



Yukon Legislative Assembly

Issue 2

35th Legislature

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Public Proceedings: Evidence

Wednesday, January 12, 2022 — 10:00 a.m.

Chair: Currie Dixon

STANDING COMMITTEE ON PUBLIC ACCOUNTS

Chair: Currie Dixon
Vice-Chair: Kate White

Members: Scott Kent
Hon. Richard Mostyn
Hon. Ranj Pillai (substituting for Hon. Jeanie McLean)

Clerk: Allison Lloyd, Clerk of Committees

Witnesses: **Yukon Chiefs Committee on Education**
Chief Dana Tizya-Tramm, Chair
Daryn Leas, Technician
Melanie Bennett, Technician

EVIDENCE**Whitehorse, Yukon****Wednesday, January 12, 2022 — 10:00 a.m.**

Chair (Mr. Dixon): I will now call this meeting to order — this hearing of the Standing Committee on Public Accounts of the Yukon Legislative Assembly.

The Public Accounts Committee is established by Standing Order 45(3) of the Standing Orders of the Yukon Legislative Assembly. This standing order says: “At the commencement of the first Session of each Legislature a Standing Committee on Public Accounts shall be appointed and the Public Accounts and all Reports of the Auditor General shall stand referred automatically and permanently to the said Committee as they become available.”

On May 17, 2021, the Yukon Legislative Assembly adopted Motion No. 11, which established the current Public Accounts Committee. In addition to appointing members to the Committee, the motion stipulated that the Committee shall “have the power to call for persons, papers, and records and to sit during intersessional periods...”

Today, pursuant to Standing Order 45(3) and Motion No. 11, we will be discussing a report entitled *Report of the Auditor General of Canada to the Legislative Assembly of Yukon — Kindergarten Through Grade 12 Education in Yukon — Department of Education*. This report was released on June 18, 2019.

As a part of its responsibility to scrutinize public spending, the Public Accounts Committee believes that it is important to keep departments accountable for commitments made in response to recommendations from the Auditor General. On September 29, 2021, the Department of Education provided the Committee with an updated response report outlining how the department is addressing the audit recommendations. The response report is available on the Committee’s web page.

To better understand the progress that the department has made, the Committee has sought feedback from several organizations. Today, the Committee will be hearing from the Yukon Chiefs Committee on Education. I would like to thank the witnesses for appearing. We have with us in the Legislative Assembly Chamber CCOE technicians Melanie Bennett and Daryn Leas. The chair of the Chiefs Committee on Education, Chief Dana Tizya-Tramm, is joining us by Zoom video conference.

I will now introduce the members of the Public Accounts Committee. I am Currie Dixon, the Chair of the Committee and the Member of the Legislative Assembly for Copperbelt North. To my left is Kate White, who is the Committee’s Vice-Chair and the Member for Takhini-Kopper King. The virtual presence of the person to her left is the Hon. Ranj Pillai, the Member for Porter Creek South, who is substituting for a Committee member, the Hon. Jeanie McLean. Of course, Mr. Pillai is joining us by teleconference as well. To his left is Scott Kent, Member for Copperbelt South, and finally, behind me is the Hon. Richard Mostyn, Member for Whitehorse West.

To begin the proceedings, Chief Tizya-Tramm will make an opening statement on behalf of the Chiefs Committee on

Education. Committee members will then ask questions that the Committee has devised collectively. The questions that each member will ask are not their personal questions on a particular subject but those of the entire Committee. Before we start the hearing, I would like to ask that questions and answers be kept brief and to the point so that we may deal with as many issues as possible in the time allotted for this hearing. I would also ask that Committee members and witnesses wait until they are recognized by the Chair before they begin speaking, and just a final note with regard to the COVID protocols of the Legislative Assembly, witnesses who are on the floor of the Legislature, when seated and about to speak, may have their masks off, but folks in the gallery will need to keep their masks on at all times.

With that, I will now proceed to Chief Tizya-Tramm’s opening statement. Chief Tizya-Tramm, if you are able, can you unmute yourself and feel free to deliver your opening statement.

Mr. Tizya-Tramm: Mahsi’ cho, Mr. Chair and respectful Committee members.

Vahn gwiinzii shalak nait. Dana Tizya-Tramm oozhii, Chit ihlii, Vuntut Gwitchin First Nation.

Good morning, all of my relations. My name is Dana Tizya-Tramm and I am the Chief of the Vuntut Gwitchin First Nation. I would like to also recognize not only the technicians that we have with us today but also acknowledge Elder Nia Breton who is with us and the youth in the public gallery who lay witness to this hearing today as, to my understanding, the first in which First Nations have had access to the Public Accounts Committee in their presentations. I thank everyone today for this opportunity.

I would take this moment in my opening statements and comments to invoke the lineage in the intergenerational baton that is passed in my way of knowing and understanding the frame in which I have come to enjoy many of the conveniences but moreover the exponential opportunities, as I surely stand on the shoulders of giants for the incredible amounts of work from my families. It was my great-grandmother, Katherine Netro, who looked upon — as a woman who lived on our lands, walked from the traditional territories of our people in northeast Alaska into northern Yukon, a woman who truly understood the true meaning of education as coming from a culture that framed our experiences and which assisted us in how we should discern the principles of living in a good way as peoples of the lakes, as peoples of the high plains and peoples of the Porcupine River.

She was the one who had married Archie Linklater, a third-generation Scotsman in Canada, and on their union, she looked not only across our lands but into future generations, and her words echo in me today — that what we need is education, we need his way of knowing to survive in the future, and she wanted her grandchildren to go out into the world and bring the world back to our people, back to our communities, and back to the Yukon.

It is from this perspective that my family has endeavoured to embody this vision, and the voice that I bring here today is a voice born from this perspective, born from this lineage, but

also having the honour of being elected the Chair of the Chiefs Committee on Education. As a young man who has gone through the Yukon's education systems, who had known some of the gaps, the successes, and the failures intimately, I left these institutions wondering — looking upon the Yukon and Whitehorse and it seemingly being an ironclad bastille that I was subjected to and had no influence over.

Today, proudly, I can speak to respective committee members among my peers and say that we very much can shape this territory and its systems and that they are not made out of and cast from iron, but they are made from sand, and with the deft application from these greater perspectives, we can shape these institutions to serve not just indigenous peoples but all Yukoners in truly bringing together the intent of what this territory, and even our country, is.

For myself, I need only look back to the words of my great-grandmother, to the union with another Canadian, and looking upon future generations. Although we may be here today within our vocations, we do have an opportunity to exchange and influence these spheres that will leverage the next generations. So, for me, this is a great opportunity and an honour, and I hope to honour all of you as well for providing this and for hearing our voices today.

Mahsi'.

Chair: Thank you, Chief Tizya-Tramm. Do Mr. Leas or Ms. Bennett want to provide any introductory remarks?

Mr. Leas: Good morning. My name is Daryn Leas. I just want to introduce myself. I work with the Yukon First Nation Education Directorate. I'm a member of the Tr'ondëk Hwëch'in, and I'm pleased to be invited here today to be part of this discussion. It's of the utmost importance — a top priority for Yukon First Nations, as well as all Yukoners, to ensure that our education system operates effectively, efficiently, and in the best interests of our citizens. We think that there is much room for improvement, and we have some ideas today that we would like to share with you in that regard. Thank you.

Ms. Bennett: [Witness spoke in Hän. Text unavailable.]

Good morning. My name is Melanie Bennett. I live in Whitehorse, and I am from Dawson City. I am Tr'ondëk Hwëch'in. I'm from the wolf clan. I am the granddaughter of Alice Titus and Alfred Titus and the daughter of Cedric Carr and former Chief Hilda Titus. As my colleague said, we're very honoured today to be able to come here and speak of the utmost importance, and I feel the pressure is on because the people we work for on a daily basis are sitting in the public gallery — it is our youth — and I hope that today all of our discussion and answering of questions has that in the forefront and in the centre of our conversation because that is who we work for. In my mind, all of this should be centred around them. I'm honoured to be part of this and more so that one of our elders who has guided us for a very long time as a long-term educator, Ms. Nia Breton from the Carcross/Tagish First Nation — she's from the Kookhitta clan and she keeps us grounded so that we can do the exciting work that we have with our children.

Again, I'm honoured and I'm looking forward to the questions and conversation. Mahsi'.

Chair: Thank you very much to the witnesses for their introductory comments. We'll proceed with questions now, and as I said in my opening remarks, these questions are developed by the Committee as a whole, and even though an individual is asking them, the questions aren't personal questions; they are from the Committee as a whole, so we will distribute them as the Committee has determined.

I will ask the first questions. They are introductory questions, so we want to give our witnesses from the Chiefs Committee on Education a chance to share with Yukoners a little bit more information about themselves and the First Nations Education Commission, as well as the First Nation Education Directorate. So, could we start with the Chiefs Committee on Education itself: Who are the current members of the CCOE, what roles do they play within the First Nations Education Commission, who does the commission represent, and what responsibilities fall under its remit?

Mr. Tizya-Tramm: Mahsi' cho, Mr. Chair. The current members of the Chiefs Committee on Education are myself, Chief Dana Tizya-Tramm, as the chair, as well as Chief Amanda Leas, as our co-chair, Chief Stephen Charlie, Chief Jack Caesar, Deputy Chief Simon Nagano, Chief Simon Mervyn, Deputy Chief Morris Morrison, and our technicians are Melanie Bennett as well as Daryn Leas.

The CCOE was established by the Council of Yukon First Nations to provide strategic direction and political support to the work of the technicians who are directed to work collaboratively with their territorial counterparts to make changes to the Yukon's education system. Among its duties, the CCOE provides direction and oversight to the First Nation Education Directorate, or the YFNED.

The YFNED provides a broad range of services and programs to the indigenous students in schools throughout the Yukon, which often benefit non-indigenous students as well. The CCOE was established to provide strategic direction and political support to the First Nations Education Commission in respect to indigenous education. It is intended that the CCOE represents the Yukon First Nations, whether or not they are self-governing or members of the Council of Yukon First Nations.

The CCOE is not intended to be a body or institution of the CYFN, although it does report to the CYFN leadership and other Yukon First Nation chiefs as so needed, but ultimately, the YFNED and the CCOE are our most recent realization of our elders' outlook and the desires and direction from our people, going back to *Together Today for Our Children Tomorrow*, as education was always spoken about from those who had the first-line and on-the-ground experiences that echo throughout our communities, back to the earlier days, coming to today.

It is representative through its technical prowess and through our machinations. Whether designed politically or institutionally, it comes back to that humble inkling of influencing education systems to serve all Yukon students better.

Mahsi'.

Chair: Is there any additional input from other witnesses?

All right, next question.

Ms. White: So, these next questions focus on the educational outcomes or what has been referred to as “the gap”.

What role have Yukon First Nation governments and education partners played in addressing the gap in educational outcomes and what role do you anticipate they will play going forward?

Ms. Bennett: There was just a question in regard to elaborating about the First Nations Education Commission and the processes. I just really want to ensure that it is understood how that operates. The First Nations Education Commission has appointed committee members who are appointed from each of the First Nations at their chief and council tables. They hold the Joint Education Action Plan that is a tripartite agreement between the Government of Yukon, the Government of Canada, and all 14 First Nations. The CCOE holds the terms of reference for the First Nations Education Commission, and they provide the technical advice to the CCOE, along with the CCOE technicians. YFNED is the administrator of the First Nations Education Commission. They hold no vote. I chair the First Nations Education Commission and I hold no vote at that table. It is the commissioners table, and everything at that table comes by consensus. They passionately have worked since 2012 to implement the joint education action plan, to craft it and implement it, and unfortunately, minimal activities in that have been implemented.

One positive one that the First Nations are very honoured — you heard our chiefs speak of that — is the establishment of the YFNED which fell under the pillar of more authority, control, and jurisdiction for First Nation indigenous education in Yukon. Another component out of there in that pillar was the First Nation school board agreement and that process that we are in right now. I am actually going to ask my colleague Daryn to speak a little bit about the First Nation school board agreement.

Mr. Leas: The First Nation school board agreement is significant. It is a progressive step forward that First Nations have developed with the Department of Education. We believe that it is significant in a sense that First Nations — particularly those that have self-government agreements — have authorities and powers so they can establish their own school system. We could enter into a program and service transfer agreement negotiation with YG to obtain some of the federal money that has currently been provided by the federal government to deliver our program, our education. We would also have a similar negotiation with Canada. We are not moving in that direction because it doesn't make sense, we feel, for Yukoners at the moment to have two separate school systems. What we are proposing through the First Nation school board agreement is collaboration, partnership, a willingness to work together in the interest of all schools to make the schools reflect the diversity of their student body, of their communities, to ensure that all parents feel comfortable with the education that their kids are getting, to ensure that all students are placed for success and that supports are there. It's critical that people

understand this. We are not trying to, in any way through the First Nation school board proposal, take over schools; we are instead opening it up for collaboration and partnership. As you know, one of the key components of that agreement is that there would be community committees that would be established with each education area whereby there would be a few trustees who work with people directly from that community to ensure that there really and truly is grassroots management and operation of that particular school.

We feel that this is the direction that Yukon and Yukon education needs to go. This has been a key issue for us for decades. In fact, it was a cornerstone of our seminal document *Together Today for Our Children Tomorrow*, which proposed the idea of a treaty settlement. A key component of that treaty settlement is not just economic development and governance but also the education of our kids. Fifty years ago, we had many of the same problems that we have today. I think that all Yukoners will recognize that our education system in the Yukon is near a crisis. We have declining graduation rates, not for just indigenous students but for non-indigenous as well. As Ms. White is aware — she was on a call that we had last night with the Takhini Elementary School community — we had a discussion around these issues about First Nations inviting Yukoners to come work with us to create a better education system, to promote the concept and principles of reconciliation, and to really put the Yukon where we have always been when it comes to aboriginal relationships with our neighbours and with public governments at the forefront of progress in Canada.

We think that this opportunity that is presented through the First Nation school board is a real crossroads for Yukon. We can fix this by working together, or we can continue to have a school system that is strained, ineffective, and with large cracks that many, many students — indigenous and non-indigenous — continue to fall through. That just increases the load for our justice system and for our health and social services. Let's get it right. That is where we are coming from — an offer for collaboration and partnership.

Over the last two months, we have had some tremendous discussions with all Yukoners throughout the Yukon in preparation for the referendums that are upcoming over the next couple of weeks. As I said in my opening comments, I look forward to having some discussions around that.

That is not the only focus that we have. As Melanie is going to provide some elaboration on, we are currently providing services through the directorate to Yukon students — in particular, indigenous students but other students as well — to support their efforts and families to ensure that kids are in a position where they come to school prepared to learn and open to learning, but it's a first step. What is fascinating about it and very exciting to see is that, just in the year that we've been doing that, even in the context of the COVID pandemic, there are significant changes. The future is very exciting. There is a real opportunity for us to move forward and I urge all Yukoners, all political parties, and all public officials to embrace that opportunity and support it and assess it and evaluate it with an open mind. Thank you.

Ms. White: This is going to sound like Groundhog Day, but these questions are about the education outcome or what is referred to as “the gap”.

What role have Yukon First Nation governments and education partners played in addressing the gap in education outcomes, and what role do you anticipate they will play going forward?

Mr. Tizya-Tramm: Mahsi’, Madam Vice-Chair and Mr. Chair. The question asks about Yukon First Nation governments and education partners, which speaks to the central issue that we have moving forward.

For many years, over many agreements, a government-to-government or unique approach between government and First Nations has been agreed upon or even formally committed to, yet no concrete action has taken place, and in many instances, First Nation representatives sit on committees where First Nation issues are overruled by the fact that the majority on the committees are either Yukon Education staff or other partners, and First Nation issues get lost or are overruled.

The work arising from the Auditor General’s report requires a committed process to decolonize the Yukon’s education system that cannot be led unilaterally by a government that is the very institution that implemented the colonization process and continues to perpetuate it. It calls for true change, and that requires true partnership. The key factor to change is rooted in this relationship between First Nations and the Department of Education, establishing a joint leadership approach that supports Yukon First Nations and partners to bring the necessary changes that will benefit both First Nation and non-First Nation students.

Within a meaningful partnership with the department, First Nations would fulfill the vision of our elders, going back generations, and the direction of our people today to improve the cultural, social, emotional, and academic progress for First Nation students, who are disproportionately affected today. As a people who have only been afforded courtrooms, negotiation tables, and art galleries, this is one of our greatest opportunities to honour the true intent of what the Yukon and Canada are and are established upon. This is our opportunity to close those colonial doors of our past while opening the doors for future generations to enjoy higher realms of education in an education system that itself has learned the lessons of its own legacy.

Mahsi’ cho.

Chair: Thank you, Chief Tizya-Tramm. Any additional comments from others?

Ms. White: The next question is: How will the Yukon First Nation Education Directorate provide support, advice, and guidance to the Department of Education in order to help them meet the goals stated in the Auditor General’s report and recommendations?

Ms. Bennett: As the executive director to the Yukon First Nation Education Directorate, I’m pretty confident that this becomes my question. I think, first and foremost, in the wraparound service model that has been developed in huge consultation with all First Nations over a number of years, we have worked very hard to establish that and implement it in the past year and a half.

It is very challenging within a structure that appears to make unilateral decisions about what is to be done and to move forward and address the Auditor General’s report and recommendations. When you have to navigate a field like that, it makes it very challenging because we have to work from outside. That means that the people we work for are the First Nations and their children, and we have to navigate a public system through that lens and that platform.

We have developed from the wraparound service model — all the work that I look at daily at YFNED has been mandated from the CCOE. I have five key tasks — that I look at everything — which are accountability, support and capacity, assessment and research, programs and initiatives, and framework negotiations support. Our team has to work very hard to, within that frame, implement that wraparound service model and then work toward addressing some of the recommendations in the Auditor General’s report and then make things better for our students in a system where we have very little say. Our say comes from our youth who are sitting here — in what they see as building necessary for them.

The implementation of our wraparound service model for the indigenous students in the territory was developed under expressed concerns from First Nations and their families. Our First Nation education advocates are now functioning very well, working with all of the families.

Moving forth with that, I can reflect on multiple requests and meetings, right back from the establishment of them, a flurry of letter writing to ensure that the education advocates could even enter into the schools. It took a lot of discussion. It is a very bunker mentality that we have to work up against, and having to navigate that with the families is the easy part of it because the families are asking for that help.

It doesn’t just affect the indigenous students; it affects all students. The education advocates have implemented a multitude of camps, a multitude of individual service that develop the cultural sense of belonging and academic achievement for our indigenous students.

The second component was the mobile therapeutic unit in the consultation that we did over a number of years. It really clearly showed that the gap in service to the rural communities is massive. We had students and children who were not receiving service year after year. So, the components of the mobile therapeutic unit are occupational therapy, physical therapy, speech and language pathology, mental wellness, education psychology, and vision and audiology.

Over the past year and a bit, we are very proud of the fact that we have been able to work in the majority of the rural communities and navigate a difficult environment with a pandemic and having to work with each individual First Nation. In some instances, we have been able to move into the school and work with the actual educators and the students to support them. In other cases, we have had to remain outside and work within the First Nation government in their infrastructure and support the students.

This mobile therapeutic unit brings together a mental wellness team that works in both groups and individually. Right now, the highest demand currently from the rural communities

is for mental wellness supports. That has to look different. I should front-load all of this by saying that all of our wraparound service comes from an indigenous lens. What that looks like — when we do mental wellness activities in the community, it is often received with comments of: “It looks like they’re just playing” and “They are wasting time in school.” That has been extremely frustrating for our workers because the actual learning is not recognized as it’s coming from a different world view.

Our early years program is the newest part that we have implemented in partnership with the Martin Family Initiative. It looks at ages zero to five to provide school readiness for our children and develop that from a culturally based model.

One of the things that we really look at with the world view with a First Nation lens is that education doesn’t begin at kindergarten and it doesn’t end at grade 12. I am still categorized — I am not going to tell you how old I am, but I am still categorized as “a learner”. It happens over a lifetime. The model that we have developed is there to address that and look at it through that lens.

A couple of things that we have been working very hard on that do support are — the graduation.

I’m sorry, I forgot one part and probably the most important part of our wraparound model: the nutrition services — from the basic philosophy that in order to learn, you need to ensure that you have healthy food and that you are well-fed. Our model serves both the rural and urban indigenous students. We have not made it exclusive. All of these are funded through Jordan’s Principle, and we leave the rural to the First Nations. We have received the proposal dollars on that to go directly to the First Nations where we hold a coordinator position that helps the First Nations with the capacity to implement that. I think that in both the media and in the area in Yukon, you have seen and heard a lot of success of what that is to ensure, and it doesn’t just benefit our indigenous students; it benefits all. It is a very important one.

We have worked very hard to support the improved graduation rates, looking at what the barriers to graduation are, including the lack of communication around the courses and credits. Through the commission, we developed a graduation tool, as directed. This will speak to one of — further a little bit — the other questions. Other activities that we are currently working on are obviously to support any implementation of the Auditor General’s report, where we are permitted, and to bring the change that will occur. We have been mandated by the CCOE to establish and implement the First Nation school board agreement.

Mahsi’.

Chair: We have a quick follow-up question from Mr. Mostyn.

Hon. Mr. Mostyn: Thank you, Mr. Chair, and I want to welcome the First Nation officials to the Chamber today. It is great to hear — and I appreciate the First Nation Education Directorate’s work to improve education outcomes for all children in the territory. I can only imagine how difficult it is working outside the system.

I wanted to just follow up quickly to get a sense of the capacity of the group. How many employees does the First Nation Education Directorate have? How many are from the Department of Education, and how many are seconded from the Department of Education?

Ms. Bennett: How many are seconded from the Department of Education? We have one employee seconded from the Department of Education, and we have three employees seconded from Health and Social Services.

Ms. White: So, in following up with the education outcomes questions, could you describe CCOE’s plan or vision should schools vote to join a First Nation school board? I know, Mr. Leas, you had some points. How will the delivery of existing programs be affected?

Mr. Leas: This question is really critical, and it has arisen in most of our discussions with school councils and with parents. I think it needs to be recognized that there is a high degree of anxiety about change. From staff, we hear concerns about: “What’s going to happen with my job?” From parents, we hear: “What’s going to happen with the curriculum?” — which is going to remain the same — it’s from British Columbia — but “What’s going to happen with programming and what’s going to happen with my school generally?” Those are all valid concerns.

It really goes back to, I think, the very first thing that the CCOE has committed to, which is collaboration and which I spoke about earlier. When there’s a referendum passed that a particular school joins the First Nation school board, the trustees would be expected to enter into these community committee arrangements. That’s going to require some discussion with the affected First Nation and with parents from that education area.

That community committee, as I mentioned earlier, would include representation from the trustees as well as parents and appointees from the First Nation. That would be in addition to a parent advisory group. This community committee would be a body that we expect would have delegated powers that they exercise on behalf of the First Nation school board — certain powers including the selection of staff, evaluation of staff, development of the school plan, changes to programming, enhancement of language programs, and things of that sort.

This would really ensure, as I mentioned earlier, that grassroots would be in control of the operation and management of their particular school. So, that’s significant. That really speaks to the first step of collaboration, transparency, and inclusiveness in moving forward.

As I have mentioned many times in discussions over the past couple of months, certainly First Nations know what it feels like to be marginalized, pushed aside with your input not accepted for decades when it comes to institutions, including our schools here in the Yukon. It’s not something that we’re willing to perpetuate. We’re going to break that model — that precedent — and truly establish an inclusive, transparent process going forward.

Any change is going to take time. It’s going to be gradual. There will be change, but it will be gradual. We need to ensure that there are supports in place for that change. We need to

involve parents and ensure that there is a comfort level with that change and that people are well aware of it. That's a direction we see and those are the initial steps that we would see being taken. Thank you.

Ms. White: Just to follow up to that question just because of the Zoom call last night with the Takhini Elementary School community — one of the things that was talked about that I thought was really important was the assurance to educators who work within those school communities that the work that they've done is valued and will be honoured.

Can you just elaborate? What will happen to existing staff if a school community signs on and what that future might look like?

Mr. Leas: I would expect that there wouldn't be any changes to staff. You are correct, Madam Vice-Chair, that I think we all, as Yukoners, value the efforts and dedication of teachers. We want to support them. We want to ensure that they have the ability to deliver quality education to our children, that they have supports, and that they have the ability to do so. We really do see this as a partnership. It's not about cleaning house. It's not about moving people out. It's about reorienting, realigning the system to ensure that it truly does reflect the diversity of learning of the various students.

Ms. White: Excellent. Thank you for that. So, what are the CCOE's thoughts on the Department of Education programs available through the Early Learning and Child Care department — you touched on that — to prepare students for school and later academic success? How can the Yukon First Nation Education Directorate and the CCOE help promote awareness, enrolment, and participation in these programs?

Ms. Bennett: The CCOE completely agrees that early learning is of the utmost importance. The early years are critical in a child's development. A concerted focus to ensure that there are culturally based learning opportunities is necessary.

Although early learning has more recently moved to Education, we have not seen anything that is focused on a culturally based K to 4 programming, other than the expectation of embedding First Nation ways of knowing and doing into the curriculum. To be very frank, there is no curriculum developed for the K to 4 programming. It is just going to be a kindergarten programming. The difference between a four-year-old and a five-year-old is significant. There has not been due diligence toward developing that curriculum, and we strongly feel that it needs to occur.

Helping to promote the awareness requires a dynamic, genuine partnership. I will acknowledge completely that we have been working with the ADM of Policy and Partnerships to support Yukon education, utilizing the early years culturally based training model that we developed in partnership with MFI and each of the communities that we are serving in that. We are trying very hard to get an accredited program. It is accredited to our standards for RYFNED early years employees to receive their ECE level 1. Current legislation in Yukon has a discrepancy in the number of hours of that accreditation, and so we have been working with the Policy and Partnerships ADM, Kelli Taylor, to try to find a path with either Yukon University or the current Red River College that we work with to get the

accredited hours so that we would be able to provide and train any of those early learning folks with the beginning of ECE 1 and then further develop it in a culturally based model.

Mr. Kent: Like my colleagues, I would like to welcome the technicians here as well as welcome Chief Tizya-Tramm on the Zoom videoconference here today.

The first question that I have is with respect to the definition of "maximum potential" that was highlighted by the department in that they would develop that definition through implementing the recommendations of the review of inclusive and special education. I am curious if the Chiefs Committee on Education was able to play a role in creating that definition. If not, was there an explanation given to the chiefs committee by the Department of Education as to why they were not included?

Mr. Tizya-Tramm: Mahsi' cho. I can confirm that the Chiefs Committee on Education was not included in the creation of the definition, nor was it explained to us why we were not included. Mahsi' cho.

Mr. Kent: We will have the opportunity follow up with the Department of Education next week on that question.

I have a couple of questions now that are similar to my colleague Ms. White's questions on gaps and student outcomes.

I'm just wondering what role Yukon First Nations play in assisting the department in ensuring that alternative learning plans such as IEPs or SLPs, the supports, and the resources are made available to the schools and the communities involved with those schools.

Mr. Tizya-Tramm: In regard to the roles of the Yukon First Nations, it is the Department of Education's role to provide these types of services as mandated in the Yukon *Education Act*. There are a multitude of examples that Yukon First Nations have been providing unique programming at their own expense. The THFN's First Hunt, First Fish fall camp has been developed and provided by the First Nation through their own financial transfer agreement dollars. We have little knowledge of alternate learning plans or resources to address the even wider gap in achievement that has resulted from the COVID pandemic.

Again, part of a genuine partnership, First Nations are more than willing to share our understanding of First Nation educational needs and what supports are most effective, provide information about the YFNED work that has been successful, as well as the challenge that remains to be addressed and assist with confronting racism and creating the inclusive, welcoming culture that needs to be in place in each school.

Mr. Kent: Again, we've touched on this a little bit earlier, but I'm just going to give the witnesses the opportunity to maybe elaborate a little bit more. I'm curious: From your perspective, what gaps still exist in student outcomes? What additional supports are needed from the Department of Education to address those gaps?

Ms. Bennett: I'm going to ask, at this time, to just allow a little bit of extra time because this is a very comprehensive question and it involves a lot. It also assumes, in this question, that some gaps have been satisfactorily addressed, which they have not.

The gaps for our indigenous students occur early and we see them. One of them that we utilize to inform us is our early learning assessments. The other is our graduation rates and the achievement results that are posted publicly by Yukon Education — early learning being the Boehm in the early years, the EYE assessments, and the FSA assessments.

We had great promise after a long time of navigating to try to get an MOU — known as our “‘How Are You Doing?’ report” — for the CCOE and to receive that report in a timely manner so that we could make informed decisions on where our students are at. It is student aggregate data — it is not individual — but it provides us with a picture. In that picture, when we compare our First Nation students to our counterparts — non-First Nation students — we clearly see that it contains a larger proportion of students who are 18 years and older in the school system still. It displays more variability in cohort sizes, and First Nation students have considerably more absences and miss considerably more instruction over their academic career. A First Nation student is more likely to be on an IEP and they are more likely to access the Individual Learning Centre, which is an alternative learning environment. A First Nation student performs more poorly on the Boehm and EYE kindergarten assessments, and they also perform more poorly on our grade 4 and grade 7 foundation skills assessments. They are twice as likely to wind up on an IEP.

The five-year summary of numeracy was one of particular concern for myself, as an educator. In 2019, the Auditor General’s report provided a summary of that. The gaps are not significantly diminishing over time. Particularly, our grade 7 students in their numeracy skills gave me grave concern in 2019 when 51 percent of our students showed or demonstrated in their assessments that they were not meeting expectations in basic numeracy.

So, the question would lead there to: What were the interventions that were being implemented in grade 8 for those students? The answer is “nothing”. Those students are now entered into grade 10, and they have had to navigate through a pandemic. I am fearful of where our graduation rates will be in two more years.

Attendance data tells us that, by the time our students finish and do make it through grade 12, they have had two and a half years of missed days in total, on average. It isn’t just Yukon First Nations who exude this; it is also indigenous students from other areas, so it begs the question of engagement. Why are they not coming to school? We do not know if those questions are being asked at the Department of Education level to ensure that changes would happen to provide those environments or bring them into the learning environment so that they can be there. There is no concerted effort to do that.

As part of the review of inclusive education in spec ed, the Department of Education contracted Dr. Nikki Yee. That was a unilateral decision. The First Nations were not at the table for that decision. We fully acknowledge that a pandemic began shortly after the Auditor General’s report. We wholeheartedly supported Dr. Yee to work with the First Nations from YFNED in coordinating meetings. Some of them had to be over Zoom.

At that time, it was very difficult to have in-person meetings because the territory was completely shut down.

There was a secondary unilateral decision, which was to have an online survey, and there was a concerted effort from my shop and the Chiefs Committee on Education to engage the First Nations to partake and support them to fill out that online survey. It was our understanding, at the end of the review on inclusive education with Dr. Yee’s report, that we would be able to see the results of all of those surveys and hear back, in recommendations, how those would be addressed. We know that there were over 500 submissions on the surveys, yet they are not being utilized at this time to inform any actions moving forth.

We believe that they were used to inform Dr. Yee to complete her report. Some of her comments in there — several First Nations reported difficulty in working with the educational system in Yukon, and schools sometimes also reported struggling to create connections with local First Nations. Respondents reported systemic barriers, such as lack of interest on the part of the Department of Education to accredit cultural courses and an inability to connect elders and schools because they are not recognized by the teachers or as teachers themselves.

Based on the perception of educators, parents, guardians, Yukon First Nations, and advocates, it appears that student needs in Yukon far exceed the resources being allocated. These groups consistently and independently described how constantly fighting for student supports consumed all of their available time, energy, and resources, but they noted that children would not receive supports without this aggressive advocacy.

This one in particular really speaks to the mobile therapeutic unit that we have implemented and to working in the communities. Many students who graduate — and especially First Nation students — are not able to gain the skills in, for example, literacy and credentials like academic math, which are needed to enrol in post-secondary institutions. From multiple perspectives, respondents described deteriorating and lack of confidence in the ability of the education system to educate the students. I think that Dr. Yee put our own concerns succinctly when she observed that: “Generally, students experience low-quality education based on chaotic and disjointed structures in schools and across the educational system, and based on underdeveloped capacity among educators. Rather than support educators and students, DOE systems are a patchwork of policy that lack direction and purpose, and that are shaped by colonial assumptions. This system is rooted in a social context that continues to enable colonial relationships, especially discrimination against students with disabilities and racism toward First Nations students and Peoples.”

When I take all of those components and I think about the work that we do and the information that we have in order to try to bring change for our indigenous students, when I read our “‘How Are You Doing?’” reports, I know that I can confidently say that, of 10 of our indigenous students who start in

kindergarten, three will make it to grade 12; one will have post-secondary entrance.

We are at a time where it is my hope — I am going to use a quote from our chief — Archimedes said, “If you give me a lever and a fulcrum big enough, I can change the world.” I believe that we have the lever. I believe that our working together is the fulcrum. Thank you.

Hon. Mr. Mostyn: I have a couple of questions today on oversight. I would just like to follow up though, if I might, about the last thing on the gaps in the system. I have a question as well regarding the gaps in the system that are still to be addressed.

Can the witnesses please elaborate on the specific steps that the Yukon First Nation Education Directorate is taking to address these gaps and how the directorate is working with the Department of Education to address these gaps? I understand — you have outlined some of the difficulties you have had, but how are you working with the department? What specific steps is the directorate taking to address these gaps?

Ms. Bennett: I spoke earlier about our wraparound service model. That was developed in consultation with all of our Yukon First Nations on what is the best platform, from a cultural lens, to serve our indigenous students’ needs from birth on to being community members. So, we look at it as from cradle to community member.

Each of those departments that I spoke of earlier — the First Nation education advocates, the nutrition, the early years, and the mobile therapeutic unit — come from that cultural lens. How we are trying to implement that is in partnership with Yukon Education. I can refer back to 2020, in July, writing letters to the deputy minister to just have our First Nation education advocates be allowed to go into the schools. I still fly with Yukon Education to achieve time with their senior leadership to explain to them how the advocates should work, what their roles are, how they work with the First Nations, how they work with our students, and I am still met with, “It is not possible at this time.”

So, we have to try to navigate that, and that’s why I use the language “from outside in”. It is not always received as positive, because we think from a different lens. We have to create the platform as a true partner and allow for that with our indigenous students, because when we provide that for them, it isn’t just for them; it’s for all students.

I can refer to the multitude of camps that the advocates have provided in a series of schools across the Yukon that have benefitted all students in their learning from that cultural lens and our indigenous worldview. The platform has to come from the senior table. They have to lay it out there that it’s okay to do this, and you can’t do that by just saying, “We’re embedding First Nation ways of knowing and doing in the curriculum.” Curriculum doesn’t lead change; it’s a tool.

We look at ourselves as a tool as well — a tool to support the educators, not a crutch — and I want to be clear on that: a tool that will support the educator in their learning so that they can eventually do that themselves.

We believe in true partnership. I think that we have done a very good job of developing that with the Yukon Association

of Education Professionals, who have been very supportive of our organization — supporting any of the educators and the students in the schools.

Ms. White: Just as a follow-up to that point — I know that initially it has been pointed out by the First Nation Chiefs Committee on Education that the government-to-government relationships are forged and formalized and that they need to be forged and formalized for any real meaningful change to happen. Understanding that that has yet to happen, if that formalization was to take place between the Chiefs Committee on Education and the Department of Education, is it the desire then to see those education advocates become part of school communities and opened into each of those centres?

Ms. Bennett: Absolutely — 100 percent. That is the ultimate goal and I want to also acknowledge that we are not the only resource that has the same challenge at times. First Nations, out of their own FTA dollars, have CELCs, CSWs, and ESCs who work in the schools who all have the same goals that we have, which is support for all.

I do want to acknowledge that there has been a lot of work since the Auditor General’s report on the commission’s side to develop that collaborative framework. The challenge that we had in it was to take a very colonial mindset of a document that was literally a box of “This is how we are going to work together” and bring it to an indigenous lens. They worked very hard with their knowledge-keepers and elders to come up with a draft. We have one First Nation that is in its final consultation and I truly hope that when that draft is re-presented to Yukon Education, that they try to come from that same lens and don’t spin it back into the box, because that is a pattern that we saw in drafting the work plan for the review on inclusive education. It went from a truly cultural lens to a point where you couldn’t even see the word “indigenous” in it. It was only marked in two parts in the whole report.

We want to see that collaborative — I know that the commission members want that collaborative framework to be authentic and provide a platform in the lens that we think of as — it’s not about next year; it’s not about three months from now; it’s about seven generations from now. It’s the seven generations before us that we use to craft those.

Chair: Ms. Bennett, as chair, I just wanted to note for everyone that we have completed nine of 28 questions, and we have just passed the halfway point — just as a note for both witnesses and Committee members to recall.

Hon. Mr. Mostyn: It has been a really great conversation this morning, so thank you. I appreciate that. You have spoken an awful lot about the work of the directorate, and I am just following up on the previous follow-up question I had. Just to give me a sense of how big the directorate is, how many staff do you have at the directorate?

Ms. Bennett: I have to lay that one out a little bit differently just because of the way that the organization works. Some of our staff are actually working with the First Nations and in the community, because we implement the nutrition program. So, there are cooks in each of the communities that are technically employees hired by us. Our nutrition program is the largest, which has around 38 employees right now; it flexes.

I also have to front-load that with — because we are on 100-percent proposal dollars, all of our positions are term and they have an endpoint. We have to negotiate those funds annually right now.

That was only one unit. Our mobile therapeutic unit has nine employees; our First Nation education advocates have 16 employees and our early years — again, in the rural communities — in each of the communities, there are four that have early years in them, and they employ two early years visitors. We have six early years visitors and two coordinators in the urban areas. One of those coordinators serves the rural areas. Then, at the corporate organizational level, we have nine employees.

Hon. Mr. Mostyn: Moving on then to oversight, would the Chiefs Committee on Education foresee any difficulties in capacity to handle tasks such as tracking completion of teacher evaluations and monitoring the results for schools that choose to join a First Nation school board?

Mr. Tizya-Tramm: The Chiefs Committee on Education welcomes the opportunity to help teachers develop and support their skillsets. It is important that any completion of teacher evaluations be done in partnership with the Yukon Association of Education Professionals. The CCOE has established a strong partnership with the YAEP.

Teachers are professionals. They look to hone their skills and improve their practice every day. For many, teacher evaluations have been seen as punitive — something to be feared and avoided. This is contrasted by First Nation culture, which is built around learning and the framing of individuals' experiences in discerning teachings from their environments. Our very culture is a teacher and us its students. We feel all Yukoners could benefit from this, especially the empowerment of the teachers across Yukon, whereas today, most school administrators, burdened by the day-to-day minutiae, are often unable to accurately assess or support either the teachers or their evaluations. In fact, many Yukon teachers have not been evaluated in years.

The CCOE is committed to supporting best practices throughout the Yukon. The CCOE and the YFNED, as part of our own staff and workplace assessments, are developing a strength-based evaluation that we could adapt and use with schools administered by the First Nation school board. It would be very similar to the personal growth plans that the Department of Education rolled out, but we are more likely to have the resource to administer the evaluations and then provide the necessary supports.

Hon. Mr. Mostyn: Does the Chiefs Committee on Education have a framework in place for their own approach to school growth planning policy?

Mr. Tizya-Tramm: It would be very helpful for First Nations to be part of the revisions to the school growth planning process that Yukon Education has indicated that it is embarking on, as First Nations believe that each school in the new First Nation school board will need a plan of action that guides the work.

The priority of the First Nation school board will be to have each school, through their planning, meet the needs and

aspirations of each child in a socially, culturally, emotionally, and academically inclusive environment. As the school board comes together with the schools, their plans will be developed. At this time, we can confidently state that the growth planning will be based in an indigenous philosophy and cultural lens which lends itself to breathing life into all new areas in traditional academic systems. Many studies will show that the human brain does not only pertain to such rigid avenues of learning, but moreover, we feel that, through the blending and union of our systems, we can be a leader in Canada with the newer education system.

Hon. Mr. Mostyn: Perhaps as a follow-up — and maybe Mr. Leas would have some context for this on the First Nation school board side — do you have any idea if the Yukon Teachers' Association's collective agreement would have to be changed or altered in any way to allow third party assessments of teachers within the system? Have you looked at that at all?

Mr. Leas: Thank you for the question. No, we have not looked at that, although it is our understanding that we would be bound by that agreement if there is a First Nation school board and it operates the schools. We are committed to working with teachers and their representatives in accordance to the existing laws and agreements that are in place.

Hon. Mr. Mostyn: Still on oversight, what accountability mechanism does the Chiefs Committee on Education or the Yukon First Nation Education Directorate want to see put in place for current program changes for students so that the required opportunities or interventions are adequately implemented and tracked for effectiveness in improving outcomes?

Ms. Bennett: Accountability mechanisms we would like to see are both quantitative, such as grad rates, and qualitative measures, so school inclusiveness. These should be a part of any accountability mechanism that focuses on students and work of the schools, as well as work of the Department of Education. Such measures have to be agreed upon, so targets, timelines, and milestones established and made public.

Additionally, there need to be processes and procedural internal accountabilities at the department. For example, to what extent are the special education procedures and supports actually in place and functioning in each school? It is very difficult to figure out that information and to find it. When you try to access it, it is generally met with a myriad of processes and/or barriers to access it and constantly puts us in the position of obtaining the information in a negative way, in our view. We need to do that work in a good way, because it is about developing learners.

The recent IEP — one of the things that we really paid attention to in the IEP — the commission members virulently disputed when the Department of Education reported the change in the IEP process that resulted in a significant drop in indigenous students on IEPs. At the same time, we are advocating that our students should not be so easily identified as needing an IEP — so, a very fine line to walk. We were pleased when there was the request to have the reinstating of the IEPs, but even that process was flawed. What was reinstated were those students who transitioned to a learning plan. What

was not reinstated was those students who were dropped from the IEPs. Not all parents were contacted about the reinstatement of the IEPs; not all parents were contacted about the change in the IEP process.

Those accountability mechanisms are all about that agreed-upon method, and that is probably of utmost importance.

Chair: The next questions will come from me.

From the perspective of Yukon First Nations, CCOE, and the Yukon First Nations Education Directorate, what needs to be done so that the department will be transparently accountable for the implementation and effectiveness of any planned changes in response to the needed collaborative work on the themes that have been identified?

Mr. Leas: The basis of any accountability is open and honest dialogue and a commitment for assessment of progress that is made with respect to each of those matters, with respect to proposed changes and how they are implemented. That also means moving away from resistant to change, resistant to considering new approaches, and to embrace partnerships, even if there are critical comments. This relationship needs to be frank and forthright in their assessment.

We can be respectful, but we can disagree — but we need to work together on a way forward. This transparency would foster a dialogue that is much more constructive to deal with matters, rather than a defensive posture of opposing or dismissing or marginalizing comments that they would deem as critical.

What specific measures? We have three. Firstly, the Department of Education needs to share data — that is critical — the raw data. We don't need it interpreted by somebody; we don't need it put through a washing machine. Let's share the data and be honest. The data will reveal — sometimes it's difficult to look at those numbers, but we need to understand what the challenges are.

Secondly, the Department of Education needs to share information about planned changes that affect indigenous students before those changes are implemented. Ideally, we would like to be part of the development of those changes, but certainly, we don't want to learn about proposed changes after they have been implemented and then we are dealing with triage situations of running around trying to minimize impacts.

Thirdly, the Department of Education must clarify how responses they plan to make are designed to improve the achievements of indigenous students. We hope that's based on collaborative work that honours indigenous perspectives and is not any form of tokenism but rather a true partnership, as we have repeated over and over this morning.

Chair: Thank you, Mr. Leas. To build on that, the next question is: What challenges has the CCOE faced in accessing data from the Department of Education and what are the repercussions of this lack of shared data?

Ms. Bennett: We have had repeated requests for data from both the data working group from YFNED and under the First Nations Education Commission, through the MOU established by the CCOE. In April 2021, on behalf of CCOE, FNEC and YFNED submitted a detailed request to the department for data with respect to the educational performance

of Yukon indigenous students. The purpose of this request was — and continues to be — to seek data showing improvement in student achievement, to highlight issues of access to programs for indigenous students, to clarify the department's interpretation of data in the "How Are You Doing?" reports, and to hold the Department of Education accountable for meeting its commitments, as expressed in the data working group's MOU.

To date, I will say that we have not received any responses on that, other than from their data analyst that we developed a strong work plan for him. It was frustrating. Without this data, it's impossible to determine what actions need to be taken and what needs to be in place to remediate the gaps.

But one of the things that we really want to look at in the data is: Where are the strengths? Where are the strengths that we can build upon? We are in a system that has a deficit model and we can't keep looking at the deficits of our students. We have to look at what their strengths are and build the story from there.

Without having clear access and transparent access to that, we can't do it. What we get is filtered aggregate data, and they do not want to sit down and look at — as my colleague noted — the raw data with us when we really already know the picture. That's what true partnership is. We don't need it to be vetted, where we just have to look through it and it goes through the system. We need to be able to sit down with their folks, look at the raw data, and find those things that we know are in there somewhere in our children and build upon it.

Chair: Thank you very much, Ms. Bennett. The next question is: Has the CCOE been able to work with the ADM of Policy and Partnerships to review the MOU, addressing dates, timelines, and deliverables to ensure that they address data requests?

Mr. Tizya-Tramm: Thank you, Mr. Chair. Working on the data aspect of the work has been a different story and highlights the need for a standard approach based on the concept of partnership and the confirmation of the government-to-government relationship. The education team from the Yukon First Nation Education Directorate has made several of these requests for the data on K to 12 outcomes, as well as revised the MOU for the data working group. However, there have been several instances over the past 12 months where the Department of Education has been unable to meet, provide data, or provide an indication of when the data will be received.

The CCOE and the First Nations Education Commission have been very understanding of the challenges that the pandemic has brought in regard to completing the deliverables of the "How Are We Doing?" report. It must be clear that the "How Are We Doing?" report is aggregate student data that does not infringe on ATIPP protocols. Data should be dynamic and utilized to inform decision making. This is difficult to do when the data is not received in a timely manner.

Currently, the process of internal vetting does not foster a transparent partnership. More recently, we have heard of school profiles provided to schools with access to data dashboards. CCOE has not seen the same concerted efforts to the MOU that encompasses the "How Are We Doing?" reports. Mahsi'.

Ms. White: I have just a clarification question both for the Committee and the witnesses: If we are unable to get through the questions today, would the witnesses be open to supplying open responses so that we could share them publicly on our website?

In reflection of that, my next questions are — well, we are supposed to have multiple questions around Yukon First Nation culture and language. I am going to cut it down to one in the hope of moving forward and going on.

My question around that is: How does the Department of Education, partnered with Yukon First Nations, help determine language goals in specific schools as per the recommendation response from the Auditor General's report?

Mr. Tizya-Tramm: We have not had the opportunity to help determine the language and specific goals for specific schools as per the recommendation and response from the Auditor General's report. As the YNLC is now under the jurisdiction of CYFN, this is ultimately work that should be discussed and developed with CYFN and the Yukon Native Language Centre.

The CCOE, in support of the ethnic resolution, directed the YFNED to seek funds that would support revitalization of Yukon First Nation languages. As noted in our submission, YFNED acquired \$763,000 in funds to support Yukon First Nation language initiatives. The funds were provided to CYFN to determine expenditures. Mahsi' cho.

Ms. White: Thank you for that response. I am going to skip ahead actually to question 20, which falls under the submissions that were specific to the questions. The CCOE and the YFNED had the opportunity to submit a response. Before I go on, I really want to thank you for the layout, because what we saw was the witnesses respond to the Yukon Department of Education's response to the question. It was very clear.

My question is: In your submission to the Public Accounts Committee, the CCOE said — and I quote: "The recent Review of Inclusive and Special Education (RISE) Summit reiterated for us that the DOE is seeking superficial approval for directions already determined internally."

Can you please elaborate?

Ms. Bennett: One might see the review process as consultation simply for the sake of consultation. First and foremost, the students should be at the centre. I'm going to say that again: The students should be at the centre of the work. The current work plan demonstrates a lot of stuff for adults to do, but it does not indicate the important how and when changes will be implemented for the students.

The RISE participants have noted that the process has been very top-down, with very little room for engagement, with only minimal response to community concerns. It has been frequently pointed out by First Nations and non-First Nations that the department's response has been bafflingly bureaucratic with few real changes. It appears that the department identified the issues they were comfortable focusing on but have not been able to incorporate the broader community concerns: starkly depersonalized, limited child or indigenous focus. As I said earlier, the word "indigenous" in the ending work plan we had was in one spot.

The deliverables that we really tried to champion and focus as deliverables became confused with tasks. The DOE confused metrics with deliverables. At the beginning of the process, after concerted efforts to say we need, after the June 1 — there was the ceremony — and in June, we were expecting, after seeing that report from Dr. Yee for the first time that morning, all of the participants of that ceremony to be part of the development of the plan moving forward, and we were quickly told no, that there were partners that would be but no stakeholders, which left out some really key people who work with our children every day: LDAY, Autism Yukon. Those are partners. It was from a list that the Department of Education had formed to identify who were stakeholders and who were partners.

We then pressured, under the direction of CCOE, to continue the work and not wait, and with reluctance, it was moved forward in a haphazard manner and then appeared to be nearing the end where we thought we had a workplan that we thought would then be put forth. We were told that would not be the plan that would go to the minister; it would be utilized by the Department of Education's senior teams to inform their workplans and that a different plan would be going to the minister.

That was very difficult information to receive after we had to advocate that there were certain folks — and it was decided by the Department of Education that the two partners that would develop that plan would be the First Nations Education Commission and the Advisory Committee for Yukon Education, which is made up of a number of partners, and all of those were not always at the meeting. They were often forgotten to be invited. We did finally push for a separate meeting to happen with the First Nations Education Commission's two representatives, as they had been forgotten on the list for most of the meetings — to then find out that the plan was not going to go forth.

The summit did not come close, in our view, to achieving the objective. After working to develop that plan, there was to be a review of inclusive and special education summit. It had to move to a virtual format, but it wound up being long and lengthy in speeches from dignitaries talking about special education to a very rushed — at the end the day — to be split into community-of-inquiry groups in a virtual manner, which was an epic failure because the Zoom invite didn't work. It was not well-thought-out, but the community of inquiry decision was fully a unilateral decision. There was no consultation in that; there was no discussion in that. They were a community of inquiries that were decided by the Department of Education, and they had already decided on who would be the lead on those community of inquiries.

The challenge we have from the indigenous population is that, after having almost a year and a half of consultation with Dr. Yee to provide that report, we now feel like we are back in another "You are going to come back and consult with us".

Although there is promise with the community of inquiry approach, it is a long and lengthy process and brings us back to the same problem of: What is going to happen now for the students? Again, I'm thinking in my head of those grade 7 students who are now in grade 10. What is going to happen for

them if we continue to go back and consult and ask? There are too many communities of inquiry. We already are taxed in capacity, and now there are multiple meetings.

One of the asks in the workplan that the entire committee steadfastly stood by was to have a person who would be — so that this would not be done off their desk — a point person to ensure that all of the components of the review of inclusive education would be maintained and all of the components of the workplan would be maintained.

The first initial proposal from Yukon Education was a person from Student Support Services — the very department that was going to be reviewed. The entire committee steadfastly disagreed with it. The department unilaterally appointed a person — her name is Kendra Black — and also found out, at the end of the development, that not only was it not going to be the workplan that would be submitted to the minister but that Ms. Black would only report to the deputy minister and would not report back to us.

There was a commitment to have the committee come back together for December 15 and follow up on the plan. It has not happened.

My gravest and I believe our First Nations' gravest concern is that what we are seeing are patterns of what we had seen in our 2009 Auditor General's report. We are at huge risk of nothing being implemented.

Ms. White: My natural inclination is that there are 4,000 follow-up questions to those statements, but we are on question 21, and I am going to stick to that for now, but I'm hopeful that we can add some written ones when we submit.

What work do you want to see done by the Department of Education to develop and implement a meaningful and fair approach to collaboration with education partners, staff, students, and parents in the schools?

Mr. Tizya-Tramm: It's very simple. The Chiefs Committee on Education wants an open and transparent approach to change processes jointly led. Communication must be inclusive of all, including parents, communities, and public. We continually hear of the department's business plan that informs each ADM's workplan and department. The business plan is not publicly shared and/or consulted on with Yukon First Nations. We feel that the Auditor General's report is clear, and it's enough to incite the level of partnership across communities, First Nations, and parents to pull our students out from a deficit. These are some of these minimum requirements.

Chair: Thank you very much. I would just add some colour to the Vice-Chair's comments. We are just about at 11:30 a.m., so we are tight for time, but just another reminder to the witnesses and the Committee itself.

Mr. Kent: I just wanted to step back and discuss the recent RISE Summit. This is question 22 that we are on.

The Chiefs Committee on Education suggested that the recent RISE Summit focused only on what the department believes was going well. It was pointed out by the chiefs committee that recognizing both successes and challenges provides a well-informed opportunity for growth and improvement but that there was little or no acknowledgement of what is not being done or not going well. I am curious if you

wanted to elaborate a little bit on what the chiefs committee feels is currently not being done or not going well.

Ms. Bennett: The Auditor General's report outlines concerns about the system, as well as the organizational structure of Yukon Education, the inability to communicate or collaborate honestly and effectively, the need for immediate change, and the need to develop a functional partnership with First Nations. The CCOE continue to have concerns in each of these areas and are eager to work with Yukon Education to address them. Obviously, as I have stated before, there is great benefit to looking at a strength-based approach, but a review needs to be realistic and actively invest resources where they are needed. That can only be done if the review is accurate and realistic.

The current system is a deficit model and focuses on what students are unable to do. There are unlimited opportunities if we look at the strengths of the students and the system to support the learning. Utilizing those strengths to address the gaps is one small step that could occur.

We also believe that there would be a benefit from a true third-party assessment. One of the things that we really look at for the Auditor General's report, and would put forth as a recommendation to the Office of the Auditor General, is the ability to have an accountability position placed to ensure that we aren't going to have a repeat of 2009. We don't want to be back at this in 2029. That is one thing that we think would be a positive accountability mechanism and an opportunity to think from a different viewpoint.

Mr. Kent: The next question I have is with respect to the school growth planning process. I know my colleague Mr. Mostyn asked about this earlier, but it looks like the department is expecting that review of the school growth planning policy to be done by the end of the 2021-22 school year — so, the end of the current school year. The chiefs committee indicated in their submission that, to date, there has not been any discussion of that school growth plan process with the CCOE or FNEC to address this direction. So, I'm curious; since that has not occurred, what would you like to see from the Department of Education on this topic?

Mr. Leas: Thank you, Mr. Kent, for your question. You are correct that there has been no discussion between the Department of Education, the Chiefs Committee on Education, and YFNED on the proposed school growth plan.

What we would like to see? Again, partnership and collaboration in the review process. That includes an assessment of the current processes and, in particular, focusing on areas that we need to improve on — what is not working.

We need to have an opportunity for flexibility in those revisions so that the issues of each individual First Nation can be addressed. As part of that, we need capacity building and resources to actually do this work effectively and carry out the assessments annually to help each school move forward.

In order for this to be successful in the long term, we need it to be sustainable. We recognize that change takes time — certainly more than a year — especially in rural schools where there is a high degree of turnover, in many cases. We need to

ensure that there is some continuity there to ensure that plans are implemented and that progress is being made.

Mr. Kent: Again, as part of your submission to the Committee, you noted some concerns around the spiral of inquiry. I just wanted to give you the opportunity to elaborate on concerns highlighted about the Department of Education's decision to incorporate the spiral of inquiry.

Ms. Bennett: The community of inquiry, the spiral of inquiry process, with regard to the review of inclusive and special education, have led to further discussion and consultation on issues that have already been outlined and highlighted by Yukon First Nations. That process was unilaterally decided upon by the Department of Education. It may be an excellent process for a longer term strategy, but it is time-consuming, and the lack of success of First Nation students is an urgent issue.

There must be immediate action to support our kids, many of whom are further behind because of COVID. To date, there has been little demonstrable action that impacts students directly. Rather, there has been a large focus on further meetings, conversations, and discussions about what the issues are despite numerous reports that have stated long-standing issues experienced by students in the K to 12 system across the territory.

The community of inquiry is an excellent process for self-reflection. Unfortunately, it is more discussion-oriented and tends to lead to very few specific, meaningful, and systemic changes in behaviour processes; it supports a decentralized organizational model that allows teachers considerable freedom in their planning and targets the needs they identify, but it comes at the expense of system-wide mandates and accountability.

Also noted by the DOE, as part of the review of inclusive and special education, there was a report completed by Dr. Yee, and there was an online survey that was completed over a number of months with more than 500 submissions. This was an extensive consultation process, and many Yukon First Nations are asking, "Why do we have to go through another consultation process through the community of inquiry?"

Mr. Kent: I am going to combine questions 25 and 26. I know that my colleague Ms. White asked a little bit about this earlier.

In your submissions, you had emphasized the need for true partnership with the department in order to help it meet the targets set from the Auditor General's report. In the Chiefs Committee on Education's view, what does the successful partnership on inclusive education and the implementation of Yukon First Nation ways of knowing, doing, and learning look like? What roles do you see the Department of Education, the Chiefs Committee on Education, and other partners and stakeholders taking in that work?

Mr. Leas: This is a complex discussion, and we could talk about it all day, but I am going to summarize some key issues. A true partnership is something that is absolutely critical, which we need to establish between First Nations and the Yukon government, but it is something that takes time; it has to be fostered, it has to be nourished, and people have to be

committed to it. Here in the Yukon, we have a framework for those First Nations who have treaties as to how that relationship is going to grow over time. For those First Nations who don't have treaties, the same principles would apply to them in a context of a government-to-government relationship.

When we talk about government to government, we are speaking about recognizing First Nations in the Yukon as governments representing constituents, having powers, having obligations, and having responsibilities. We are not stakeholders. We are not a group you consult with to get our point of view, go away, and come back and tell us what you are going to do. We are not a group that you engage with to simply tell us your plans. What we speak about is a commitment to working with us to make the changes to provide, in the context of education, the best possible most effective means of education of our children. We need to be part of that decision-making process; we can't be standing on the sidelines.

When it comes to a relationship in the context of education, it is complex. We all know that, or we should know that today. There is a complex, historical, painful relationship that First Nations have with education. All the aboriginal people in this room are legacies of a residential school system. It is a system that we are well aware of — or, as I said, should be — where our parents, our grandparents, our great-grandparents, uncles, aunts, and everybody were taken away at a young age and, in many cases, were subjected to horrific abuse. They were stripped away from their community identity with an objective to assimilating aboriginal people into mainstream.

Nonetheless, and despite that history, education is valued by our communities. People are held in high regard who are committed to education and who achieve, despite obstacles, success in the current system. One of the biggest events in the Yukon for Yukon First Nations is the annual First Nation graduation ceremony. It has been going on for almost 50 years now. It is an acknowledgement from our people and our community — everybody — that has become a very cultural ceremony recognizing the value of education. Those young people become, and are, the leaders and role models for our community, both young and old.

What do we need to do? We need to be sensitive to that. We need to understand that and be committed to doing something different, to working with aboriginal people and working with our governments, to accept your responsibility and offices, decision-makers in the context of reconciliation. We think a successful partnership would bring First Nation achievements at all levels, increase it, improve it, and ensure that racism is consistently addressed. There would be work to decolonize the system. It is difficult when there isn't even a recognition that we do have a colonized system in the Yukon and that we continue to perpetuate it. I'm not here to allocate blame or point fingers, but it's an issue that we need to address together.

We need to ensure that parents in First Nation communities begin to trust the system and that positive constructive relationships are being built.

We all go to the communities. I'm sure a lot of your constituents are comfortable going to the schools, meeting with

the principals, dropping in to talk to teachers. That's not how it is for a lot of aboriginal communities and a lot of aboriginal families. It's an intimidating process to go through the doors of a school to talk to a teacher, to talk to a principal; those are challenges that we need to address.

We need to ensure that programming is inclusive and culturally relevant, and we need to ensure that leadership and decision-making is shared and that progress is openly and fairly evaluated. We need to ensure, in any successful partnership, that all parties feel that they are contributing and that they're valued and that successes are acknowledged but also that concerns are acknowledged as well. We do not need a system where a consultation box is checked off and we say, "Okay, we've done that" — or an engagement box is checked off and we say we did that. It has to be a lot more than that.

In terms of moving forward, I can confirm — and I hope that this is the main message that we're delivering today — that we're ready. We've been ready for 50 years to undertake this work in collaboration with you. We hope that's the case on your side as well. I think it is. I think we've made some progress on the First Nation school board, at least initially. I'm hoping that we're developing some momentum going forward.

It is imperative that the department reorients itself and makes a shift to be, as my colleague said, more focused on children — a child-centric focus. We cannot allow political or bureaucratic paralysis to impede our progress. We need to be honest, not overly defensive, not rigid, not inflexible. There is a requirement — there is a need — for institutional change, systemic change — really, a paradigm shift.

The things that we would suggest are really basic:

Firstly, that there is a true commitment to honestly and truly considering change as to how we educate our children.

Secondly, to maintain communication. While there have been some improvements that I think we need to acknowledge on the part of Yukon government — for instance, we've had department officials come more often to the Yukon First Nation Education Directorate offices; I think that's a big step. We need to continue to do that. It's a small step, but it's a step in the right direction.

Lastly, we need to be open and aware of cultural and colonial blind spots. It's hard for people to acknowledge and recognize that when you're not sitting in our shoes and when you don't have our experiences or have had our family members have those experiences. We should not expect that you are aware of them, but we do expect you to work with us to address some of those issues that are so incredibly troubling and intimidating and, quite frankly, can derail entire lives at a very young age. Thank you for the question.

Hon. Mr. Mostyn: I have a question that has to do with the action plan. Your submission to the Committee noted that you have worked directly with the Minister of Education and the government in developing an action plan to develop more immediate support for change and create more sustainable initiatives for indigenous students in the K to 12 system.

Can you please tell us a bit more about the action plan process? What kinds of initiatives were created and what is the

impact that we are seeing from this collaboration that you have acknowledged in your submission?

Ms. Bennett: Thank you for the question. The action plan was created in recognition of a minority government and having an 18-month plan — let's make sure we get some things done — and a commitment to that. In reviewing with the Chiefs Committee on Education priorities — what they wanted to see move forward — one of the actions in that plan was the review of the ADM of First Nations Initiatives. There was huge, huge hope and promise in effecting some significant change that you have heard us talk about here in building relationships and collaborative work.

Unfortunately, in the implementation of that position, it was not happening and there was quite a bit of frustration. The person who was in that position left the position. There was an opportunity there for Yukon Education to then come back to the CCOE and say, "What do you want to do now?" Instead, they appointed an interim person without even talking to the Chiefs Committee on Education, even though that position was established jointly with the Chiefs Committee on Education. It was fraught throughout. There was an expectation from the chiefs that, after six months, there would be a review of how the position was doing. That did not occur, despite the request to have it. Then ultimately, a year and a bit down the road, the Chiefs Committee on Education were told that there are HR practices that would impede them being participatory in any reviewing of that position.

Some of the accountabilities in that position they were looking to review are: How is the expenditure of that budget happening for that department — the First Nation Initiatives? How can they work together with the First Nations and utilize that? There was no accountability back to it in any way, shape, or form. That was one of the top priorities. We are still, I would say, currently working on that plan. The regular dialogue and meetings have shown great promise, we think. Obviously, the concerted effort toward the First Nation school board has shown great promise to us as well.

I am very pleased — and I think that my colleague Daryn would be pleased — to say that working with the folks from Yukon Education — ADM Ryan Sikkes and the director of policy, Richard Provan — has been going very well. We do have to acknowledge Elections Yukon. They have been champions in getting work done and supporting the implementation.

As Mr. Leas has alluded, some of those conversations — as you know, Ms. White — are difficult. You have to have a team effort and it is an agreed-upon agreement between Yukon government and the Chiefs Committee on Education, so you need to move forward in that united front. I think that this is one example.

One of the things, I think, in that — the utilization of what we do in that agreement — it is called "best efforts". Each of us put our best efforts forward. That is a legal term of the highest standards. When you utilize best efforts, you are holding everybody to account in the highest standard possible. I think that, right now, what we are doing with the school board agreement is achieving that and we are going to continue to

move forward with that. Now imagine if we could do that across the system — I think that it would bring significant change.

Some of the asks in that plan have not been able to be worked on. The assigning of myself as the executive director — we have had a few meetings with the ADMs. They have basically been updates and we have agreed to become more strategic in how we do that. Our hope from our level is that it's going to form the partnership that we require to advance the work forward in education. At the senior education tables, that has not happened. We have been unable — there has been a financial ask in the budgets for explanations to obtain core funding for YNLC and YFNED, but we have been unable to achieve that. There has not really been any concerted effort to answer our requests.

The information that we receive — and that is public information and our questions are based on that — on what FNI's budget is, on how it's being allocated and if there are opportunities in there where we can look to that — this has not just come from this table; it has also come from the commission's table. Those have not been met. Then our deeper dive into the data MOU has not been met.

The action plan was put forth in an environment of: "We have a short time frame and a new minister; let's move this forward and develop it to try to be done in 18 months." We're now halfway through that. We're not totally hitting all the marks yet, but we are working toward it.

Hon. Mr. Mostyn: All right, question 28 in your submission is — the Chiefs Committee on Education noted that, "Prior to 2019, there were no funds assigned for the implementation of the JEAP." The chiefs committee went on to mention that, although the amount was insufficient, in their view, to implement the changes outlined in the joint education action plan, the Department of Education had assigned \$300,000 to the initiative.

Can the Chiefs Committee on Education describe the contrast between prior dealings with the department before 2019 compared to the time since the report was released? What positive steps have been taken by the Education department? Where does the Chiefs Committee on Education feel the department could be doing more?

Ms. Bennett: Previously, the joint education action plan received funds that were for meetings for the First Nation Education Commission to come together to meet, draft, develop, and then — the hope was — to implement the joint education action plan.

The work between 2012 and 2014 was very intensive on all First Nations' parts. We have 14 First Nations that all have representatives there. It was a trilateral table and it was very in-depth — drafting that plan and coming to agreement of what it would be and the four pillars in it.

In 2014, when the JEAP was drafted, the next step was to develop an implementation. There were no funds attached. There was a lag from 2014 to 2019. That's five years of: "You can come together and talk about the plan, but you don't have any funds to implement the plan."

A lot of the things that are in that plan were actually being implemented by the First Nations utilizing their own dollars in recognition that their kids can't wait anymore. So, \$300,000 — after the Auditor General's report — was very graciously and happily received by the First Nations Education Commission. The process to that is that the commission, on an annual basis, will decide how those funds are allocated and what action items out of the joint education action plan will be worked on.

In looking at what we have for data, I can comment on the last year. There were two really critical ones that they looked at. One was our very high identification results in early learning. They tasked the work with supplemented funds from proposal dollars that we achieved and the \$300,000 for the implementation to do an environmental scan to see if there are any culturally based early learning assessments that could be utilized in the early years for our indigenous students across the territory. That work was completed and moved forward to — we now know that there aren't any, but there are a lot of adapted ones that we are considering drafting or working toward drafting one that reflects Yukon. All of this goes back to the commission table.

One of the other successful items was the other end. I am bookending the K to 12 system intentionally. A lot of our students and parents did not understand the components or the requirements to graduate. We did an environmental scan across our parents, families, and educators, and we were shocked to find out that actually a lot of educators did not understand the components to what was required for graduation.

The commission directed us to develop a graduation tool that would serve our students and our parents. In doing that work — and trying to work with former folks who had worked in education and were skilled in this and folks in education — we were very proud — the commission was elated at the fact of having a graduation tool. I have brought a copy. We developed one to go to all of the administrators and educators, and we developed one for the parents and the students. Unfortunately, upon review from Yukon Education — we have put a frank paragraph in there that just states the truth, which is that our children are challenged in the current system, that we need to have the supports, and that we need to do that to the benefit of our indigenous students.

It was viewed as too harsh on Yukon Education, and we couldn't give it to the administrators and/or the educators. We have distributed it to all of the First Nations, who have readily received it. Unfortunately, some administrators and educators are hiding them in their desks to utilize, informing their students.

We are continuing to advance that work, because our youth, who are sitting in the gallery right now, said: "Good first attempt; now make it an app", and we are working toward that. All of that from those funds and what we have supplemented it with, with our research and innovation proposal dollars, is decided upon by the commission by consensus and moved forth in that manner, and we report back to the commission on it. That is a really good example of a model that Yukon Education could look at in the processes that they utilize to develop new

programming to implement change, that go and work with the First Nations and build that consensus with them.

Chair: Thank you, Ms. Bennett. It is now 12:01, and so I am respectful of the time that witnesses have granted to us. We do have a bit of a hard stop in about 10 minutes, but if you are willing, we just have a few concluding remarks, if witnesses are able. The first one — I wanted to give an opportunity for Mr. Pillai to ask a question, because he is appearing virtually. So, I will turn it over to you, Mr. Pillai.

Hon. Mr. Pillai: I just want to apologize to the witnesses about the current situation I am in. I have had a close contact, so, following isolation rules, that is why I am not with you today in the Assembly.

Just listening to this, there is a lot of — when we talk about the collaboration between both your team and the Department of Education, when we think about educational reviews and oversight for teachers and hiring practices, I just wanted to get a sense — maybe from Ms. Bennett — what are you hearing from the department when it comes to challenges in some of those processes, based on the policies of the collective agreement? I know that we have worked together before, and you have worked for the department for many years, and we are part of that agreement. Does that become a barrier that needs to be looked at — the actual collective agreement with the Yukon Teachers' Association — in any way?

Ms. Bennett: I can confidently say no, it has not been a barrier. We're proud of the fact that the commission has developed a relationship with the Yukon Association of Education Professionals. One of the challenges, I will say, that does come in is that there was an agreed-upon — from the commission table, that if there was any hiring of educators and administrators, that they could be invited in from their community to participate on the hiring committees. The barrier, or challenge, that came was within the HR practice from the Department of Education, which became very haphazard. It was originally designed as a very clear, succinct process where the chair of the commission would receive a request to have First Nations representation on the hiring committee, and then the chair would filter that to the commission members and acquire a representative who would speak to whatever area or department it was coming from.

An example that recently happened was a superintendent hire at the Department of Education. The commission asked: "What areas will the superintendent be covering? Which regions, so that we know and we can allocate the appropriate person?" That didn't happen. It makes it challenging, because then you can have someone who is an urban First Nation representative who is consulting in an HR process for a rural area and doesn't have any understanding of that. That really has been the only challenge, and to build that relationship, I think that we have. Really, it's in its infancy with the Yukon Association of Education Professionals, and it has a lot of opportunity, and both parties have had willingness to do that.

Chair: Thank you very much, Ms. Bennett. We have time for maybe one or two questions left between now and the end. I may rudely cut people off at certain times. I apologize in advance, but I know that Ms. White has some follow-up

questions, so perhaps I'll allow one from Kate and then if Mr. Kent has one as well.

Ms. White: Maybe if we go back to the more formalized framework for the government-to-government relationship, in the initial opening that was sent to us, that was actually something that was highlighted on multiple occasions, that until that agreement is formalized, it's very hard to move forward. Can the witnesses share with us either what their expectation is on a go-forward basis or things that have happened and that need to be built on? How do we, for example, as elected folks within the Yukon government system, support you representing this new way — well, hopefully, this way that we embrace what should have happened in the past but what will hopefully happen in the future?

Ms. Bennett: There was very much intention on this. The Auditor General noted that a collaborative framework should be redeveloped, because that work initially started in 2016 with the First Nations Education Commission. It had concerted effort with all of the First Nations — their knowledge keepers and folks in education — where a draft plan had been completed. It was entitled, "This is the way in which we do our work." It fell off with not having anything to implement, so the Auditor General had picked that up in the review in going through everything. We were very optimistic to see and intentionally went back to saying that it's collaborative.

When you are in a collaborative relationship, it means that all parties will come to the table. They will all have their own opinion. They will all have their own ideas, but it does not mean that one idea is enforced upon another. We are going to come in with that idea and fairly, honestly, and openly express it and discuss it and then hopefully, in the end, come to a consensus that we are going to go away with a new idea or a blend of it. Unfortunately, what happens currently is that when those are brought forth, as you heard earlier, our voice is usually — it's a token to listen to us and then go about and do what was already intended before they even came to the meeting. That's not collaborative. That is the point that I think will make the difference.

My hope is that this is an opportunity that can make that shift if all the parties utilize best efforts to do that.

Chair: Thank you very much, Ms. Bennett. Apologies to Mr. Kent and Mr. Mostyn. I perhaps over-promised on the ability for there to be more questions. That is the extent of our time, so I will move to conclude.

Before I adjourn this hearing, I would like to make a few remarks on behalf of the Standing Committee on Public Accounts. First of all, I would like to thank the witnesses who appeared today, Chief Tizya-Tramm virtually, Ms. Bennett, and Mr. Leas. Thank you very much to the guests who joined us in the gallery.

Next week, on Wednesday, January 19, 2022, the Committee will be continuing its examination of progress in kindergarten through grade 12 education in Yukon with another public hearing. Witnesses from the Department of Education will be appearing to answer the Committee's questions, starting at 10:00 a.m.

More information on the Committee's work, including the submissions the Committee has received so far, is available on the Committee's website. Further to your point, Ms. Bennett, about the document you discussed, if you have any further documents or information that you would like to provide to us, we will happily accept them and post them on our website.

I should note as well for Committee members, witnesses, and others, that a full, complete transcript of today's proceedings will be provided by Hansard on the Yukon Legislative Assembly website.

With that, I would like to thank all of those who have participated in and helped organize this hearing and, of course, the Hansard staff, security, and the staff of the Yukon Legislative Assembly. Thank you very much.

With that, I now declare this hearing adjourned. Thank you.

The Committee adjourned at 12:09 p.m.