

December 3, 2020

Honourable Sandy Silver
Premier
Government of Yukon
P.O. Box 2703
Whitehorse, Yukon
Y1A 2C6

Dear Premier Silver:

Re: Yukon Education Review of Inclusive Education – 2020/21

We would like to thank you and your government for the commitment to review the delivery of inclusive and special education to ensure all students feel confident as learners, and that learning environments in all Yukon schools are providing effective and timely supports to meet students' learning needs. To this end, we wish to acknowledge the accuracy of the findings and recommendations in the 2019 Report of the Office of the Auditor General (OAG) concerning the problematic condition of inclusive and special education and the persisting barriers to achievement of First Nations students, and special needs students in Yukon. We are also encouraged and supportive of the Government's stated openness to engaging with educational stakeholders in a meaningful way to exploring ideas of how to work together to improve outcomes for all Yukon students.

However, information gleaned through access to information coupled with recent changes to the delivery of special education services to students, have united us to collectively raise concerns regarding actions being undertaken by the Department of Education (DOE) which call into question the review currently underway and the process for responding meaningfully to the recommended actions outlined below.

The 2019 OAG report, as you are aware, noted that the Yukon Government should conduct a full review of its services and supports for inclusive education, and that it should exercise a leadership role by engaging with teachers, parents, and specialists to determine how to maximize student success. Specifically, the review as recommended is 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.

Following the release of the report, a decision to revise the process for identifying students' special education needs and the way students access supports, was made by the DOE. The decision, which

resulted in the migration of 138 students with IEPs to Student Learning Plans / Behavioural Learning Plans, is a significant shift with substantial repercussions. Moreover, the fact that the decision was made prior to the completion of the review currently underway and without the knowledge of stakeholders raises further concerns.

More than one third of students recently moved off IEPs in the last year were vulnerable students and youth of our Yukon First Nations. Yukon Government has implemented new rules which means these 138 students, designated as special needs under the Education Act which specifies IEP not STLP, are no longer guaranteed the necessary allocation of inclusive education resources and supports. Our parents are telling us their children are falling further and further behind and they have had to seek support for their children outside of school from other agencies including LDAY. Teachers in the schools have also reported concerns with the lack of training they need to support the complex needs they see in their classrooms.

As education stakeholders and concerned members of the community, we are allies in challenging the Yukon Government's decision to make this drastic and damaging change to inclusive education services before any outcome or findings of the current review of inclusive education, and given the poor outcomes of First Nations and vulnerable students reflected in the Auditor General's report.

We are seeking a meaningful explanation from Yukon Government why it made the decision to actively remove vulnerable students from IEPs and put them on Student Learning Plans or Behavioural Learning Plans. Results from recent grade 7 assessments (2018-19) indicate that 73% of Yukon First Nations and 26% of Non-First Nations students are not on track or extending their learning in numeracy. A shameful result that should have generated immediate action. Without the legal protections that an IEP provides, chances are that many of these students who need very specific and consistent interventions will not be successful in secondary school.

If the Yukon Government is making changes that impact students and the support that they receive, we are anxious to know:

- What new and effective accountabilities will be in place to ensure students are well served?
- What training and support will be provided to staff?
- What information will be provided to parents, First Nations, and the public to enhance confidence in the light of the OAG report? and,
- How will the review findings affect meaningful changes to the new directions that the DOE have already initiated, and are already well underway in terms of implementation?

In early December 2019, the Yukon Government wrote to partners in Education stating, "*collaboration with our partners is key to effectively addressing the recommendations outlined in the report*". In February 2020, the Yukon Government announced a review of inclusive and special education by Nikki Yee a then PH.D. candidate at UBC who was to conduct the review that was to include opportunities for students, families, Yukon First Nations, school communities and partners in education to share their perspectives.

Yukon Government initially stated the review of inclusive and special education was undertaken in response to the above recommendations of the OAG. We all understood the delays in the review due to COVID 19 as well as the impact it has had on education and the progress or lack thereof for many students, especially First Nations students and those students with special needs.

We were pleased that an interim update was provided by Ms. Yee in September of 2020 as Yukon residents could first see what had been discussed in meetings in January and February and some of the issues that had surfaced.

In the conclusions we saw the essence of the work ahead. Ms. Yee stated:

Overall, input fell into four categories: equity and inclusion, relationships, building capacity, and systemic processes. I have briefly described the responses that surfaced often, or that were particularly relevant to this discussion. ...If readers are to take away just one question from this interim update, I recommend starting by considering how greater supports might be created, in collaboration with diverse perspectives, for students with more intense needs. These are the most vulnerable students that have the greatest challenges but seem to be at risk for being underserved.

Ms. Yee also noted that it was **critical and urgent** that the educational systems and communities begin to come together in support of students with intensive needs. We strongly agree the issues related to appropriate support are urgent and require immediate action. Yet, to date none of us have been involved to any meaningful extent by being active partners at the problem-solving and decision-making tables.

The interim report, and the plan for the completion of the review does not consider the specific recommendations of the OAG including those requiring immediate attention and review. The Yukon Government's planned complete and apparent avoidance of the OAG recommendations as part of the current review is deeply worrying and undermines the legitimacy and integrity of the review.

The new date for the final review report, notwithstanding another COVID interruption, will be March of 2021. The Yukon Government has said the final review will be "*identifying recommended areas for further enquiry and consideration for the department about inclusive and special education as it continues to work with partners to modernize these programs and address the recommendations of the 2019 audit report.*"

We understand from the Yukon Government's statement that more work will need to be done after the review is complete before any substantive changes take place to adequately address the broad spectrum of needs of our children. This means any required capacity building for staff, or the implementation of effective and well-coordinated supports required today for our First Nations and vulnerable students, will not likely be implemented until the 2022-23 school year.

The 2019 Report reveals an unfortunate lack of progress in improving outcomes since the similar findings were made by the OAG in 2009. Our children have been waiting a long time and the AOG's finding on this issue resonates with deafening concern:

27. If the Department waits too long to identify, understand, and address the root causes of these gaps, another generation of students could be affected for a lifetime.

We are not confident these issues are critical or urgent to the DOE, a situation that is not acceptable to us. We look forward to your response and the opportunity to be active partners at the problem-solving and decision-making tables to further address these emerging and longstanding complex issues.

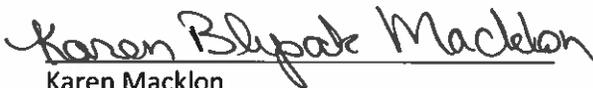
In spirit and respect,



Melanie Bennett
Executive Director
Yukon First Nation Education Directorate



Ted Hupé
President
Yukon Teachers' Association



Karen Macklon
President
Autism Yukon



Stephanie Hammond
Executive Director
LDAY Centre for Learning

CC: Minister of Education
Deputy Minister of Education
Chiefs Committee on Education
YTA Membership
Association of Yukon School Councils, Boards & Committees
Commission scolaire francophone du Yukon
Yukon Child & Youth Advocate Office
Association of Yukon School Administrators
Catholic Education Association of Yukon