternative programs may be better than pushing students ahead
- more emphasis is required during the lower grades, rather than pushing them forward
- assistance should be provided to students when required throughout the year
- if students are passed to the next grade without achieving the necessary prerequisites the problems are compounded and the student doesn't learn properly

Suspensions

- suspensions are not enough of a punishment for students; a work area should be provided for them to work in
- students who are having problems should be taken out on the land; this should be counted as part of their school year
- the more doors we shut, the more problems we create in the future
- students will continue to misbehave so that they will be sent home
- everyone needs to work together to find an alternative plan rather than sending children home
- students who drop out or are expelled should be assisted in reintegrating back in school
- communities should develop a plan to implement when students are expelled
- dismissals and suspensions give the message to the student that they are not part of the school
- students perceive dismissals or suspensions as a reward
- there are too many suspensions without follow-up or consequences; homework should be sent home with the child
- AYSA requests that the regulations supporting the appeal process be clearly developed and school council members trained to deal with this matter
- efforts must be made by the school and the student to allow him or her to keep up with studies
- dismissals and suspensions should be treated as a last resort
- involve other agencies/resources in addition to school staff
- the department must develop policies on suspensions and expulsion of students with special needs
- students with special needs must be adequately assessed
- appropriate interventions are applied before suspension is considered for students with special needs
- the grounds for suspensions for students with special needs must be clear and appropriate
- meaningful education programs or interventions must be offered during the suspension
- planning must be undertaken for the student's successful re-entry into school
- truancy requires a negotiated settlement between the school and the family
- more community-based alternatives to schools are required
- suspension periods longer than two days should be abolished, unless necessary to protect the student and staff
- suspensions should be replaced with consequences which require the offender to give time in service to the school
- refusing students entrance to their classroom due to tardiness should not be allowed; the punishment should be a detention

- suspensions hinder the student's academic progress and defeat the purpose of school, which is to ensure that students learn
- a ten-day absence can severely hinder even very academically strong students, especially those in higher grades
- since many of the students who are being suspended for ten-day periods do not want to be at school anyway, the suspension policy is countereffective

Curriculum

- the community should be more involved in the development of curriculum
- the curriculum needs to be more related to First Nations
- the community should be more involved in the hiring of teachers; they are going to be part of the community
- accelerated learning is highly recommended and should continue to be supported
- there is a lack of art classes in the higher grades
- more Yukon history should be taught
- reading recovery should continue; it has been a big success
- arts programs develop the whole child including special-needs
- students respond well to visual learning and academics can be taught through an arts program
- there should be more concentration on physical education
- educational assistants should come to students' homes
- the hours of instruction are not appropriate
- teachers and educational assistants should move out of the school a little more so that they can deal with individual needs
- students in rural schools should receive more appropriate computer instruction
- access to the internet is needed
- more history should be taught
- "O Canada" should be sung in schools
- more support for technology is needed in rural schools; students need to be up-to-date on technology when they leave school
- more First Nations history should be taught in class
- there should be more use of specialized teachers
- more time in the school week should be used for a second language, whether it is French or a First Nations language
- if video conferencing is available in the communities, teachers from outside of the community could teach students throughout the territory
- if students need a grade 12 chemistry class, it should be available in the school
- children shouldn't have to take upgrading when they leave grade 12
- the Umbrella Final Agreement should be a part of the curriculum and the local agreements should be a part of the community curriculum
- students should spend 30 minutes a day on language and culture
- more locally developed curriculum is required
- new and innovative ways of teaching our children are needed
- curriculum still isn't appropriate to the skills needed to work in businesses in the community

- students have too many options to choose from in the upper grades
- students should be required to take certain basic courses such as biology, physics and calculus
- more funding is needed for art and technical classes
- the curriculum has no prerequisites until grade 11
- some traditional activities can help students be self-reliant
- traditional activities such as hunting and trapping should be supported
- learning skills related to traditional activities help students feel valued
- art in the schools is vital and contributes in all areas
- curriculum from other provinces need to be assessed more thoroughly to see if it will work here
- locally developed curriculum should be developed to enhance community participation in the system
- arts, drama and music in schools is needed
- there should be funding for fish camps, culture camps, hunting, berry-picking, trapping
- more focus should be placed on arts programming
- the education system needs to provide the necessary resources to promote an understanding of the history, language, culture, rights and values of Yukon First Nations and their changing role in contemporary society
- programming needs to be more culturally relevant; broaden teaching styles to include more than the traditional school subjects
- a specific curriculum guide (IRP) should be developed to ensure that all students know about the cultures, interactions of cultures, history and current issues of the north
- locally determined curriculum should be used to meet the prescribed learning outcomes
- First Nations culture should be presented as a dynamic and living culture, one that is based on enduring spiritual values and is deeply rooted in the environment and still reflected today
- First Nations history should not be taught in isolation from other Yukon historical events, i.e. building of the highway
- high-quality teaching materials need to be available to teachers to facilitate the integration of First Nations culture
- resources should be made available to bring elders and community members into schools
- First Nations governments need to participate as partners in the education of their children
- life skills such as living off the land, trapping, traditional living and survival skills should be taught
- First Nations leaders must be involved in the planning of the school curriculum to ensure that local content and cultural activities are accurately and adequately reflected
- outdoor pursuits, field trips and hands-on activities must be included to reinforce First Nations cultural teachings
- seasonal activities such as hunting, trapping, snowshoeing, gathering wood and camping can be included in physical education, science, social studies, and language arts programs
- when elders come in to tell stories or give cooking, hunting and trapping lessons, the students can write up the activities and have them published to include in their library or be shared with other schools
- a First Nations Education Branch should be established to provide materials and programs and orient teachers
- use of a resident elder is crucial to success of our children
- local artists such as beaders, snowshoe makers, painters, etc, must be utilized in art classes
- local resource people must be involved in the development of culturally relevant materials and initiatives

- experiential programs should be provided in many subject areas including outdoor education and fine arts; not enough resources or staff support to do this in Whitehorse, and even fewer in the communities
- the curriculum is outdated and a more practical use of language is needed
- more First Nations teachers need to be trained
- a department and advisor of native language is needed
- better training and instruction is needed for teachers
- evaluation of the curriculum should include input from students and parents
- the job shadowing activity is a good program; it needs enhancing and support
- the Yukon Youth Leadership Conference is more successful each time and should be supported
- students are not being adequately prepared by the school system for the changing job market
- there is no mechanism for the views of business to be heard by the school system
- career counseling is taught in isolation from other subjects
- a shared vision is badly needed throughout the communities
- the department must ensure that teachers have adequate training and resources to effectively implement the career and personal planning curriculum
- the Partnership Strategic Education Plan (1994) should be reviewed
- technology programming must be strengthened, including training for educators and more software for students
- all educators need to be committed to lifelong learning
- better and faster analysis of problem areas in the school curriculum and student behaviour is needed
- students need to be provided with challenging and fun learning opportunities
- existing curriculum needs to be strengthened through partnerships and community-based programming
- more student involvement in their education (including assessment of programming) is needed
- students need to know their rights in terms of their education and how they are treated by educators and others
- the objectives and outcomes of curriculum need to be clearly stated to parents
- report card information is weak and needs to be changed
- students need to learn all components of new curriculum and core curriculum before advancing to the next grade
- educators must be properly trained before the implementation of the new programs
- students need to be competent in analogies, definitions, reading for detail, finding the main idea, drawing conclusions, logical reasoning, making inferences, using context clues, and sequencing
- a thorough analysis of future requirements in all professions and trades is needed
- supporting families, rather than social support agencies for broken homes and people, must be an integral part of any change
- mainstreaming results in teaching to the average, in most classes lowering the achievement level towards the bottom of the class
- it has been demonstrated that 45 minutes is the optimum length of class; 80 minutes is definitely too long
- teachers' personal interaction with students is crucial to success
- students need to be computer literate
- tolerance should be part of the curriculum

- students are not alike in regards to aptitude, attitude or ambitions in life but the curriculum is based on the assumption that they are
- 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
- other countries have successfully separated their students into different school tiers to accommodate their diversity
- the present model of integrated schooling needs to be rethought
- different students need different environments, different expectations of their abilities, different curricula, different kinds of classes and different teachers
- students who are not up to standard in a given subject are still being advanced because of parental interference and departmental recommendation
- parents are the primary educators of their children and need to be involved in shaping educational policies and directions
- meaningful partnerships with parental and public participation are of fundamental importance and need to be encouraged
- education should assist children in developing their personal potential: intellectual, physical, social, emotional, cultural, aesthetic and spiritual
- all aspects of human development, including the spiritual, should be incorporated
- 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
- school programming and human resources support do not reflect the needs of students who are assessed as gifted
- education must be effective, essential and empowering
- to be effective, the education system 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
- an effective education fosters a knowledgeable open and confident society committed to lifelong learning and development
- an effective education teaches students to observe, to judge and then to act; it leads students to understand how things fit together and relate to one another
- an effective education challenges students to develop skills to question, analyze and make connections
- educators must lead students to become responsible, caring people by alerting students to the needs of others, providing opportunities for sharing, and caring for those who are poor, serving as mediators of peace and demonstrating genuine concern for the earth and its environment
- educators must help their students develop a sense of personal worth and learn to think and act for themselves by presenting opportunities for students to view situations from different perspectives and for critical and reflective thinking
- it is unclear whether locally developed curricula will be integrated into the regular school program
- there may be lack of resources for First Nations, for example, to develop curricula
- more time should be spent teaching for literacy and numeracy, especially in grades 1-3; this would necessitate a decrease or deletion of other curriculum
- meeting the needs of First Nations students should be one of the criteria in performance
- evaluations of programs such as outdoor education, experiential programs and program innovation is necessary

- enrolment in the French program at F.H. Collins is dwindling
- there is a social stigma attached to those students taking French immersion courses; they are a minority and are constantly discriminated against
- in the lower grades of high school, French immersion students are placed in separate English courses; this creates social and linguistic divisions within the school
- some form of arts and drama should be mandatory all the way through high school; more support for the arts courses at F.H. Collins and for the MAD program is needed
- a strong band program, like a strong sports team, builds morale within the school
- the Wood Street Annex is exactly the right environment in which to develop a strong arts program
- there is a misconception that the MAD program is uneconomical and not academic enough; as much support as possible should be given to these programs

First Nations schools

- a First Nations immersion school is needed
- there should be support and adequate resources, similar to that provided to French schools, to establish an First Nations-operated school)
- First Nations schools should be given the same recognition and designation as French and Catholic schools
- more local control of education is needed; schools that are locally controlled across the country should be studied

Aboriginal languages

- more First Nations teachers should be trained to speak and teach First Nations languages in schools
- more than 10-15 minutes per day should be spent teaching First Nations languages
- the Yukon government should provide sufficient funding for cultural, traditional and language programming not only in schools but also outside the schools
- aboriginal language classes should not be isolated, but be central to the whole school
- First Nations students must be exposed to their language and learn language skills

First Nations immersion programs

- a camp should be established with elders speaking only aboriginal languages
- students should be able to earn course credits at cultural camps and take some of their schoolwork there with them
- to address poor attendance students should be given a math or reading project and take it out on the land and be required to write an essay on what happened; this would add some interest
- a K-4/K-5 immersion program should be set up with funding from the Yukon government
- schools should be evaluated every three years to determine what works and what needs improvement in First Nations educational programming and services, including the progress of First Nations students
- a First Nations language immersion pilot project should be funded
- a cultural/First Nations language immersion program should be established in Old Crow

Teacher training

- YNTEP graduates are needed in the communities
- it is beneficial for teachers to learn First Nations cultures
- specialized trained teachers are needed to deal with behavioural problems

- teachers should be required to take refresher courses
- all new teachers should be required to take a department-certified course of study on First Nations culture and history and a CYFN-certified course of study on the First Nations land claims process and history
- the Minister should review the growing demand for certified teachers with a language major in an effort to maintain and support First Nations languages
- training should be available for teachers who wish to become vice-principals or principals
- school staff must be oriented with a program developed by the local First Nation
- CELCs require training in counseling and conflict resolution
- new staff need to be better oriented to the community; in the communities, this may involve going out on the land
- counselors need to stay current with the requirements for post secondary education and specific occupations
- new teachers require more support, such as a shadow teacher
- teachers should be provided with more paid prep time to effectively deliver the curriculum
- the Yukon should look at what other jurisdictions are doing and not duplicate their mistakes
- it is difficult for teachers to teach the curriculum when they have a wide variety of needs within a classroom
- teachers carry out a lot of extracurricular activities for no added pay; the community should be more involved
- teachers work very hard to accommodate children's needs but these needs are very wide-ranging
- services in the community are needed to assist children with special needs
- more support for teachers is needed
- more educational assistants are needed
- all the different curricula available make it more taxing on the teachers
- elders need to be utilized as a valuable resource in the school

Hiring practices

- accommodation is inadequate for teachers with families
- recruitment and retention strategies for teachers need to be looked at
- teachers should be required to have knowledge of Yukon First Nations
- more tutors are needed in schools
- more First Nations teachers and tutors are needed
- more First Nations counselors are needed in the schools
- the community should have more say in who is hired to teach
- more educational assistants are needed for special-needs children
- school council responsibilities included hiring the principal but not firing him or her; this process needs to be reviewed
- school councils should have input into the hiring of administrators
- there is not enough orientation for teachers who go to a rural community
- teachers should arrive in the community at least two weeks prior to the beginning of school
- First Nations are responsible for making teachers feel welcome
- members of the community and the elders council should be on the hiring team for the principal

- education is a community responsibility
- training for paraprofessionals, remedial tutors, etc. should be more widely available so that people could be hired from within the community
- learning assistance teachers are needed
- there should be an equal number of male and female teachers
- special-needs children need as much one-on-one teaching as possible
- more educational assistants are needed
- teachers' aides and assistants are not compensated sufficiently
- the duties and responsibilities of education assistants need to be made clear
- the local hire policy means a lack of new ideas from the outside
- the current process to determine who gets an educational assistant is too cumbersome; perhaps a learning assistant should be attached to each class
- qualified substitute teachers need to be recruited, particularly in high school
- mandatory training and qualifications should be required for education assistants
- local education assistants should be hired
- education assistants should be supported financially by the department
- a YNTEP graduate from another province, territory, or country should be considered after a First Nations candidate
- every effort should be made to hire First Nations graduates for administrative positions
- First Nations candidates should be given precedence in hiring
- inexperienced teachers are being hired and some of them don't last long
- in-school counselors are needed to assist students through the day

School councils

- school council members need a forum to learn what they are responsible for and to help them with procedures
- school council members need to feel that they have influence and are listened to
- charter schools are very important and should be looked at
- school councils need to have the support of the department; they can't deal with problems if they are not listened to
- school councils have not gained the autonomy that was anticipated

Yukon school evaluation guidelines

- since schools must be evaluated every five years, and there are approximately 25 schools in the territory, the Department of Education should ensure that approximately five schools are evaluated each year
- the information provided by the internal evaluation team should be used to identify strengths and weaknesses and to set long-term goals for the school.
- each internal evaluation team should reflect the student population and the programming of the school
- the external review team should confirm that the appropriate process was followed and that the mission and goals follow from the information gained through the evaluation process

Elections office

- the rules governing school council elections are inadequate
- school administrators are essentially pre-selecting school council member

- no matter how well-meaning the parents elected to school councils, their participation in school governance is ineffective because they possess no real authority or decision-making powers
- the relationship between the Elections Office and the Department of Education is not a partnership
- perhaps different models of school governing should be explored
- perhaps each school should have a parent group instead of a school council
- whether the Elections Office continues to be responsible for the conduct of elections should be discussed

APPENDIX 4. DRAFT RECOMMENDATIONS FROM THE YOUTH CONFERENCE

Students attended the Youth Conference, *Education: The Way We See It*, on November 17, 2006. The conference was organized by the Education Reform Project at the Council for Yukon First Nations (CYFN). The students attended workshops where they were asked six questions:

- 1) How would you rate the importance of your education?
- 2) What are some of the supports that you receive that keep you in school?
- 3) What additional supports can help you to complete your high school diploma?
- 4) What are some of the factors that would cause or have caused you to drop out of school?
- 5) What would make your experience at school more rewarding or satisfying?
- 6) What are some of the barriers and challenges to your success in school?

Summary of responses

1. The Department of Education through the Interdepartmental Collaboration Project Implementation Plan in partnership with Yukon First Nations should explore support in all Yukon communities for these issues:
 - a. pregnant teen and teen parents;
 - b. personal counseling;
 - c. career counseling; and
 - d. drug and alcohol counseling.
2. The Department of Education should increase opportunities for students to participate in experiential education programs.
3. The Department of Education, in partnership with Yukon First Nations, should increase opportunities for and offerings of cultural and traditional knowledge-based programs including experiential education.
4. The Department of Education, Yukon First Nations and community groups should continue with initiatives to promote healthy lifestyles and healthy foods.
5. The Department of Education, in collaboration with Yukon First Nations, should continue to expand culturally inclusive curriculum at all grade levels.
6. The Department of Education, in collaboration with Yukon First Nations, should continue to expand opportunities for skills-based education and trades training, particularly in rural communities.
7. The Department of Education, in collaboration with Yukon First Nations, should explore solutions to rural-to-urban student transitions and continue to support rural secondary school students who have to attend school in Whitehorse.
8. The Department of Education, in collaboration with Yukon First Nations, should explore recognition and awards for students in all Yukon schools who demonstrate student leadership in schools.
9. The Department of Education, in collaboration with Yukon First Nations, should explore recognition and awards for students in all Yukon schools who demonstrate improvement in academics.
10. The Department of Education, in collaboration with Yukon First Nations, should explore options to improve cross-cultural awareness in all Yukon schools.

APPENDIX 5. YUKON HUMAN RIGHTS COMMISSION SUBMISSION

Ensuring our children learn about their human rights and responsibilities

“Everyone has the right to education...Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial and religious groups, and shall further the activities of the United Nations for the maintenance of peace.” The Universal Declaration of Human Rights, 1948

After signing this declaration, Canada also committed to international conventions to end discrimination and to ensure that education develops respect for children’s cultural identity, language and values as well as for our national values. Key concepts in the universal right to education are “full human development,” “respect for human rights and fundamental freedoms,” the promotion of “understanding, tolerance and friendship among all nations [e.g. First Nations and non-First Nations], racial and religious groups” and “peace.” In the Yukon Human Rights Commission’s (YHRC’s) view, considerable effort is required from all sectors of society, including the education system, to eliminate discrimination and racism and to generate support for the systemic change required to achieve these goals.

The Education Reform Project provides an opportunity to review the Yukon education system in light of not only the Universal Declaration of Human Rights, but also that of the Yukon *Human Rights Act*. Education is considered a “service” to people under the *Human Rights Act* and so is an area of life and government service delivery that is “protected” from discrimination in terms of the way people are treated in our education system.

Although the current section 4 of the *Education Act* says that one of the goals and objectives of the Yukon education system is to promote the recognition of equality consistent with the Charter and the *Human Rights Act*, there is no comprehensive curriculum to achieve this throughout the K–12 grades. This is a gap that needs to be filled in order to create a culture of human rights in every school learning environment.

Human rights are not merely a mechanism to making complaints and obtaining remedies (important as these mechanisms for redress are). More importantly, they embody values for citizenship and social responsibility in terms of resolving conflict, creating social harmony and full citizen participation, and fostering peace and social stability.

It is now well-established under human rights instruments such as United Nations conventions and declarations to which Canada is signatory that education about human rights is a necessary part of the rights themselves; without knowledge and understanding of human rights, human beings cannot use their rights or respect, promote and protect them. Therefore, every Yukon child should learn, in an age-appropriate way, from K–12 about his or her human rights, as well as the corresponding legal obligation and responsibility to respect the rights of others, all as part of that child’s learning, social responsibility and citizenship. This is an essential part of building capability and capacity in our children and our society for the future and all its challenges.

Ensuring that our children are part of a culturally competent and inclusive education system

The YHRC has reviewed the themes identified from the pre-consultation with First Nations communities and organizations; they are similar to ones identified in previous educational reform documents. An element that appears to be missing is an organizing framework or model for addressing these issues. Such a framework would assist in identifying gaps in the existing system and identifying successful interventions and programs that work well for First Nations students.

The YHRC has developed a draft model for a “Culturally Competent Inclusive Education System,” identifying eight areas that affect the development of such a system, which we are willing to share as a basis for discussion with educators. Key components are “Organizational Culture” (an atmosphere that welcomes diverse cultures, languages, abilities, family structures), “Governance” (First Nations input and decision-making, meaningful roles for school councils and committees), “Administration” (accountability of principals and senior administrators — including Directors, Assistant Deputy Ministers and Deputy Ministers — not only for collecting data and programming but also for educational results), “Policy and Decision-making” (policies that may have cultural impacts, sufficient resources to implement equity policies and practices), “Communication” with diverse populations, and levels of literacy. These are all important elements that provide the bigger picture or a broader context for reviewing and evaluating the progress toward an educational system sensitive to the needs of Aboriginal people and diverse populations.

It is YHRC’s suggestion that our First Nations’ knowledge and culture is not adequately represented in the school system, in terms of language, education traditions, values and learning styles. Nor are First Nations teachers adequately represented at all levels of the teaching force and administration and in key decision-making roles in the Department of Education. Aboriginal pedagogy, which emphasizes experiential learning, should be explored and incorporated across the curriculum for all students in order to facilitate learning for all children and to foster respect for aboriginal values and knowledge and the shared heritage of all students, aboriginal and non-aboriginal. Both communities need to trust and understand one another and the education system is an important vehicle for accomplishing this goal.

RECOMMENDATION 1. Provide in the *Education Act* for human rights education from K–12 as part of the prescribed curriculum, replacing the current reference in section 28 of the Act to “optional” education and providing a mechanism for implementing section 38 of the Act, which says “every student shall respect the rights of others.”

RECOMMENDATION 2. Provide under the *Education Act* that every three years each school as well as the Department of Education completes an equity review, and plan to address the equity issues identified as a result of the review’s assessment of the cultural competency of the staff and students and identification of any systemic barriers to learning and inclusion, in particular for aboriginal learners and employees but also for people with disabilities and those with sexual orientation, religious and racialized identities that make them vulnerable to bullying, harassment and isolation. This review should include consultation with Yukon First Nation governments, school councils and boards, students and parents. (The YHRC also notes that many aboriginal communities have indigenous customs or traditions with respect to adoption and responsibility for children, some of which predate federal or territorial law-making, that have implications for decision-making in the education system. This should be explored as part of Recommendation 2).

RECOMMENDATION 3. Provide in the *Education Act* that the K–12 prescribed curriculum, especially at the secondary level, includes in-depth history of Yukon First Nations, from pre-Contact, including pre-existing indigenous legal traditions and governance and social structures, to the effects of early Contact and colonialism on First Nations, including the impact of residential schools and the impact of the denial of fundamental freedoms (e.g., right to practise traditional ceremonies such as the potlatch) and civil rights (e.g., right to vote, etc.) on the health and capacity of First Nations communities through to modern-day land claims treaties and self-government agreements. This curriculum should be developed in partnership with First Nations governments and can build on curriculum development already present and underway in schools and the Department.

The Education Reform Project began in August 2005 and involved consultation throughout the territory. Team members participated in over 130 meetings, consultations, focus groups and presentations. These involved the federal government, Yukon First Nation Governments, the Council for Yukon First Nations, school councils and members of the public. Team members also met with a range of interest groups, including the Yukon Native Language Centre, Corrections Consultation Summit, Ombudsman, Yukon Native Teacher Education Program, Yukon Literacy Strategy, Food for Learning and the International Adult Literacy and Skills Survey.

