



Standing Committee on Public Accounts

35th Yukon Legislative Assembly

Third Report

*Kindergarten Through Grade 12 Education in Yukon
Department of Education*

September 2022

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Currie Dixon, MLA

Copperbelt North

Chair

Kate White, MLA

Takhini-Kopper King

Vice-Chair

**Scott Kent,
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Copperbelt South

**Hon. Richard Mostyn,
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Whitehorse West

**Hon. Jeanie McLean,
MLA**

Mountainview

Allison Lloyd
Clerk to the Committee

Volume 32



Yukon Legislative Assembly

Standing Committee on Public Accounts

35th Yukon Legislative Assembly

September 26, 2022

Hon. Jeremy Harper, MLA
Speaker
Yukon Legislative Assembly

Dear Sir:

On behalf of the members of the Standing Committee on Public Accounts, appointed by order of the 35th Yukon Legislative Assembly, I have the honour to present the committee's Third Report.

Sincerely,

A handwritten signature in blue ink, appearing to read 'Currie Dixon', is written over a large, faint watermark of the same signature.

Currie Dixon
Chair

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Documents provided by the Department of Education September 29, 2021:

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- Child Development Centre

Yukon Chiefs Committee on Education written responses provided January 17, 2022.

Documents provided by the Department of Education February 17, 2022:

- Letter from Nicole Morgan, Deputy Minister, Department of Education
- Written responses to committee questions
- Exhibits from the Department of Education

Preface

The Standing Committee on Public Accounts

The basic purpose of the Standing Committee on Public Accounts is to ensure economy, efficiency, and effectiveness in public spending. The committee's authority is derived from Standing Order 45(3) of the *Standing Orders of the Yukon Legislative Assembly*, which 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 the following motion:

THAT Currie Dixon, Scott Kent, the Hon. Richard Mostyn, the Hon. Jeanie McLean, and Kate White be appointed to the Standing Committee on Public Accounts established pursuant to Standing Order 45(3);

THAT the committee have the power to call for persons, papers, and records and to sit during intersessional periods; and

THAT the Clerk of the Legislative Assembly be responsible for providing the necessary support services to the committee. (Motion No. 11)

The committee first met on June 1, 2021. At that meeting, the committee elected Currie Dixon as Chair and Kate White as Vice-Chair.

This report

On June 18, 2019, the Office of the Auditor General of Canada presented 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*, to the 34th Legislative Assembly.

The Public Accounts Committee of the 34th Legislative Assembly held a public hearing on December 11, 2019, with the Deputy Minister and other representatives from the Department of Education appearing as witnesses. Officials from the Office of the Auditor General of Canada also appeared to answer questions about the report.

On May 7, 2020, the committee presented its Sixth Report to the Speaker of the Legislative Assembly which endorsed all the recommendations made by the Auditor General. The report noted:

... the committee will follow up on the implementation of the recommendations contained in the Auditor General's report.... Follow-up may include holding further public hearings.¹

The Public Accounts Committee of the 35th Legislative Assembly first discussed potential follow-up on the Auditor General's report on education at its meeting on

¹ *Sixth Report of the Standing Committee on Public Accounts (May 2020)*, page 3, paragraph 9

June 7, 2021. On August 18, 2021, the committee agreed to request a status update from the Department of Education. On September 29, 2021, the Department of Education provided the committee with an updated response report, outlining how the department was addressing the audit recommendations. The response report is appended to this report.

It was agreed by motion on October 15, 2021, at a meeting in which the Hon. Ranj Pillai was substituting for the Hon. Jeanie McLean and Emily Tredger was substituting for Kate White:

THAT the Standing Committee on Public Accounts hold a public hearing on the *Report of the Auditor General of Canada to the Legislative Assembly of Yukon - Kindergarten Through Grade 12 Education in Yukon - Department of Education.*

At its meetings on November 5, and November 19, 2021, the committee agreed to solicit feedback from Yukon First Nations and education stakeholders on the Department of Education's progress on the recommendations from the Auditor General. The Hon. Ranj Pillai substituted for the Hon. Jeanie McLean at the meeting on November 5, 2021.

Autism Yukon, Learning Disabilities Yukon, the Child Development Centre, the Psychological Society of the Yukon, Yukon T1D Support Network, the Association of Yukon School Councils, Boards and Committees, the Yukon Speech Language Pathology & Audiology Association, and the Yukon Teachers' Association were asked to provide written submissions. The committee also contacted all Yukon First Nations and the Council of Yukon First Nations.

On December 7, 2021, the committee agreed to invite the Yukon First Nations Chiefs Committee on Education to appear at a public hearing. The Hon. John Streicker substituted for the Hon. Jeanie McLean at the meeting. On January 5, 2022, the committee discussed the scheduling of public hearings due to the prevailing COVID-19 outbreak in Yukon. The Hon. Ranj Pillai substituted for the Hon. Jeanie McLean at the meeting.

The committee collectively drafted questions for the public hearings and agreed to provide the questions in advance to the Department of Education and the Chiefs Committee on Education. The committee met on January 7, 2022, to prepare the hearing questions, with the Hon. Ranj Pillai substituting for the Hon. Jeanie McLean.

The first hearing was held in the in the Legislative Assembly Chamber on Wednesday, January 12, 2022. The following witnesses from the Yukon Chiefs Committee on Education appeared: Chief Dana Tizya-Tramm, Chair, Daryn Leas, Technician, and Melanie Bennett, Technician.

On Wednesday, January 19, 2022, the subsequent public hearing was held by videoconference due to the COVID-19 pandemic. The following witnesses from the Department of Education appeared: Nicole Morgan, Deputy Minister, Kelli Taylor, Assistant Deputy Minister of Policy and Partnerships, and Suzan Davy, Acting Assistant Deputy Minister of First Nation Initiatives.

The Hon. Ranj Pillai substituted for the Hon. Jeanie McLean at both hearings. The transcripts of the hearings are appended to this report.

The Department of Education provided several documents to update the committee on progress made since the release of the Auditor General's report. The documents provided by the department are appended to this report. The committee also received seven written submissions from stakeholder organizations which are appended to this report.

The committee met on April 8, June 22, and September 21, 2022 to prepare this report. The Hon. Nils Clarke substituted for the Hon. Jeanie McLean at the meetings on April 8, June 22, 2022. Brad Cathers substituted for Scott Kent at the meeting on April 8, 2022. The Hon. Ranj Pillai substituted for the Hon. Jeanie McLean on September 21, 2022.

The Auditor General's report, transcripts of the public hearing, committee meeting minutes, documents submitted to the committee, and this report may be found on the committee's web page at: <https://yukonassembly.ca/committees/pac>



Yukon Legislative Assembly

Standing Committee on Public Accounts

35th Yukon Legislative Assembly

Third Report

Kindergarten Through Grade 12 Education in Yukon Department of Education

September 2022

Introduction

- 1 The June 18, 2019, Report of the Auditor General of Canada to the Legislative Assembly of Yukon – Kindergarten Through Grade 12 Education in Yukon – Department of Education was focused on “whether the Department of Education delivered education programs that were inclusive and reflected Yukon First Nations culture and languages, and whether it assessed and addressed gaps in student outcomes.”²
- 2 The report contained the following overall message:

Overall, we found that the Yukon Department of Education did not know whether its programs met the needs of students, particularly those with special needs and those from Yukon First Nations.

We found that the Department still had not identified the underlying causes of long-standing gaps in student outcomes between First Nations and other Yukon students. These gaps included a lower high school completion rate for First Nations students compared with other students. We had a similar finding in an audit report we published in 2009.

We also found that the Department had not identified the underlying causes of the long-standing gaps in student outcomes between students in rural and urban schools. Until the Department understands the root causes driving these gaps, and the gaps in student outcomes between First Nations and other Yukon students, it has no way of knowing whether it is focusing its time and resources on where they are most needed.

² Auditor General of Canada, *Report of the Auditor General of Canada to the Legislative Assembly of Yukon – Kindergarten Through Grade 12 Education in Yukon – Department of Education*, paragraph 7.

With respect to inclusive education, we found that the Department did not monitor its delivery of services and supports to students who had special needs, nor did it monitor these students' outcomes.

As a result, the Department did not know whether its approach to inclusive education was working, or whether it needed more focused attention on particular schools, groups, teachers, or subject areas. Half of the teachers who responded to our survey felt that they did not have the supports they needed to deliver inclusive education, and two thirds of those same teachers reported that they lacked sufficient training to do so.

In addition, and of equal importance, the Department has responsibilities and commitments to provide education programs that reflect Yukon First Nations culture and languages. Despite this, we found that the Department did not do enough to create a partnership with Yukon First Nations that would allow it to fully develop and deliver such programs. We also found that the Department did not provide enough direction, oversight, and support to help schools deliver culturally inclusive programming.³

- 3 The Auditor General's report made seven recommendations. On May 7, 2020, the Standing Committee on Public Accounts of the 34th Yukon Legislative Assembly released its Sixth Report and endorsed all the recommendations made by the Auditor General.⁴
- 4 The current Standing Committee on Public Accounts continues to support the findings of the Auditor General. As part of its responsibility to scrutinize public spending, the committee believes it is important to keep departments accountable for commitments made in response to recommendations from the Auditor General and the committee.
- 5 This report makes note of what has been done since 2020 to address the issues highlighted by the Auditor General and where more work is needed. The committee expects to see the Department of Education make further progress and is therefore making the following recommendation:

Recommendation: THAT the Department of Education provide by February 28, 2023, an update to the Standing Committee on Public Accounts on progress made on the recommendations in the June 18, 2019, 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*.

³ Auditor General of Canada, *Report of the Auditor General of Canada to the Legislative Assembly of Yukon – Kindergarten Through Grade 12 Education in Yukon – Department of Education*, paragraphs 12-17.

⁴ Standing Committee on Public Accounts, 34th Legislative Assembly, *Sixth Report - Kindergarten Through Grade 12 Education in Yukon - Department of Education*, page 2

Understanding root causes of gaps in student outcomes and strategy to close the gaps

6 In 2019 the Auditor General recommended that:

The Department of Education should develop and implement a strategy to address the long-standing gaps in student performance and improve student outcomes, particularly those of Yukon First Nations and rural students. The strategy should include

- analyzing the root causes of poor student outcomes,
- defining performance targets,
- developing and implementing actions to reach these targets, and
- evaluating the effectiveness of these actions to improve student outcomes.⁵

What the committee heard from the Department of Education

7 The Department of Education included in the response report it provided to the committee that it is currently

[working] with Yukon First Nations and education partners to develop and implement a strategy to improve student outcomes, particularly for rural and First Nation students...⁶

8 The department indicated that it has created dedicated resources for tracking and monitoring data in order to interpret causes for issues such as student outcomes. In a written submission, the department noted that it is

[working with] Yukon First Nations and the Advisory Committee for Yukon Education to refine outcome indicators and performance targets such as cohort tracking through transition periods, student satisfaction, graduation rates and primary years' literacy and numeracy.⁷

9 It conducted reviews to better understand the root causes for gaps in student outcomes between First Nations students, rural students, and other Yukoners, with the most recent coming during the 2020-21 school year. These reviews demonstrated that there is still work to be done in this field. At the January 19, 2022, hearing, Nicole Morgan, Deputy Minister of the Department of Education, noted:

We have heard loud and clear that the Department of Education needs to do a better job of working with Yukon First Nations, of ensuring that Yukon First Nations are supported and succeeding at school, and making

⁵ Auditor General of Canada, *Report of the Auditor General of Canada to the Legislative Assembly of Yukon – Kindergarten Through Grade 12 Education in Yukon – Department of Education*, paragraph 42

⁶ Department of Education submission *Response Report on 2019 Audit Recommendations updated September 27, 2021*, pages 7-8

⁷ Department of Education submission *Response Report on 2019 Audit Recommendations updated September 27, 2021*, pages 7-8

sure that Yukon First Nation students, and all Yukon students, have opportunities to learn about Yukon First Nation history, cultures, languages, and ways of knowing, doing, and being.⁸

10 The department stated that it has already begun to identify and address some of those underlying causes. The department committed to continuing its work with First Nations and special education partners. Ms. Morgan said:

A key example of our commitment is the work that we have done with the Chiefs Committee on Education to establish a Yukon First Nation school board. This is a significant stride in our sincere efforts to advance our relationship with Yukon First Nation governments and ensure that Yukon First Nations have greater authority and control in education, which is a commitment of the joint education action plan, and to continue to strive to take meaningful action on truth and reconciliation.

Our work does not stop there.⁹

11 The department indicated in its response to the committee that it has been following the Auditor General's recommendation to refine accountability structures that help track delivery and outcomes of supports by "[implementing] new data software and processes to improve access and usability of student performance data."¹⁰

12 The department shared that its focus on improving accountability structures came at the expense of utilizing the structures as they already existed. In response, the department created a data and analytics unit to bring a focus back on utilizing current structures as they are developed and collecting data with the tools it does have. The department agrees there is still work to be done to address gaps in data, and there is a dedicated community of inquiry set up to identify further gaps in data and improve the tracking and monitoring of delivery and outcomes, particularly in the special education field.¹¹

13 The department contracted a consultant, Nikki Yee, to continue improving its outcome strategy, and the community of inquiry for data collection will identify the specific data sets most useful for tracking outcomes. Ms. Morgan shared how the department uses current data sets such as foundation skills assessment results, to identify areas of need right now.

... [Y]ou will see that we track literacy, in terms of reading and writing, as well as numeracy through the foundation skills assessments. We have been doing that for a number of years. What we did is just set a

⁸ Yukon Legislative Assembly, Standing Committee on Public Accounts, Public Proceedings: Evidence, January 19, 2022 page 3-2

⁹ Yukon Legislative Assembly, Standing Committee on Public Accounts, Public Proceedings: Evidence, January 19, 2022 page 3-2

¹⁰ Department of Education submission *Response Report on 2019 Audit Recommendations updated September 27, 2021*, pages 7-8

¹¹ Yukon Legislative Assembly, Standing Committee on Public Accounts, Public Proceedings: Evidence, January 19, 2022 page 3-4

performance target. We did this work with the Advisory Committee for Yukon Education.... One of the things that we talked about was focusing our attention on the students who need us the most.¹²

- 14 The department also stated that it took lessons from the review by Dr. Yee in how it collects data and interprets results for special and inclusive education. The department further indicated that it worked with the First Nations Education Commission (FNEC) to develop a work plan in response to those findings.

What the committee heard from the Chiefs Committee on Education

- 15 The Chiefs Committee on Education (CCOE) indicated in its response to the committee that the CCOE was not aware that work on performance targets had taken place, nor was it aware of where these targets are published.

- 16 The CCOE also noted that it appreciated the refinements to the data collected and shared. However, they indicated that it is unclear how this work is consistent with the Data MOU signed with the CCOE.

- 17 The CCOE stated that accurate data on student performance is increasingly hard to find. Daryn Leas, Yukon Chiefs Committee on Education Technician, said:

...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.¹³

What the committee heard from the Association of Yukon School Councils, Boards, and Committees

- 18 The Association of Yukon School Councils, Boards, and Committees (AYSCBC) noted in its submission to the Public Accounts Committee that the department has acknowledged that "it has not yet implemented a comprehensive strategy for measuring and analyzing differences in student outcomes and for targeting initiatives to address those differences as they pertain to First Nation and rural students."¹⁴

- 19 The AYSCBC stated that "it is not clear as to how information that is collected [by the department] has led to any decisive and/or immediate action to improve student outcomes."¹⁵

¹² Yukon Legislative Assembly, Standing Committee on Public Accounts, Public Proceedings: Evidence, January 19, 2022 page 3-6

¹³ Yukon Legislative Assembly, Standing Committee on Public Accounts, Public Proceedings: Evidence, January 12, 2022 page 2-10

¹⁴ Association of Yukon School Councils, Boards and Committees written submission dated January 4, 2022, page 2

¹⁵ Association of Yukon School Councils, Boards and Committees written submission dated January 4, 2022, page 2

20 The AYSCBC also noted that the lack of resources, services, and supports for rural students is a contributing factor to significantly lower learning outcomes among rural students:

[...] there continues to be a disparity in learning outcomes for rural students with special needs due to the lack of resources, both services and supports, which greatly impacts the delivery of inclusive education.¹⁶

What the committee heard from the Yukon Speech Language Pathology and Audiology Association

21 The Yukon Speech Language Pathology and Audiology Association (YSLPAA) noted in its submission to the committee that “For rural schools intervention is inconsistent due to staffing and variance of roles and responsibilities of support staff.”¹⁷

22 The YSLPAA questioned how the student performance gaps and inadequate inclusive and special education services can improve if Yukon students are not able to access timely and accessible speech and language pathology service.

23 It is the YSLPAA’s view that “the most important element in addressing educational achievement gaps relates to the adoption of evidence-based practices,”¹⁸ which they claim the Department of Education is not currently doing.

24 The YSLPAA also questioned the usage of certain literacy programs and the lack of tracking, which will make tracking and monitoring literacy performance amongst students impossible.

Creating definitions for “maximum potential” “special education” and “inclusive education”

What the committee heard from the Department of Education

25 The department explained that one of the objectives laid out within its work plan is to define “maximum potential”, and that a specific community of inquiry has been set up to develop this definition. The group includes staff from both rural and urban schools, FNEC representatives, school council members and staff from central administration. Ms. Morgan told the committee:

we need to make a definition of “maximum potential”, and that connects to the definition of “special education” and, of course, you can’t define “special education” without defining “inclusive education”. The community of inquiry working on these definitions will do research, they

¹⁶ Association of Yukon School Councils, Boards and Committees written submission dated January 4, 2022, page 2

¹⁷ Yukon Speech Language Pathology and Audiology Association written submission dated January 4, 2022, page 3

¹⁸ Yukon Speech Language Pathology and Audiology Association written submission dated January 4, 2022, page 3

will do a bunch of work, and they will bring forward their ideas, and then we will take those to the communities.¹⁹

What the committee heard from the Chiefs Committee on Education

26 The CCOE noted that the department's decision to define maximum potential through the Review of Inclusive and Special Education was unilateral and, in the view of the CCOE, unacceptable. Chief Dana Tizya-Tramm, Chair of the Yukon Chiefs Committee on Education, stated:

...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.²⁰

Oversight

27 The Auditor General recommended that:

The Department of Education should implement its required oversight mechanisms to provide summary reports to the Minister and complete teacher evaluations.²¹

What the committee heard from the Department of Education

28 Ms. Morgan acknowledged that improved oversight is an area in which the department had hoped to be further along at this stage, citing the pandemic has having some significant impact on those efforts.

The pandemic has definitely caused some disruption here in terms of how do you complete a teacher evaluation when staff are delivering school remotely and there are no students in the school — to the school growth process and being able to engage as a school community.

We have come partway.²²

29 The department noted that efforts on this matter were already underway when the audit was initially received and some progress has been made. The department provided summary reports sharing what each school is currently working on with regard to the school growth process. The summary reports are included in the exhibits appended to this report.

30 The school growth process was moved to a more disciplined inquiry that requires the use of evidence-learning questions, which is now the standard method of reporting currently reflected in the summary reports. These reports share the

¹⁹ Yukon Legislative Assembly, Standing Committee on Public Accounts, Public Proceedings: Evidence, January 19, 2022 pages 3-4 – 3-5

²⁰ Yukon Legislative Assembly, Standing Committee on Public Accounts, Public Proceedings: Evidence, January 12, 2022 page 2-10

²¹ Auditor General of Canada, *Report of the Auditor General of Canada to the Legislative Assembly of Yukon – Kindergarten Through Grade 12 Education in Yukon – Department of Education*, paragraph 47

²² Yukon Legislative Assembly, Standing Committee on Public Accounts, Public Proceedings: Evidence, January 19, 2022 page 3-10

question each school is working on, the activities undertaken to address them, the effects on learning and how that is known, as well as next steps.

31 The department would like to have developed a new process for the sharing of oversight information and committed to commencing work on that aspect in full consultation with the First Nations Education Commission and the Advisory Committee for Yukon Education. As stated by Ms. Morgan, "That will be work that we will have to go back and do the first chance we get".²³

32 The department's submission notes that it is committed to:

[Establishing] a process for annual reporting to the Minister of Education with summaries of School Growth Plan goals, actions, data trends and results.

[Establishing] a process and system to notify school administrators when staff evaluations are due, prioritizing probationary employee evaluations.

[Establishing] a process for providing annual status summary reports to the Minister of Education on completion of teacher evaluations as an additional oversight measure.²⁴

33 While the department faced challenges in developing these processes, it was able to share the summary reports provided to the Minister of Education on completion of teacher evaluations with a focus on probationary teachers and educational assistants. It has also continued to train, support, and implement the new teacher evaluation process. The department officials indicated that they are learning through this process so they can be better informed about where training can be improved and identify the biggest needs.

What the committee heard from the Chiefs Committee on Education

34 The CCOE noted that to date there has been no discussion of the school growth plan process with the CCOE or FNEC. Chief Tizya-Tramm told the committee:

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.²⁵

Inclusive Education

35 The Auditor General recommended that:

²³ Yukon Legislative Assembly, Standing Committee on Public Accounts, Public Proceedings: Evidence, January 19, 2022 page 3-11

²⁴ Department of Education submission *Response Report on 2019 Audit Recommendations updated September 27, 2021*, page 10

²⁵ Yukon Legislative Assembly, Standing Committee on Public Accounts, Public Proceedings: Evidence, January 12, 2022 page 2-9

The Department of Education should conduct a full review of its services and supports for inclusive education. It should exercise a leadership role by, for example, engaging with teachers, parents, and specialists to determine how the Department can help teachers maximize student success. The review should include examining how best to

- evaluate whether its approach to inclusive education is working,
- determine whether services and supports are having the desired effect,
- determine whether sufficient resources are in place to support inclusive education,
- prioritize students for specialized assessments,
- assess and track specialist recommendations, and
- assess and track teachers' use of recommended strategies.²⁶

What the committee heard from the Department of Education

36 The department conducted a review of the delivery of inclusive and special education to Yukon students in the 2019-2020 school year, including arranging for an external consultant, Dr. Yee, to lead the review, and gathered perspectives from staff, Yukon First Nations and partners about these services.

37 Following that review, the department developed a work plan in collaboration with the First Nations Education Commission with timelines and established leads to implement the recommendations from the report. This work includes the creation of "communities of inquiry" and "spirals of inquiry."

38 The department described tangible efforts to improve the monitoring and delivery of services and supports to students who have special needs, having created a community of inquiry that is tasked with fixing data gaps in that monitoring and delivery to ensure programming is working. The department acknowledged that the community of inquiry's task is ongoing and there is work to be done, but that the results will help aid the development of its outcome strategy.

39 The department also spoke to work and funding already being put forward to provide better supports for teachers and their delivery of inclusive education, including \$217,000 to Yukon University to aid teachers in continuing growth and development, most specifically in the early learning area.²⁷

What the committee heard from the Chiefs Committee on Education

40 The CCOE noted that while there were efforts made to coordinate with the Advisory Committee for Yukon Education members to participate in the

²⁶ Auditor General of Canada, *Report of the Auditor General of Canada to the Legislative Assembly of Yukon – Kindergarten Through Grade 12 Education in Yukon – Department of Education*, paragraph 70

²⁷ Yukon Legislative Assembly, Standing Committee on Public Accounts, Public Proceedings: Evidence, January 19, 2022 page 3-5

development of the workplan, there was limited consistency of partners. In its written submission, CCOE stated:

...there was limited consistency of partners with invite and communication challenges throughout the process. With an ending result of partners being informed that the workplan would be used to inform ADM's and their respective departments but would not be the final plan to be submitted...²⁸

41 The CCOE noted that while Yukon First Nations have been making significant efforts to collaborate, they are often met with processes, procedures, or initiatives that are the result of unilateral decisions made by the Department of Education.

42 The CCOE used the example of the creation of spirals of inquiry as a decision that underwent superficial collaboration. Melanie Bennett, Yukon Chiefs Committee on Education Technician, told the committee:

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.²⁹

43 The CCOE expressed deep concerns that the department's current path forward is similar to the processes that followed the 2009 Auditor General report. Ms. Bennett stated:

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.³⁰

What the committee heard from the Association of Yukon School Councils, Boards, and Committees

44 The AYSCBC indicated that they are concerned regarding the lack of clear and tangible deliverables, cost estimates and measurable indicators for implementing each of the Auditor General's recommendations.

45 The AYSCBC noted in a written submission that while they were involved in a working group, key stakeholders were not invited to participate.

We wish to acknowledge the work to create a working group comprising representatives of various education partners including AYSCBC as well as those who participated in the recent Education Summit to advance

²⁸ Yukon Chiefs Committee on Education written submission dated January 4, 2022, page 10

²⁹ Yukon Legislative Assembly, Standing Committee on Public Accounts, Public Proceedings: Evidence, January 12, 2022 page 2-13

³⁰ Yukon Legislative Assembly, Standing Committee on Public Accounts, Public Proceedings: Evidence, January 12, 2022 page 2-12

work on the report recommendations. It should be acknowledged, however, that key stakeholders such as Autism Yukon, Learning Disabilities of Yukon and the Office of the Yukon Child & Youth Advocate were not invited to participate in the working group. Having the voices of those front-line organizations who work directly with students and families would have been beneficial to these important discussions.³¹

46 The AYSCBC also expressed concern with the lack of action related to several of the Auditor General's recommendations.

What the committee heard from Autism Yukon

47 Autism Yukon noted that while they have heard of the department's workplan, they have neither been consulted on it nor been sent a copy of it. The submission to the Public Accounts Committee states "we cannot make an official comment as to concrete progress on this workplan as we have been prevented from the knowledge to do so."³²

What the committee heard from the Yukon Speech Language Pathology and Audiology Association

48 The YSLPAA suggested that there is a need for the Department of Education to review its current literacy support and language development programs and consider changing to an evidence-based program.

To our view, the most important element in addressing educational achievement gaps relates to the adoption of Evidence-Based Practices, of which the RISE report makes no mention at any point.³³

What the committee heard from the Yukon Association of Education Professionals, LDAY Centre for Learning, Autism Yukon, and the Association of Yukon School Councils, Boards, and Committees

49 In the joint submission from the Yukon Association of Education Professionals (YAEP), LDAY Centre for Learning, Autism Yukon, and the AYSCBC, concerns were raised about the amount of time the Department of Education has been taken to respond to the Auditor General's report.

We hoped the alarms raised in the 2019 Auditor General's (AG) Report would result in some immediate positive changes for students, schools, and parents as well as with interactions with partner groups. We are disappointed that in the 2 years since the Department of Education

³¹ Association of Yukon School Councils, Boards, and Committees written submission dated January 4, 2022, page 3

³² Autism Yukon written submission dated January 3, 2022, page 2.

³³ Yukon Speech Language Pathology and Audiology Association written submission dated January 4, 2022, pages 2-3.

(DOE) received the Report, we see no substantive changes for our students.³⁴

50 They note that no substantive action has been taken in the years since the 2019 report and they go even further to say that the department's approach seems to be at the expense of addressing the current well documented needs of many students in the system.

51 This group also noted that it appears that the Department of Education is seeking superficial approval for directions already determined internally.

If we are to be supportive of the DOE's work to respond to the Review, and make the changes recommended in the AG Report, we must be meaningfully involved.... We believe that collaboration is a genuine opportunity to dialogue, debate, understand research, and help in charting the course forward. To us, it is what is required to ensure the credibility and sustainability of decisions and actions.³⁵

What the committee heard from the Child Development Centre

52 The Child Development Centre noted in their submission that they were consulted on the development of the review of special education and look forward to further engagement.³⁶

What the committee heard from the Yukon Type 1 Diabetes Support Network

53 The Yukon Type 1 Diabetes Support Network (Yukon T1D) noted in their submission that they were not invited to provide feedback on the recommendations of the Auditor General, and that their request for clarification on how inclusive education and special needs were defined by the Department of Education was ignored.

54 Yukon T1D stated that the Department of Education has thus far failed to incorporate the needs of students who have unique health challenges into broader improvement considerations, which shows either a calculated dismissal of these needs or an erroneous omission.

In sum, the Network believes that the Department of Education's response to the Auditor General's recommendation that there be a full review of the services and supports for inclusive education is inadequate

³⁴ Yukon Association of Education Professionals, LDAY Centre for Learning, Autism Yukon, and the Association of Yukon School Councils, Boards, and Committees written submission dated January 4, 2022, page 1.

³⁵ Yukon Association of Education Professionals, LDAY Centre for Learning, Autism Yukon, and the Association of Yukon School Councils, Boards, and Committees written submission dated January 4, 2022, page 2.

³⁶ Child Development Centre written submission dated January 10, 2022, page 2.

as it fails to incorporate the needs and perspectives of children with disease.³⁷

Yukon First Nations Culture and Languages

55 The Auditor General recommended that:

The Department of Education should complete and implement its policy to collaborate with Yukon First Nations to meet the *Education Act's* requirements. It should also develop a strategic action plan with specific, measurable actions and timelines to support its work with Yukon First Nations.³⁸

What the committee heard from the Department of Education

56 The department acknowledged its responsibility to provide education programs that reflect First Nations culture and languages and cited investments in enhancement funding "designed to support operators and provide culturally rich early learning programs."³⁹

57 The Department of Education indicated it will work with Yukon First Nations to establish and implement a framework for collaboration on joint education priorities, both at the collective and community levels.

58 The department described several specific, measurable actions that have been taken as part of its strategy to support its work with Yukon First Nations. The improvements included:

- a signed agreement respecting education and the establishment of the First Nation School Board;
- a signed three-year transfer payment agreement with all 14 Yukon First Nations allocating \$1.5 million to develop and deliver culturally-appropriate programs;
- a Memorandum of Understanding regarding improved data collection and sharing;
- a signed education agreement with the Kwanlin Dün First Nation;
- increased funding to the Council of Yukon First Nations for the Yukon Native Language Centre;
- begun negotiations on new agreements with several First Nations whose current agreements are set to expire in 2023 or sooner;

³⁷ Yukon Type 1 Diabetes Support Network written submission dated January 4, 2022, page 2.

³⁸ Auditor General of Canada, *Report of the Auditor General of Canada to the Legislative Assembly of Yukon – Kindergarten Through Grade 12 Education in Yukon – Department of Education*, paragraph 89

³⁹ Yukon Legislative Assembly, Standing Committee on Public Accounts, Public Proceedings: Evidence, January 19, 2022 page 3-5

- begun work with the First Nations Education Directorate and First Nations Education Commission to create a collaborating framework in consultation with an independent contractor; and
- begun work on an Indigenous Academy at F.H. Collins Secondary School.

59 The department also shared exhibits of core courses and programs developed by First Nations that have become part of the curriculum. The exhibits are appended to this report.

What the committee heard from the Chiefs Committee on Education

60 The CCOE noted that the establishment of the First Nation School Board is expected “to be the first step in a strategic action plan that will take more responsibility for the education of Indigenous students leading to improved student outcomes.”⁴⁰ Mr. Leas stated:

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 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.⁴¹

Implementation of the Joint Education Action Plan

61 The Auditor General recommended that:

The Department of Education should meet regularly with Yukon First Nations to assess the status of the Joint Education Action Plan’s initiatives and determine how and when to complete those that remain.⁴²

What the committee heard from the Department of Education

62 The Department of Education noted that they will resume meeting with Yukon First Nations and the Government of Canada to assess the status of the Joint Education Action Plan.

⁴⁰ Yukon Chiefs Committee on Education written submission dated January 4, 2022, page 13

⁴¹ Yukon Legislative Assembly, Standing Committee on Public Accounts, Public Proceedings: Evidence, January 12, 2022 page 2-3

⁴² Auditor General of Canada, *Report of the Auditor General of Canada to the Legislative Assembly of Yukon – Kindergarten Through Grade 12 Education in Yukon – Department of Education*, paragraph 93

63 The department stated that they are working with the First Nations Education Commission and First Nations Education Directorate to develop an acceptable framework for collaboration on this matter. To date, the department has continued to meet with Joint Education Action Plan senior officials, determined priorities for the group moving forward, and the department expects a shuffle in the composition of the Joint Education Action Plan senior officials group as these pieces come together.

64 The department noted that in the efforts to assess the status of Joint Education Action Plan's initiatives and determine how and when to complete those that remain, it has increased funding for the implementation plan by \$300,000.⁴³

What the committee heard from the Chiefs Committee on Education

65 The CCOE expressed their appreciation for the funding provided for the implementation of the Joint Education Action Plan. Ms. Bennett said:

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.⁴⁴

No policy developed for Yukon First Nations language instruction

66 The Auditor General recommended that:

In partnership with Yukon First Nations, school boards, and school councils, the Department of Education should develop policies and guidelines to support First Nations language learning. While developing the policies and guidelines, the Department should

- work with these partners to determine the language goals for individual schools;
- consider a range of approaches—for example, introductory classes to full immersion programs—that depend on the specific language, student population density, and community interest; and

⁴³ Yukon Legislative Assembly, Standing Committee on Public Accounts, Public Proceedings: Evidence, January 19, 2022 page 3-15

⁴⁴ Yukon Legislative Assembly, Standing Committee on Public Accounts, Public Proceedings: Evidence, January 12, 2022 page 2-15

- identify options to support Yukon First Nations languages both during regular school hours and outside the regular classroom.⁴⁵

What the committee heard from the Department of Education

67 The Department of Education expressed their commitment to work with Yukon First Nations, the Council of Yukon First Nations (CYFN), and the Yukon Native Language Centre to:

Determine how school-based Aboriginal language instruction programs can best support

- the revitalization of Yukon First Nations languages;
- the certification of teachers for these language programs in schools; and
- the development of and revisions to the Yukon First Nations language curriculum for use in schools.⁴⁶

68 As previously cited, the department also pointed to several examples where it has allocated new or increased funding to support Yukon First Nations language and cultural programming in schools and through partnerships with First Nations, including:

- a signed three-year transfer payment agreement with all 14 Yukon First Nations allocating \$1.5 million to develop and deliver culturally appropriate programs.
- increased funding to CYFN for the Yukon Native Language Centre.⁴⁷

What the committee heard from the Chiefs Committee on Education

69 The CCOE noted that they “continue to advocate for increasing Language development funding for [the Yukon Native Language Centre] and in K-12 Schools.”⁴⁸ In its written submission, the CCOE noted that the First Nations Education Commission passed a resolution calling for the Department of Education to provide additional funding to be directed to the Yukon Native Language Centre.⁴⁹

⁴⁵ Auditor General of Canada, *Report of the Auditor General of Canada to the Legislative Assembly of Yukon – Kindergarten Through Grade 12 Education in Yukon – Department of Education*, paragraph 93

⁴⁶ Department of Education submission *Response Report on 2019 Audit Recommendations updated September 27, 2021*, pages 17-18

⁴⁷ Yukon Legislative Assembly, Standing Committee on Public Accounts, Public Proceedings: Evidence, January 19, 2022, page 3-14

⁴⁸ Yukon Chiefs Committee on Education written submission dated January 4, 2022, page 17

⁴⁹ Yukon Chiefs Committee on Education written submission dated January 4, 2022, page 17

What the committee heard from the Association of Yukon School Councils, Boards, and Committees

70 The AYSCBC wrote “there is currently no policy for Yukon First Nations language instruction.”⁵⁰

71 The AYSCBC’s submission highlighted that recruiting and retaining First Nation language teachers is “a significant issue for many Yukon schools.”⁵¹

72 The association also noted that “It remains unclear ... what specific work is underway to develop a policy framework in collaboration with First Nation governments, school councils, and other partners to address this important need.”⁵²

Supports, resources and cultural training

73 The Auditor General recommended that:

The Department of Education should determine the human resources and training required to develop sufficient classroom support and materials to help teachers implement the new curriculum as it pertains to Yukon First Nations culture and languages.⁵³

What the committee heard from the Department of Education

74 The Department of Education noted that it has a number of ongoing initiatives to continue to provide educator resources and training to support the delivery of the curriculum, including resources and training relating to Yukon First Nations cultures and languages developed with Yukon First Nations.

75 The department acknowledged that providing programming that reflects First Nations culture and language remains its own responsibility, and as a result it has invested \$1.5 million to develop and deliver culturally appropriate programming, signed an agreement to establish a First Nations School Board, increased funding to the Yukon Native Language Centre, and begun work on an Indigenous Academy at FH Collins Secondary School.

What the committee heard from the Chiefs Committee on Education

76 The CCOE made the point that they believe that the responsibility for offering supports for indigenous language and culture in the curriculum is the that of the Department of Education.

⁵⁰ Association of Yukon School Councils, Boards, and Committees written submission dated January 4, 2022, page 2

⁵¹ Association of Yukon School Councils, Boards, and Committees written submission dated January 4, 2022, page 2

⁵² Association of Yukon School Councils, Boards, and Committees written submission dated January 4, 2022, page 2

⁵³ Auditor General of Canada, *Report of the Auditor General of Canada to the Legislative Assembly of Yukon – Kindergarten Through Grade 12 Education in Yukon – Department of Education*, paragraph 109

77 They went on to note that despite this, the Yukon First Nation Education Directorate has undertaken much of this work “in the absence of needed action from the Department of Education.”⁵⁴

Conclusion

78 The committee would like to thank the department officials who appeared as witnesses before the committee at the public hearings and responded to the committee’s requests for additional information.

79 The committee would also like to thank the organizations that provided written submissions.

80 In this report the committee is making one recommendation:

Recommendation: THAT the Department of Education provide by February 28, 2023, an update to the Standing Committee on Public Accounts on progress made on the recommendations in the June 18, 2019, 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*.

81 The committee expects to see the Department of Education make further progress on addressing the issues highlighted in the Auditor General’s report.

82 The Public Accounts Committee wishes to note that the committee’s follow up on the implementation of the recommendations contained in the Auditor General’s report may include holding further public hearings in the future. The committee has the power to call for persons, papers and records and to sit during intersessional periods.

⁵⁴ Yukon Chiefs Committee on Education written submission dated January 4, 2022, page 19

Appendices

Transcripts of public hearings:

- January 12, 2022
- January 19, 2022

Yukon Chiefs Committee on Education Introductory Message

Public hearing exhibits from the Department of Education

- Yukon Wide Department of Education Student Data Report School Year 2019-20
- Work Plan to address the 'Review of Inclusive Education & Special Education
- Response to the Review of Inclusive and Special Education
- 2021-22 Rural school programming changes for Early Kindergarten
- How Are We Doing? Yukon First Nations Report School Year 2019-20
- Executive Summary: Final Report of the Review of Inclusive and Special Education

Documents provided by the Department of Education September 29, 2021:

- Letter from Nicole Morgan, Deputy Minister, Department of Education
- Response Report on 2019 Audit Recommendations updated September 27, 2021
- Appendix 1: Our Community of Inquiry
- Appendix 2: The Spiral Playbook
- Appendix 3: YFN Joint Education Action Plan 2014-2024

Written submissions:

- Yukon Chiefs Committee on Education
- Autism Yukon
- Yukon Speech-Language Pathology and Audiology Association
- Association of Yukon School Councils, Boards and Committees
- Yukon T1D Support Network
- Yukon Association of Education Professionals, Autism Yukon, AYSCBC and LDAY Centre for Learning
- Child Development Centre

Yukon Chiefs Committee on Education written responses provided
January 17, 2022.

Documents provided by the Department of Education February 17, 2022:

- Letter from Nicole Morgan, Deputy Minister, Department of Education
- Written responses to committee questions
- Exhibits from the Department of Education