



Minister's office (CM-3)
PO Box 2703, Whitehorse, Yukon Y1A 2C6

May 15, 2020

Annette King, Child and Youth Advocate
Yukon Child and Youth Advocate Office
2070 - 2nd Avenue, Unit 17
Whitehorse, YT Y1A 1B1

Dear Annette. King:

Re: School Attendance Review – Terms of Reference

Thank you for your March 13th email for and for providing draft Terms of Reference for the Review of School Attendance pursuant to S.15(1) of the Child and Youth Advocate Act.

My apologies for the delay in responding to your letter. Due to the COVID-19 pandemic our recent focus has been working to plan and provide continued learning opportunities for Yukon students for the remainder of the school year.

As section 15(2) of the Child and Youth Advocate Act requires that your review and report be in accordance with terms of reference established by me, I have included Terms of Reference here in accordance with your suggestions, to strengthen the focus on student achievement and elimination of barriers to attendance.

If you have any questions, please do not hesitate to contact Kelli Taylor, A/ADM Policy & Partnerships at 332-4143.

I look forward to reading your report on the Review of School Attendance and further work together to address systemic issues and root causes affecting student success.

Sincerely,

Tracy-Anne McPhee
Minister of Education



Review of School Attendance - Terms of Reference January 2020

1.0 AUTHORITY:

The Yukon Child and Youth Advocate Office ("the Advocate") operates under the authority of the *Child and Youth Advocate Act* ("the Act"). The Advocate is conducting a review of inconsistent school attendance. The Advocate brought the issue to the attention of the Department of Education. The Minister of Education responded with a formal request for the Advocate to conduct a review and make a report of the issue, pursuant to s. 15 of the *Child and Youth Advocate Act*. The Minister provided additional authorities for the Advocate to report publicly and engage with the public, key external partners in education and Yukon First Nations as part of the review.

The Yukon Child & Youth Advocate and the Minister of Education agree that the Terms of Reference will guide The Review.

15(1) The Legislative Assembly or a Minister may refer to the Advocate for review and report any matter relating to the provision of designated services that involves the interests and well-being of children and youth, which may include a review of critical injuries, a death or other specific incident concerning a child or youth in the care or custody of the government or a First Nation service authority.

15(2) The Advocate must conduct a review and make a report under subsection (1) in accordance with the terms of reference established for the review by the Legislative Assembly or the Minister. S.Y.2009, c.1, 2.15

2.0 ISSUE

Children have a right to an education. They have a right to go to school and to receive an educational program that helps them reach their educational goals and full potential. In the course of providing individual advocacy, the Advocate has learned of numerous children of all ages who do not attend school consistently. Some do not attend at all.

This issue is currently relevant due to the high volume of children who currently have attendance issues, which is recognized by the Government and Yukon and is intensified by the Auditor General Report entitled *Report of the Auditor General of Canada to the Legislative Assembly of Yukon – Kindergarten Through Grade 12 Education in the Yukon* which highlights

many of the barriers to attendance and achievement that the Advocate has observed in the course of individual advocacy.

3.0 OBJECTIVES

- To review attendance rates of Yukon students
- To analyze the issue of school attendance from the perspective of children's views and children's rights
- To identify the barriers to school attendance and therefore student achievement
- To collect information from children, caregivers, families, communities, school personnel, school councils, Department of Education and any other relevant departments, stakeholders and First Nations to understand the issue, the barriers, and strategies for eliminating those barriers
- To bring public attention to the issue promoting a coordinated response to improving attendance
- To provide advice to the Department of Education that promotes children's rights to education and addresses root causes and barriers to consistent school attendance and therefore to student achievement.

4.0 SCOPE/LIMITATIONS:

The Review will include:

- All Yukon children and youth who are eligible to attend Yukon schools during the period August 2017-March 2020.
 - A review of all instructional days missed
 - A review of student dismissals
 - A review of homeschooling and non-enrollment
 - A review of educational assessments, learning plans and behavioural supports
- Barriers to attendance will be reviewed for Yukon children and youth who have missed more than 20 days in a school year during the review period and the root causes of those barriers and strategies for eliminating them.

The review will not include:

- children and youth who are registered in homeschool programs and have provided reports to the Department of Education
- children and youth who were over the age of 16 on August 28th, 2017.

5.0 METHODOLOGY

- Review of Advocate data
- Identification of Department of Education point person
- Review Department of Education data and school records
- Review Department of Education initiatives to improve school attendance
- Communication and coordination with First Nations governments regarding First Nation government concerns and priorities for improving school attendance
- Personal interviews with children and youth
- Personal interviews and surveys with caregivers, family members, school personnel, school councils
- Review of legislation, policy and departmental strategies
- Review of relevant reports and research
- Consultation with relevant experts and advisors
- Other factors may arise for consideration

6.0 TIMEFRAME

The review is launched January 2020. An interim report will be provided to the Minister of Education by March 2021.

7.0 REPORTING

Public participation and public reporting will occur through personal interactions, social media and public media throughout the review. Formal reports will be made public and tabled by the Speaker of the Legislative Assembly. The Advocate will protect the personal information of children and youth involved in the review and will ensure information provided to the public is non-identifying. The review will be summarized in the Advocate's annual reports.

8.0 ATTACHMENTS

- Letter from Minister McPhee to Advocate

9.0 SIGNATURES



Tracy-Anne McPhee
Minister of Education

May 15, 2020
Date



**Minister's office (CM-3)
PO Box 2703, Whitehorse, Yukon Y1A 2C6**

January 24, 2020

Annette King
Office of the Yukon Child & Youth Advocate
2070 2nd Ave. Unit 19
Whitehorse, Yukon Y1A 1B1

Dear Ms. King,

Re: Notification of Independent Systemic Review

Thank you for your letter of January 14, 2020, regarding your intent to conduct an independent systemic review of inconsistent student attendance in Yukon schools. I welcome your attention to this important matter and share your concerns about student attendance.

I also appreciate you taking the time to meet with Deputy Minister Morgan and I this month to discuss your plans and the connections between this review and some of the recommendations from the Auditor General of Canada in the 2009 report "Public Schools and Advanced Education – Yukon Department of Education" relating to student attendance, and in the 2019 report "Kindergarten Through Grade 12 Education in Yukon – Department of Education" relating to root causes affecting student outcomes.

Following our discussion, I am recommending this review be conducted pursuant to s. 15 of the *Child and Youth Advocate Act*, rather than ss. 12 (1), wherein I would provide additional authorities for you to engage with the public, key external partners in education and Yukon First Nations as part of this review.

Many factors influence student attendance and engagement at school, and we would like to ensure you are able to engage and share your findings with students, public partners and governments with roles and responsibilities toward student attendance, as you raised in your letter and at our meeting in January.

Accordingly, as Minister of Education I am referring this matter to you for your review pursuant to s. 15 of the Act, which states:

The Legislative Assembly or a Minister may refer to the Advocate for review and report any matter relating to the provision of designated services that involves the interests and well-being of children and youth, which may include a review of critical injuries, a death or other specific incident concerning a child or youth in the care or custody of the government or a First Nation service authority.

Therefore, I formally request that you conduct a review of and make a report on the issue of inconsistent student attendance, pursuant to s. 15 of the Act.

As part of the terms of reference for this review, I request that you:

- engage with the Department of Education and any other relevant departments, as well as with students, families, Yukon First Nations governments and public partners in education; and
- examine the related issue of how root causes may be contributing to poor student attendance and impacting to student outcomes in terms of performance in learning.
- Provide a report to be tabled, by the Speaker of Legislative Assembly,

The Department of Education will fully cooperate with your office as you conduct this independent review. Kelli Taylor, A/ADM of Policy and Partnerships, will be the lead contact at the department to ensure you receive all the information you need from the department for this review. Ms. Taylor can be contacted at kelli.taylor@gov.yk.ca or 867-456-6787.

Thank you again for your initiative to address this important issue. I look forward to learning more from this review about students' perspectives and experiences in relation to attendance at school, and how we can further work with Yukon families, school communities, Yukon First Nations and education partners to addressing barriers and supporting students in attending school and engaging in their learning.

Sincerely,



Tracy-Anne McPhee
Minister of Education