



Amanda Rogers*
Dispute Resolution

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October 8, 2021

File 1094

Private + Confidential

VIA EMAIL

The Honourable Jeanie McLean
Minister of Education
Yukon Legislative Assembly
Box 2703
Whitehorse, Yukon Y1A 2C6

Yukon Legislative Assembly
FD 35-1-7
October 12, 2021

Dear Madam Minister:

**Re: Independent Review – Department of Education
Terms of Reference**

I write to confirm that I have been retained by the Government of Yukon to conduct an independent review of its handling of an allegation that an Education Assistant at Hidden Valley Elementary School sexually abused a student.

As discussed, this review will examine the Government of Yukon's internal and inter-departmental processes, as well as its policies and procedures around operations, reporting and communications of serious incidents in Yukon schools. The review will include consideration of how the Departments of Education, Health and Social Services and Justice work together to respond to serious incidents in schools and interact with the RCMP. Parents, families and guardians of affected students at Hidden Valley Elementary School will be involved in the review, along with partner organizations and agencies, including the RCMP, and any other stakeholders whose participation is deemed relevant.

Please find below the terms of my engagement.

Terms of Reference

My terms of reference for this investigation are as follows:

1. My review into these matters will be conducted in a fair, impartial, and comprehensive manner and will involve facilitated discussions, interviews and engagement with key stakeholders, all of which will be completed in a sensitive and respectful manner.



2. As an independent assessor, I will determine my own process for the review in consultation with the Government and within the mandate set out in these Terms of Reference.
3. I intend to travel to the Yukon to meet with parents, families and guardians of affected students at Hidden Valley Elementary School, partner organizations and agencies, and any other stakeholders whose participation I determine to be relevant. As well, it may be necessary to conduct some interviews and/or meetings remotely via Zoom or other conferencing platforms.
4. At the conclusion of the review process, I will submit a detailed and timely report to the Department of Education which will include:
 - a. findings of fact related to responses of the Department of Health and Social Services, Department of Education and Department of Justice to the incident in 2019 at the Hidden Valley Elementary School; and
 - b. recommendations for improving Government-wide policies and procedures to better support Yukon school communities.

Barring unforeseen circumstances, the report will be delivered by January 31, 2022.

5. The Government of Yukon agrees not to subpoena or seek a Court Order or use any other legal process to in an attempt to demand production of my interview notes or call me as a witness to testify in any legal proceedings.

I trust the foregoing Terms of Reference are satisfactory and look forward to commencing the review process.

Sincerely,



Amanda Rogers, B.A., J.D., LL.M

Arbitrator | Mediator | Lawyer

