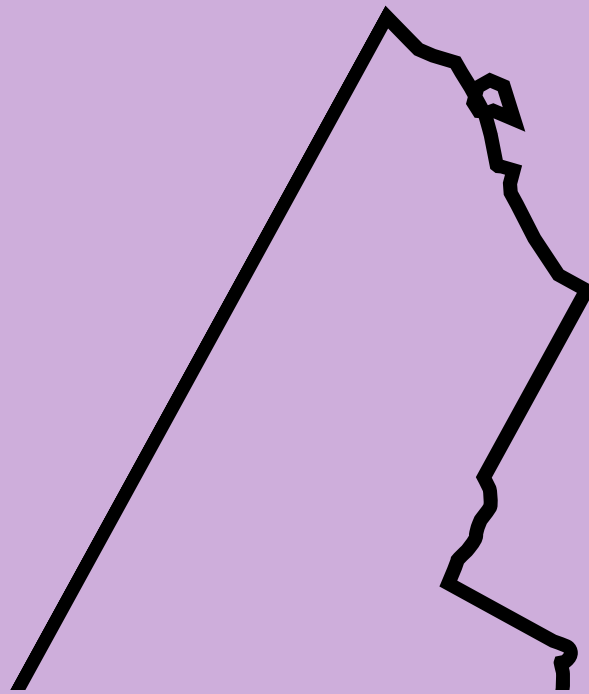


# CLOSE TO HOME

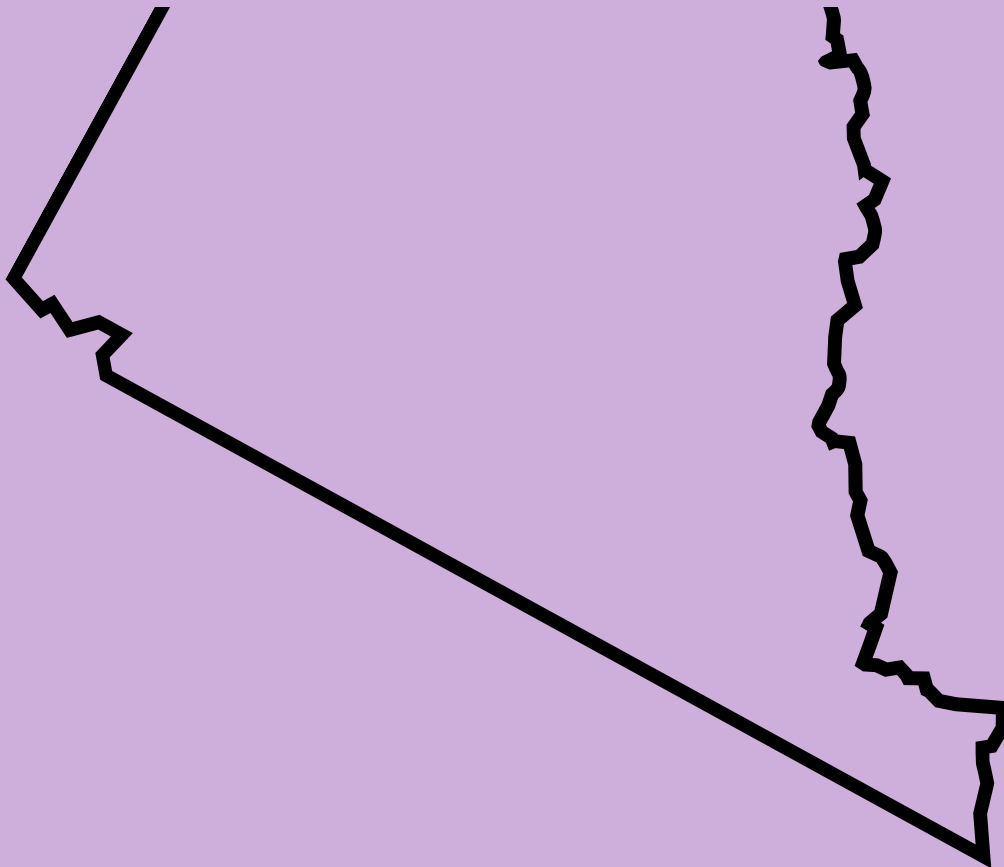
A Yukon Approach to Supporting Children with Complex Needs:  
*Summary of Findings*



February 2025



The Yukon Child & Youth Advocate Office (YCAO) respectfully acknowledges that we work and live on the traditional territories of the 14 Yukon First Nations. Government policies have caused violent and long-lasting impacts to Indigenous children and youth, and we commit ourselves to working in partnership with Yukon First Nations by integrating traditional knowledge and culture for the safety and well-being of children throughout the territory.



# Mission

We commit to upholding the rights and amplifying the voices of children and youth throughout the Yukon.



# Vision

The vision of YCAO is for a safe and healthy society that hears, includes, values, and protects the rights and voices of children and youth.

# Values

YCAO operates from a foundation of Indigenous values, and believes that traditional knowledge and culture can guide the work of our office in a way that supports all Yukon children and youth.

Currently, these values are Empowerment, Integrity, Excellence, Professionalism, Accountability, Self-Determination, and Respect.



# Table of Contents

Executive Summary	1
Quick Facts	2
Review Process	3-5
Understanding the Challenge: A Systems Thinking Approach	6-7
Mapping System Interactions	8-9
Systems Map 1 Children With Complex Needs and Their Families - A Common Path	10
Systems Map 2 Interactions Between Parents/Caregivers and Service Providers	11
Systems Map 3 Dysregulation and Social Isolation - A Self-reinforcing Problem	12
Themes for Analyzing a Complex System	13-21
Children's Views	22
Service Provider Values	23
A Shared Vision from Service Providers	24
Ideas From Parents, Caregivers, and Service Providers	25-26
Recommendations for Strategic Interventions	27-28
Acknowledgements	29
Appendix A: Additional Relevant Articles from the UN Convention on the Rights of the Child	30
Appendix B: Notification to Yukon Government	31-33

# Executive Summary

The Yukon Child & Youth Advocate Office (YCAO) is an independent office of the Yukon Legislative Assembly that represents the rights, views and preferences of children and youth who are eligible or currently receiving government services and programs.

Through YCAO's ongoing individual and systemic advocacy work, we have observed an upward trend of children being denied access to a full-time education, often due to neurodiversity and dysregulation resulting in difficult behaviours and complex learning challenges. At the onset of the review in March 2024, YCAO identified 39 individual advocacy cases that fall within the scope of the review. Over 70% of the children identified are Indigenous.

In many cases, these children are connected to a wide range of community organizations and Yukon government departments, yet they continue to face challenges accessing safety and stability, mental and physical wellness, and a meaningful education program.

YCAO is deeply concerned about the lack of local comprehensive resources to adequately support these children and their families. In the past decade, through our individual and systemic advocacy work, we are aware of numerous children who have been sent to residential treatment centres outside the territory. Having children leave the territory is disruptive for both the child and their family, particularly when the child is separated from their family. This disruption can undermine the effectiveness of these programs and erodes the support network that has been established locally. Further, these programs are expensive. Not only is there a cost associated with the treatment, but families often need to relocate temporarily or travel back and forth for periods of time spending money on transportation and accommodation.

YCAO has an interest in, and a responsibility to, understand and address the challenges complex needs pose. As such, the YCAO embarked on a systemic review of how Yukon government supports children with complex needs. This work included learning from parents, First Nations, not-for-profit organizations, medical professionals, education professionals, and other Yukon government employees.

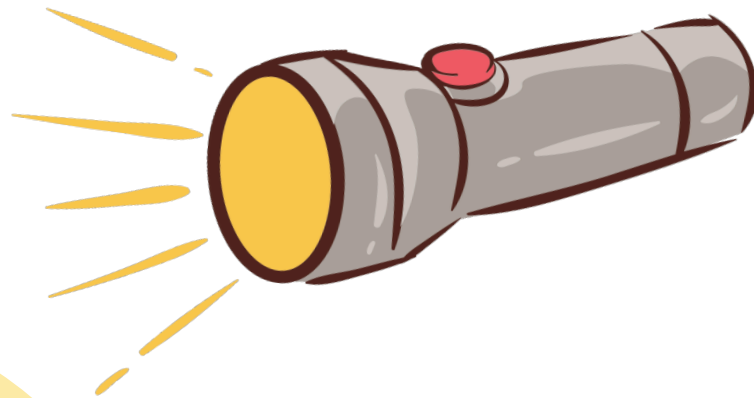
Through this process, we have learned that government structures and systems are contributing to poorer outcomes for many children with complex needs and their families. Parents, caregivers, and service providers have all told us they often feel their efforts are serving the system more so than they are serving the child. There is an acknowledged need for flexible and creative approaches, customized for each child and family. This need is not compatible with the current approaches, which tend to be highly structured. Our expectation is for the Yukon government to collaboratively analyze their systems and practices in order to identify barriers that are preventing children from accessing the supports and services they require to thrive.

To uphold the rights of Yukon children with complex needs, the Yukon Child and Youth Advocate Office is recommending the Yukon government implement the following strategic interventions:

- 1 Assemble a Multi-Departmental Complex Case Committee
- 2 Establish Yukon-based Therapeutic Resources
- 3 Develop Policies and Programs for Parent Supports
- 4 Provide Additional Training for Educators
- 5 Provide a response and follow-up to the Advocate's recommendations

# Quick Facts

About YCAO Advocacy  
for Children with  
Complex Needs



YCAO has identified

**39**

children with individual  
advocacy issues that  
fall within the scope of  
the review.

The average age at  
first referral to  
YCAO is **10.3**.

**70%**  
of these  
children are  
Indigenous.

YCAO's review of  
Out of Territory  
Treatment included

**15**

children and  
youth.

Over

**90%**

of these children  
have more than  
one issue.

In one case, YCAO had  
**17**  
advocacy issues for one  
youth, going back to 2013.

# Review Process

Section 15 of the Yukon *Education Act* states:

- 1 Students who, because of intellectual, communicative, behavioural, physical, or multiple exceptionalities are in need of special education programs, are entitled to receive a program outlined in an Individualized Education Plan.
- 2 A student who is entitled to an Individualized Education Plan shall have the program delivered in the least restrictive and most enabling environment to the extent that is considered practicable by the deputy minister or by a School Board in consultation with professional staff and parents, having due regard for the educational needs and rights of all students.

YCAO is aware of numerous circumstances where children's rights have not been upheld. As such, the YCAO launched a formal systemic review in accordance with s.12(1) of the *Child and Youth Advocate Act* to examine how Yukon children with complex needs are supported by the departments of Education and Health and Social Services. Although the issue is widespread from preschool to high school, YCAO decided to focus on the immediate needs of children who are elementary school aged.

YCAO contracted local consultant Michael Pealow to lead engagement, facilitation and summary for this review. This included learning from parents, First Nations, medical professionals, and representatives from Yukon government Health and Social Services and Education. Views and perspectives were collected through a combination of interviews, submissions, a survey, and a parent focus group. Nine parents and caregivers and 18 service

providers engaged in this part of the process. In May of 2024, a facilitated event with approximately 60 Yukon government and First Nation government representatives was held to share a summary of initial engagement, validate these findings, and to solicit principles, ideas, and approaches for improving outcomes.

While our engagement had limitations, our hope is that Yukon government will expand engagement and collaboration with subject matter experts in follow up to this report.

This report contains a summary of findings from this process, analyzed through a systems thinking approach, as well as a series of recommended strategic interventions; actions that we believe are necessary to uphold the rights of Yukon children and to improve outcomes for children, families, and the Yukon as a whole. Due to YCAO's limited mandate the recommendations made in this report focus on Yukon government services.



YCAO wants the best possible outcomes for children and to ensure that their rights are upheld. Canada is a signatory to the United Nations Convention on the Rights of the Child (UNCRC). Under this Convention, children have the right to:

## Article 12:

- 1 A child who is capable of forming their own views has the right to express those views freely in all matters affecting the child, the views of the child being given due weight in accordance with the age and maturity of the child.
- 2 For this purpose, the child shall in particular be provided the opportunity to be heard in any judicial and administrative proceedings affecting the child, either directly, or through a representative or an appropriate body, in a manner consistent with the procedural rules of national law.

## Article 23:

- 1 A mentally or physically disabled child should enjoy a full and decent life, in conditions which ensure dignity, promote self-reliance and facilitate the child's active participation in the community.
- 2 The right of the disabled child to special care and shall encourage and ensure the extension, subject to available resources, to the eligible child and those responsible for his or her care, of assistance for which application is made and which is appropriate to the child's condition and to the circumstances of the parents or others caring for the child.
- 3 Assistance extended in accordance with paragraph 2 of the present article shall be provided free of charge, whenever possible, taking into account the financial resources of the parents or others caring for the child, and shall be designed to ensure that the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development.

## Article 28:

- 1 Children have the right to an education, and with a view to achieving this right progressively and on the basis of equal opportunity, they shall, in particular:
  - (a) Make primary education compulsory and available free to all;
  - (b) Encourage the development of different forms of secondary education, including general and vocational education, make them available and accessible to every child, and take appropriate measures such as the introduction of free education and offering financial assistance in case of need;
  - (c) Make higher education accessible to all on the basis of capacity by every appropriate means;
  - (d) Make educational and vocational information and guidance available and accessible to all children;
  - (e) Take measures to encourage regular attendance at schools and the reduction of drop-out rates.
- 2 Parties shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child's human dignity and in conformity with the present Convention.

[...]

## Article 29:

- 1 The education of the child shall be directed to:
  - (a) The development of the child's personality, talents and mental and physical abilities to their fullest potential;
  - (b) The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations;
  - (c) The development of respect for the child's parents, the child's own cultural identity, language and values, for the national values of the country in which the child is living, the country from which they may originate, and for civilizations different from their own;
  - (d) The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of indigenous origin;
  - (e) The development of respect for the natural environment.

[...]

# Understanding the Challenge: A Systems Thinking Approach

Children with complex needs may experience one or more of the following events:

- Dysregulation at home and in schools.
- Violent incidents: harm to self or others.
- Suicide attempts.
- Hospitalization.
- Exposure to/use of harmful substances.
- Dismissal/suspension/expulsion from school.
- Reduced or lack of school program.
- Social exclusion/isolation.
- Out of home placement, frequent placement change.
- Out of territory for assessment and/or treatment.
- Caregivers experiencing personal challenges (limited capacity, financial/housing insecurity, mental health challenges).

“ I feel so stuck. I'll have to take Leave Without Pay to be a full-time caregiver. I don't know how I'll pay rent to keep a roof over our heads. ”  
- parent

These events are symptomatic of underlying trends and patterns, all of all of which can be measured, such as:

- The number of children identified as having complex needs.
- The number of emergency response calls to homes and schools.
- The number of initiated Violence Threat Risk Assessment processes.
- The number of Workplace Risk Assessments and incident reports.
- The number of restraints or holds used.
- The number of children being dismissed/suspended/expelled.
- The number of missed school days.
- Levels of educational attainment (e.g. numeracy, literacy, assessed grade level, etc.)
- The number of educational/behavioural support plans created and implemented (Individualized Education Plans, Student Support Plans, Behavioural Support Plans, Safety Plans).
- The number of Educational Assistants (EAs) assigned to children to support behaviours.
- The number of parents losing employment or relying on income assistance.
- The number of children accessing assessment or treatment out of territory.
- The amount of money being spent on sending children out of territory.
- The long-term cost of delayed, effective interventions.

These trends and patterns are the product of multiple, complex interactions between systems and the people who are engaged in these systems. As such, a systems thinking approach is useful for understanding these interactions and the outcomes they are producing. Systems thinking approaches help to identify areas for intervention, ideally leading to improved outcomes.

“  
I feel rejected.  
Like I'm a bad kid.  
- youth  
”

# Mapping System Interactions

Based on interviews, the survey, and the parent and caregiver focus group, we have mapped several systems interactions. While this approach does not capture every interaction, perspective or outcome, it does illustrate patterns that are both significant and common.

In this context, the term “dysregulation” refers to emotional dysregulation, which can be defined as “patterns of emotional experience or expression that interfere with goal-directed activity.”<sup>1</sup> The term typically implies a loss of self-control. In this context, however, dysregulation may also include behaviours of self-preservation arising from sensory overstimulation, maladaptive behaviour with the intent of achieving a desired outcome, violent incidents, and self-harm. In all contexts, dysregulation may be interpreted as the child’s attempt to communicate, albeit in a socially undesirable manner.

**Systems Map 1: Children with Complex Needs and Their Families – A Common Path** explores the immediate and long-term consequences of removing a child from the educational system. This map illustrates a **cascade effect**, where an act results in a chain of events (linear, radiating, or magnifying) that are often unseen or unintended. In this case, parents and service providers alike made the connection between the removal of a child from school and long-term negative consequences for the child, family, and society alike.

Most parents who contact YCAO are taking a proactive approach to ensure their children’s best interests are met. In many cases, parents and caregivers seek out relevant supports, though some are not aware of the services and supports that are available. Some parents and caregivers engage with government systems and have negative experiences. These experiences are explored in more detail in the section **Themes for Analyzing a Complex System**.

In **Systems Map 2: Interactions between Parents/Caregivers and Service Providers**, the first interaction reveals that – when service providers assess their ability to provide support – there are multiple systemic barriers to providing children with the supports they need. This creates a situation where parents and children must conform to the needs of the system, rather than the system adapting to the unique needs of the children and creating an environment where they can thrive. It also creates a situation where service providers feel frustrated and disempowered. These barriers were all identified by parents and service providers through the survey, focus group, and interviews.

“ It’s challenging to create a reliable schedule without knowing what support will be available. - parent ”

<sup>1</sup> Thompson RA. Emotion dysregulation: A theme in search of definition. *Dev Psychopathol.* 2019 Aug;31(3):805-815. doi: 10.1017/S0954579419000282. Epub 2019 Apr 29. PMID: 31030684.

In Systems Map 3: Dysregulation and Social Isolation – A Self-Reinforcing Problem, we can see that when two or more factors – such as a neurodiverse child having a negative experience in the school environment – combine, it may lead to the child becoming dysregulated. This sets off a sequence of events within the school environment. This sequence of events leads to increased social isolation for the child and that, in turn, can increase anxiety, feelings of negative self-worth, and other feelings that may lead to more frequent or more extreme dysregulation. This negative feedback loop ultimately results in the child removed from public education on a long-term basis, and the negative feedback loop continues.

It must be noted that children and parents or caregivers living in communities outside of Whitehorse face higher barriers to accessing supports than families living in Whitehorse, further amplifying the issues identified in the following systems maps.

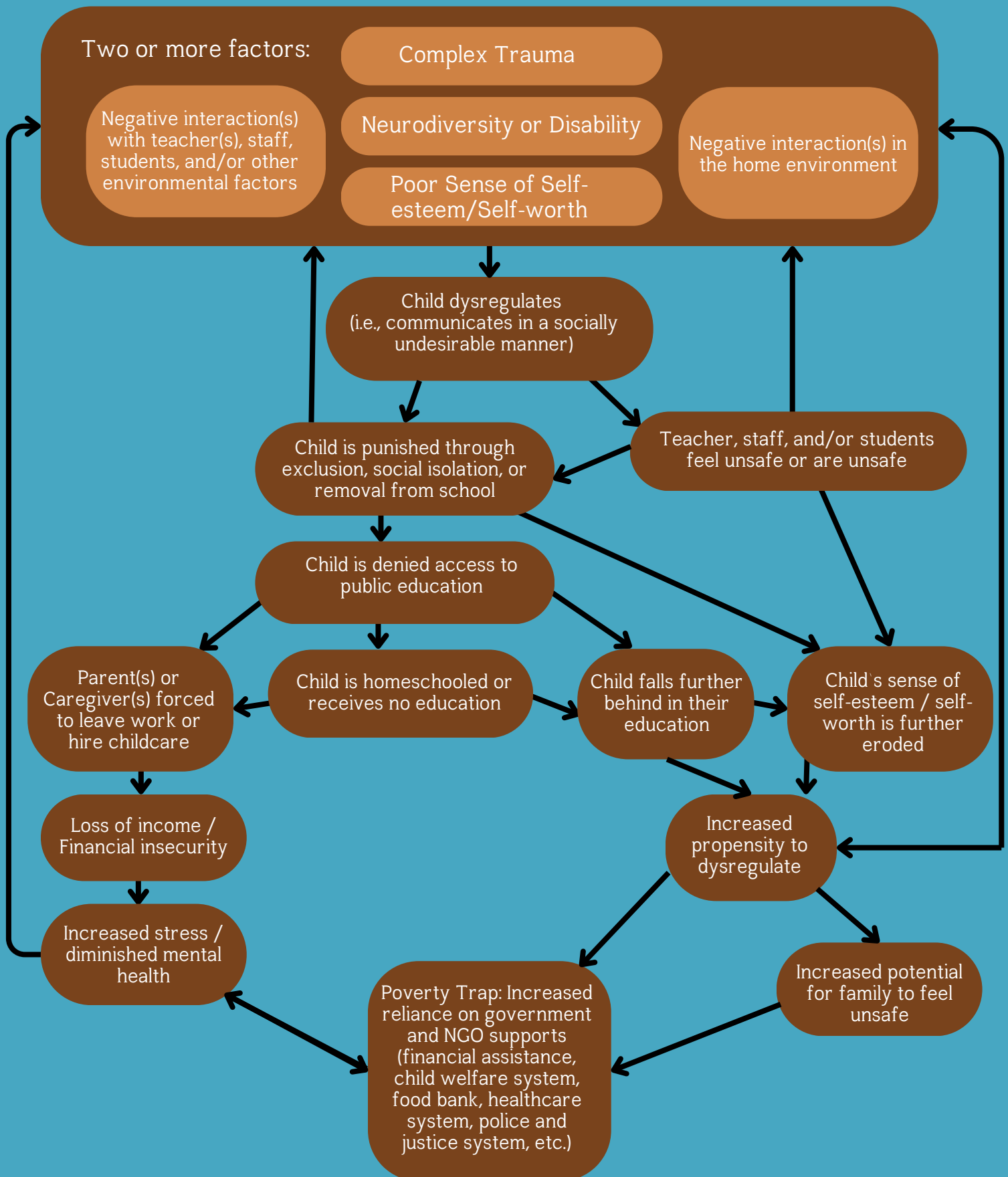
“  
It feels like  
there is a  
concerted  
effort to  
push us out.  
”

- parent



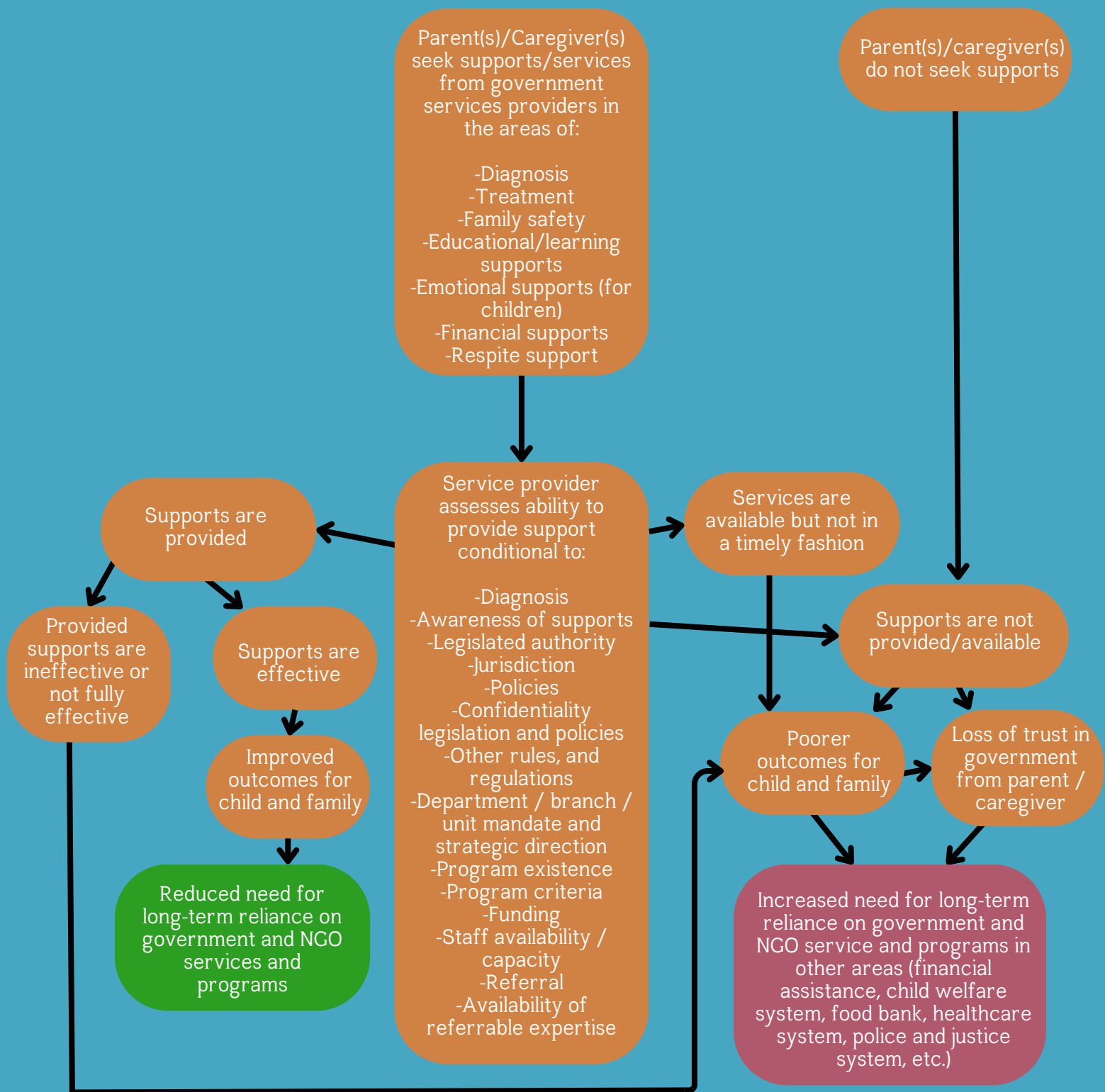
# SYSTEMS MAP 1:

## Children With Complex Needs and Their Families - A Common Path



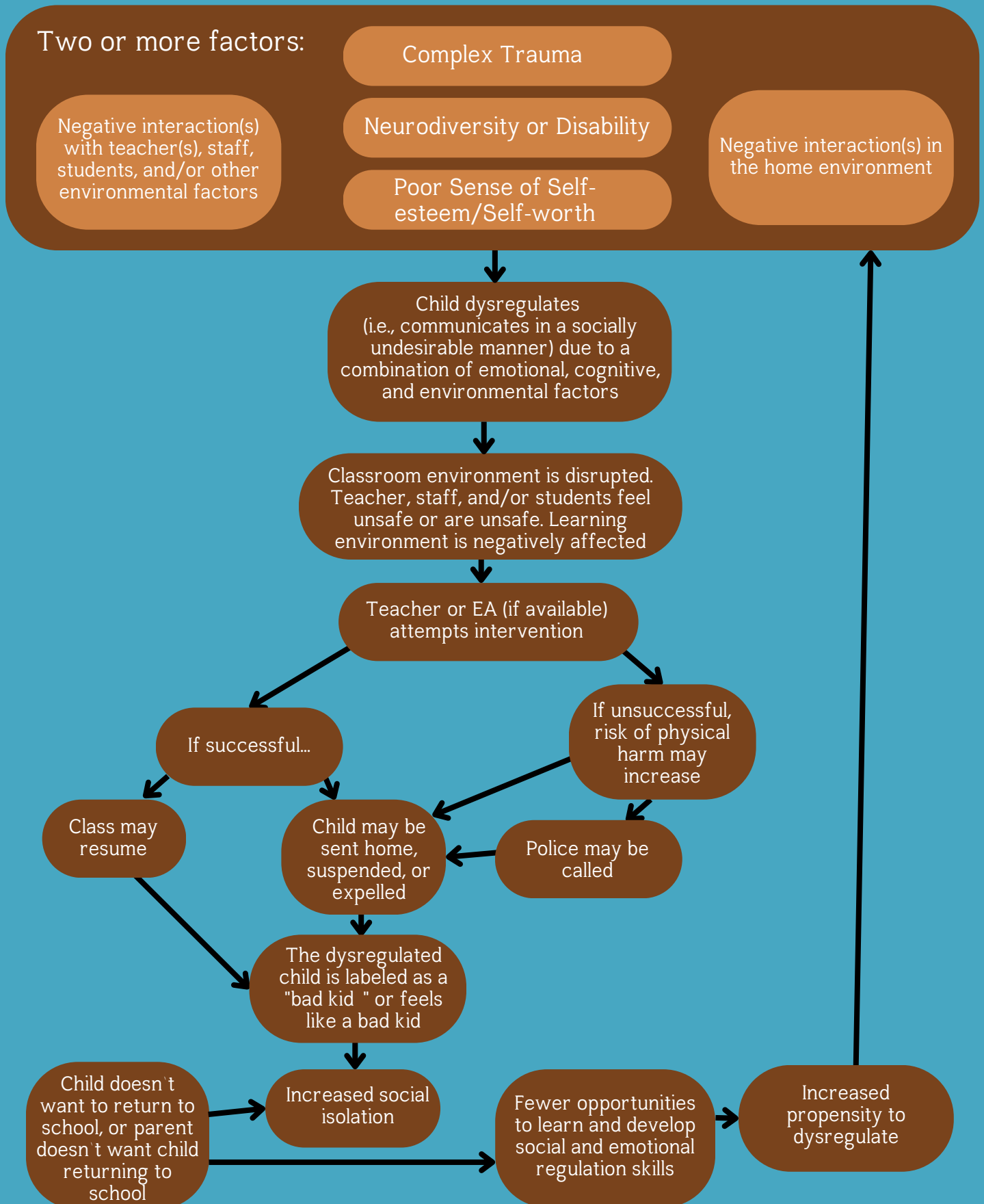
# SYSTEMS MAP 2:

## Interactions Between Parents/Caregivers and Service Providers



# SYSTEMS MAP 3:

## Dysregulation and Social Isolation - A Self-reinforcing Problem



# Themes for Analyzing a Complex System

As part of the engagement process with service providers, the facilitator identified seven underlying themes that are informing how the systems that interact with children and their families do their work. These themes identify perspectives that represent underlying assumptions we make about how the world works or should work. They are seldom obvious, rarely questioned, and when they are, they are not always agreed upon.



# 1) How We Think About Children

## Are children not ready for schools or are schools/systems not ready or working for children?

The term “Children with Complex Needs” implies that the existing challenge is the children themselves. The framing of children as the problem, as not ready for school or as not suited to school results in the removal of children from schools (i.e., removing the problem) and inappropriately absolves the systems the child is interacting with of their role in co-creating negative outcomes.

In the focus group and survey, several parents commented on how their children dysregulate in the school environment, but not when they’re at home or involved in other environments (such as Scouts, sports, or where they’re engaged in activities suited to their interests and aptitudes). The implication made by parents is that there is something specific to the school environment that isn’t working for their children.

Several survey participants spoke to the schools’ and broader systems’ inability to respond to the needs of the children who do not conform to the needs of the system. This shift in worldview shifts the burden of responsibility from the child having the responsibility to conform to the needs of the school system to the school having the responsibility to conform to the needs of all children.

One worldview is that students should be able to fit into the learning environments that are created for them, as opposed to making learning environments that fit all students – the latter being an inclusive approach. Others spoke to the need for alternative learning environments, such as therapeutic schools. While alternative learning environments aren’t inclusive in the sense that children with complex needs are integrated with all other students, they are inclusive in the sense that they are able to attend public education in a system more adapted to their needs.

## Children as problems or children as learners?

Children with complex needs may be labeled by some as “children with problems” or “problem children.” This overlooks the fact that all children are learners – and their interactions with systems teach them about themselves. As one parent asked, “What are we teaching them about themselves?” When children are treated as “problems that need to be dealt with” as opposed to “learners who have co-created a learning opportunity,” they develop a negative sense of self-worth and may adopt the role that is expected of them, socially.

## Focus on weakness or deficiencies, or focus on strengths?

Most support services start with a focus on weakness or deficiency and some supports require proof of this through diagnosis or referral. Similar to the framing of children as problems, a focus on weaknesses has a negative effect on a child’s self-worth. Socially, it is isolating.

Parents and service providers have explained that by following a child’s interests and aptitudes, it can help build a child’s self-confidence. While there may be academic standards that are never attained, these interests and aptitudes can be nurtured in a way that helps children develop into confident, contributing members of society.

## 2) Responses to Dysregulation in Schools

Children have the right to an education – but not if it is unsafe for others

Children have the right to a public education. Children, educators and staff must also be safe in an educational environment. When children dysregulate and a loss of safety occurs, one of the system's responses is to remove the child from the educational system. While it maintains a safer environment for the other children, it violates the rights of the child. This is a tension experienced within the educational system and begs the question "How can all children have access to an education while keeping everyone as safe as possible?"

### Disconnection as the solution or connection as the solution?

Children with complex needs experience disconnection and social isolation through removal, suspension and expulsion, but also through the ostracization of their peers and their peers' parents. While this may improve the sense of safety and the quality of the learning environment for the more typical children in the classroom, the systems maps illustrate how disconnection magnifies problems for children with complex needs.

Parents and interview participants suggested that increased connection may be the solution. This may occur in the form of students or professionals who are able to connect with the child and help them develop socio-emotional skills, or through deliberate interventions that help the child feel safe and connected in the classroom. This may involve working with the other children in the classroom to discuss events and how they were affected by them.

### Someone else's problem or finding solutions?

Parents and service providers alike commented on feeling like other service providers were "passing the buck" when it came to supporting children with complex needs. While there may be service providers doing this – and certainly removing children from the education system does make it "someone else's problem" – generally this perception occurs for a variety of other reasons, including:

- Service providers not having, or not feeling like they have the necessary expertise.
- Parents not being aware of the various service providers and the supports they provide.
- Parents not being able to find the supports their children need.
- Service providers not offering the supports the child needs.
- Service providers being constrained by:
  - Legislation and regulations.
  - Department/branch/unit mandate and strategic direction.
  - Policies.
  - Program requirements/criteria.
  - Funding.
  - Staff availability and capacity.
  - Availability of expertise.

Parents and service providers alike spoke to frustrations with how the systems that are in place are less suited to finding creative solutions than they are on the requirements of the system.

# 3) Frameworks in Education and Schools

## Schools as sites of learning, healing, and belonging, or as sites of trauma?

For many, schools are places where children go to learn, belong, and even heal.

Some parent/caregiver focus group and interview participants felt that schools should be places of healing, where students can also access therapy without leaving the school environment and without losing class time, and parents losing work time traveling back and forth from appointments. Recent changes that will potentially allow for therapy and support services within the school environment were celebrated. Not everyone supported this approach, however, concerned with the potential for stigmatization, or believing that schools should focus on academics.

For many children with complex needs, schools are not a place of learning, healing, or belonging, but are a place of trauma. Understanding the distinction is important when considering how to cultivate an inclusive school environment, or when deciding to remove a child from school. During the focus group and interviews, stories were shared of students who had been removed from the school environment by their parents or caregivers because the environment was unsafe or traumatizing for the student.

## The purpose of education and school: For academic learning? Whole-person learning? Therapy? Social needs?

There is a broader societal debate about the purpose of schools. Are they purely for academic learning? To prepare students for careers or life outside of school? Are they for whole-person learning? To address students' social needs?

The purpose of the school system will dictate which measures of success are used. For example, if academic learning is the focus, the focus will be on diplomas as a measure of success. If preparing students for careers or life outside of school is the focus, then the development of skills that contribute to society will be the measure of success. Several parents and caregivers indicated that their children will not be pursuing diplomas and, because of that, don't see a place for their children in the school system as it is currently designed. Instead, these parents are focused on helping their children develop skills that will lead to their child being a productive member of society.

Under the UNCRC, the purpose of an education is to develop "the child's personality, talents and mental and physical abilities to their fullest potential." (Article 29). For disabled children, the responsibility is to ensure that "the disabled child has effective access to and receives education, training, health care services, rehabilitation services, preparation for employment and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development." (Article 23).

## Teacher autonomy vs. dictated or directed approaches

There is an inherent tension in the education system between teacher autonomy and dictated or directed teaching approaches. One perspective is that teachers need autonomy to develop creative, customized approaches for their students. The contrary perspective is that there are teachers who will not modify their approaches unless directed to do so, and that this is an opportunity to introduce new and innovative approaches into the education system. This is an example of a situation where both approaches are necessary: where teachers need the autonomy to develop creative, customized approaches, and where directed approaches may be required to support creativity and innovation in education. Both require training and time.

## 4) Educational Supports

Focus on the visible children, the ones that are quietly struggling, or both?

Some of the people we heard from during the facilitated sessions commented on how the support system seems to focus on the children who are visibly struggling (i.e, children who are engaging in socially undesirable behaviour in the school environment), but that there are many children who are struggling silently – and that all these children need support.

Education Assistants (EAs) as a positive intervention or EAs as a negative intervention?

Many spoke to the importance of EAs and that more are needed in the school environment. Others had concerns that EAs can negatively affect a child's self-perception as well as their social development. The presence of an EA alters how a child communicates with their peers – as the presence of any adult would.

EAs as low-paid, low-qualified employees or as education professionals?

There was concern about EAs not consistently having adequate training to work with children with complex needs, and an expression of a preference for the recruitment of staff with higher qualifications. Another concern related to the wage levels for EAs, which may deter the recruitment of EAs with higher qualifications.

EAs or alternative supports?

Finally, some of the people we heard from felt that there is an overreliance on using EAs as a solution when other supports, like qualified teachers, Learning Assistance Teachers, or tutors, may be more effective and more cost effective.



This is terrible for  
me, terrible for my  
mental health,  
terrible for school.

- youth

## 5) Therapeutic Schools

Does the Yukon need a standalone therapeutic school, or should every school be a therapeutic school?

Therapeutic schools were a common point of discussion among parents, caregivers and service providers. Some spoke to the need for therapeutic school services during the day, and others indicated that a specialized 24-hour treatment centre where a child could stay and still receive an education is needed.

Many spoke to the need for a Yukon-based therapeutic school because sending children out of territory is disruptive and can even be harmful to children and their families. Several participants suggested that a Yukon-based therapeutic school would be a more-effective use of resources than relying on outside services.

A handful of participants disagreed with the therapeutic school approach, with some suggesting that every school could be a therapeutic school by integrating therapeutic supports throughout the school system. Others felt that therapeutic schools make it too easy for schools to “pass the buck” and, consequently, there was concern that they can become a place where children with complex needs are warehoused.

### “Don’t call it a therapeutic school”

Some concern was expressed about the term “therapeutic school” because of how the term can shape the self-image of children who attend them. For children who already experience stigmatization, there are worries that therapeutic schools can exacerbate this problem. This doesn’t necessarily mean that they are against therapeutic approaches or the schools themselves, but instead suggest that therapeutic schools just be called schools.

### Therapeutic schools: Making things better or worse?

Therapeutic schools provide intensive therapeutic supports for children, helping them heal and develop socio-emotional skills like the ability to self-regulate.

Several participants questioned the value of therapeutic schools, however, wondering if they make things better or worse for children – particularly for children with anxiety and sensory processing challenges. If the therapeutic school environment has children who are loud or violent, this can lead to the dysregulation of other students who need quieter and calmer environments, creating a site of trauma rather than a site of healing.

Concerns were also shared about how attending a therapeutic school might stigmatize the child and/or affect a student’s sense of self-worth.



## 6) Supports in General

### Blame the people or blame the systems or shared responsibility and accountability?

Parents and caregivers shared that they and their children felt blamed by the education and support system but, from their perspective, they are struggling with the education and support system that is supposed to be helping them and their children. Educators and support service providers, in turn, can feel blamed or attacked, often for things that are outside of their control.

When defensiveness arises, there is no longer an openness to looking at complex challenges from a variety of perspectives. Empathy and curiosity are necessary.

### “Power over”, “power with” or “nurturing power”?

Power dynamics play an important role in both the educational environment and when engaging with support services.

Traditionally, the education system has used a “power over” approach, with educators being expected to have authority over their students. This approach places an emphasis on using negative consequences (i.e., punishments) and positive consequences (i.e., rewards) to bring about the desired behaviour in children. For children with complex needs, punishment-based approaches can worsen dysregulation.

There are teaching approaches that are more relational, where power is shared. Some approaches to teaching focus on nurturing power within the students, giving them more decision-making power over what they learn and how they will learn, and seeking to nurture that sense of self-determination. Rather than “carrots and sticks”, the focus is on talking, teaching, and learning about feelings. The focus is on the child’s relationship with themselves and with those around them. There is an effort made toward relationship restoration.

The power-over approach tends to use pre-determined responses to dysregulation, whereas the relational approach tends to require developmental responses customized for each situation. Whichever approach is used, Article 28(2) of the UNCRC states that [governments] “shall take all appropriate measures to ensure that school discipline is administered in a manner consistent with the child’s human dignity and in conformity with the present Convention.”

Parents and caregivers expressed frustration with their own experiences with the power dynamics in the education and support systems, feeling like their knowledge and expertise aren’t valued. They shared specific examples of where they tried to share emotional regulation strategies with educators that worked for their children, but that the educators ignored this advice because “they’re the professionals”. Some service providers suggested that “leaving it to the experts” is best. Others, however, emphasized that children, family, and the community are experts, too.

### Tests first, supports second?

Equality means treating all children the same. Equity, however, recognizes that some children may need additional resources and supports. Education professionals pointed out that this allocation of resources becomes an issue in a resource-constrained environment, where parents will invoke “equality” to demand additional educational resources (such as EAs) for their children. This poses a challenge for education professionals and is one of the reasons why diagnosis is required.

Parents, caregivers and some support providers expressed frustration with the “diagnosis and tests first, supports second” approach to service delivery, where a diagnosis is required to access certain supports. They shared their concerns that diagnosis could be a long, protracted, and potentially expensive ordeal – when they know that their child needs support sooner rather than later. They are frustrated that delays in accessing support leads to poorer outcomes for their children.

## Funding as support or humans as support?

Parents and caregivers discussed government support programs that provide financial resources for parents to hire respite workers, support workers, etc. The parents expressed frustration with this approach because it requires them to have the skills and time to hire, administer, and report on these positions – something not every parent is able to do. One parent/caregiver described the administrative work as akin to taking on another part-time job, leaving them with even less time to work with their child. Parents and caregivers asked why the government doesn't have a pool of people already screened and hired available for when they are needed.

## Parents' responsibilities or governments' responsibilities?

There is a tension between where parents have responsibilities and where government support or intervention is desired or required.

Many parents and caregivers pointed out that the government has a responsibility to provide a public education for their child – and that this responsibility is falling to the parents when their children are removed (whether temporarily or permanently, and partially or fully) from the school system.

Some parents may need respite from their children and may request that their children be taken into government custody. Respite can be necessary for the safety of parents and other children in the household. Section 21 of the *Child and Family Services Act* only allows children to be taken into custody when the child is at risk – and not the family being at risk from the child. This legislated restriction prevents Family and Children's Services from providing support when that support could be in the best interests of the child and their family.

Numerous participants pointed out that nobody is helping parents navigate the education and support systems. As such, parents who are able need to become experts on the system. Parents who are not able to navigate government systems are not able to get the supports for their children.

## Disconnected services vs. connected services

Parents and service providers expressed frustration with the disconnection between services. Parents and children may be interacting with over a dozen service providers. Although attempts are made, it was observed by parents and caregivers and service providers that levels of collaboration are low. Some felt that there is a “stay in your lane” mentality. While that may be true in some cases, generally, collaborative case management across services is hindered by a lack of capacity (i.e., time and case load), policies, programs, and mandates, but also by legislation – including privacy legislation.

Several interviewees expressed concern that they cannot share information with other service providers for fear of breaching privacy legislation. Other service providers explained that this is not an issue and that it is a simple matter of asking for the parent or guardian's consent.

Some parents and guardians are happy to have their information shared amongst service providers, but others have lost trust in particular service providers because they feel that the information they shared was used against them and their child. These parents want to be able to choose who does and does not have access to their information.

# 7) Response Processes

## Simple, complicated, and complex problems

It is important to make the distinction between simple, complicated, and complex problems because our response must be appropriate to the nature of the problem.

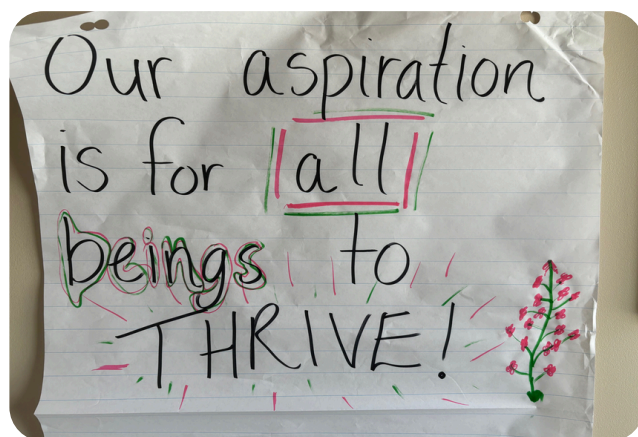
Simple problems are like cooking from a recipe. Expertise is not required, although it helps. The steps are known and understood, although outcomes can be better with knowledge and experience. The results are generally predictable.

Complicated problems are like sending a spacecraft to Mars. There are many steps that must come together, but generally those steps are understood even if expertise is required to make things work.

The following tactics are employed in response to simple and complicated problems:

- "Cause and effect" thinking.
- Program development.
- Following organizational boundaries.
- Authoritative or top-down leadership.
- Focusing on accountability and performance.
- Transactional or standardized approaches.

Complex problems are like raising a child. There are many interwoven and interacting dynamics, some of which may be understood and others that may be hidden. Responses may seem clear but could result in unintended and unwanted outcomes. Multiple competing systems interact with each other in ways that are sometimes predictable, but often not.



When dealing with complexity, it is natural to want to "fix the problem". Unfortunately, it is rarely that simple and systems must be adaptable to situations as they evolve.

The following tactics should be used when responding to a complex challenge:

- "Multiple dynamic interactions" thinking.
- Experimental or adaptive responses.
- Transcending organizational boundaries.
- Collaborative and participatory approaches.
- Focus on learning.
- Relational approaches that respect a diversity of experience.

Education professionals and service providers spoke to many factors that prevent them from adapting to situations, such as policies, rules, regulations, and legislation, mandates, program criteria, and resources. Generally, Yukon government is using tactics that are more suited to simple and complicated problems when attempting to support families and children with complex needs.

Parents, caregivers and service providers alike shared stories of how they felt disempowered by the educational and support systems; like the system has more power and authority over the situation than they do. They question whether they are serving the child or serving the system(s).

This begs the question: When you're in a hierarchical system that demands compliance with the needs of that system, how do you transition to an approach that is adaptable, creative, and responsive?

# Children's Views

“

It's really important that kids want to go because it can be traumatizing for the kids to be away from their loved ones and family because it can be emotional for them.

”

“

I'm going to be fine. I hope you think about it for a long time. I've lost the experience of friends...

”

“

I can't control my body. I can't control my brain.

”

I don't feel good

because I am stressed.

“

I just get so riled up and nothing helps.

”

“

They blame everything on me.

”

# Service Provider Values

At the May 2024 facilitated Close to Home event, service providers identified values that must form the basis of Yukon government's educational and support systems:

## Child and Family-centred

To have the ability to creatively support the unique needs of each child and their family. This needs to be done in a trauma-informed way that considers the holistic needs of both the child and family unit.

## Equity

What is fair is not always what is equal. Some children and some families will require more supports than others. Removing barriers to supports wherever possible is a priority.

## Community Connection

Connections are what make us human. Rather than removing children from community, the focus needs to be on strengthening those connections. This needs to be done in a culturally inclusive manner.

## Collaborative Experimentation

Collaboration is key. Proactively trying customized, innovative approaches and earning and adapting those approaches will yield better results.

“ We aspire to eliminate known barriers and work collaboratively to create a safe and inclusive environment for Yukon children and youth. This can be done through active listening with the intent to develop clear actions that are informed by data collected across all systems. ”

- Service Provider

# A Shared Vision from Service Providers

The following vision was developed based on direction from educators and service professionals at the Close to Home facilitated event:



“As educators and service providers, we work together to remove barriers to supports wherever we can, and work with children and their families to co-create approaches that work for them. We try new things, learning and adapting as we go.

We strengthen our connections as educators and service providers and help children and their families to strengthen their connections to community. We do this in a culturally inclusive manner.

Ultimately, children and their families have what they need to thrive.”



# Ideas From Parents, Caregivers, and Service Providers

Throughout the engagement process the following ideas were raised as potential strategies to address complex cases. Note that some participants held differing views about the best approach, and not all proposals would be feasible as presented. Nonetheless, they provide valuable insight and a basis for further exploration.

## A Yukon-based therapeutic school

Many participants spoke to the need for a Yukon-based therapeutic school (for daytime and 24-hour support). Previously, therapeutic supports were provided by Yukon government in a residential context (i.e., group homes), but this ceased when the responsibility for therapy was transferred from Family and Children's Services to Mental Wellness and Substance Use Services.

It was suggested that a Yukon-based therapeutic school would be more cost-effective than sending children out of territory. It was also suggested that keeping children closer to their parents (where parents can also participate in therapeutic processes) would be less disruptive for children and their families and, therefore, more effective overall.

Because the number of attendees in a therapeutic school may fluctuate over time, several process participants spoke to the need for maintaining the existence of a therapeutic school regardless of the number of attendees so that it is available when needed.

## Expediting access to supports

Many process participants expressed concerns about the amount of time it can take to connect children and parents with supports. Dysregulation in the school environment, in particular, can require a rapid response. Several ideas were shared to address this challenge, including:

- A rapid and adaptive response team that is mobilized when an incident happens.
- A "concierge" service for parents, that can assist with coordinating appointments and meetings.
- Dedicated "guides" to help parents navigate the support ecosystem.
- Establishing an Integrated Youth Service, that brings service providers together as one team.
- Establishing a dedicated "Youth and Family Supports Team". The team would have the mandate to co-create creative approaches that work for children and their families and would have the programmatic and financial flexibility to do so.

## Regular service provider meetings

The educators and service providers recommended that regular service provider meetings be held. Within this recommendation, two types of meetings were suggested - case management meetings and meetings to discuss systemic change.

## Respite worker pool

Parents and caregivers shared their challenges with the amount of time and administrative demands associated with hiring in-home supports, respite workers, tutors, etc. They suggested that it would be more efficient for both parents and Yukon government if Yukon government maintained a pool of in-home service providers to help children and their families on an as-needed basis.

## Hiring parents as EAs

Parents and caregivers proposed that the Department of Education should hire parents of children with complex needs as Educational Assistants. Some parents are currently homeschooling their children because they have been removed from the school environment either by choice or by suspension or expulsion. As the parents explained, “We have the expertise to know when our children are going to dysregulate and know how to prevent that from happening.” Some of these parents are currently on social assistance and felt that this would be a better use of government resources.

## Employ community members to teach traditional knowledge and skills

Hiring community members to work with children with complex needs can help with social integration, the development of socio-emotional skills, and can help cultivate a passion for learning.

## Support and training for educators

Additional supports for educators to manage the classroom environment were suggested (such as more Educational Assistants and Learning Assistant Teachers). Training in working with children with complex needs was also suggested.

## A “Guide to Supports for Parents of Children with Complex Needs”

It was suggested that a guide should be provided to the parents or caregivers of children with complex needs to help them know what services are available and how to access them.

## “Consent to Share Information” process

It was suggested that the approach for obtaining consent be clarified and that a system be used that service providers can access to confirm whether consent to share information between services providers has been obtained.

## Further collaboration and engagement between Yukon government and subject matter experts

It was suggested that all of the service providers working with the child should be in regular communication with one another, with a particular focus on seeking advice and recommendations from those with knowledge, experience and expertise in managing complex cases.

“ [This] child needs a very specific type of environment... with the right environment [they] can stay there and will not need to go through all of the disruptive transitions. – Service Provider ”

# Recommendations for Strategic Interventions

To uphold the rights of Yukon children with complex needs, the Yukon Child and Youth Advocate Office (the Advocate) is recommending the Yukon government implement the following strategic interventions:

## 1 Assemble a Multi-Departmental Complex Case Committee

The Advocate recommends that the Departments of Education and Health & Social Services prioritize the revitalization of the former Complex Case Committee.

The committee should focus on the flexibility required to address unique complex needs in an otherwise rigid system. The terms of reference should consider immediate supports, creative educational programs, therapeutic supports, and identification of service gaps.

The committee should have the authority and mandate to:

- Convene and host regular meetings for service providers to discuss how to improve support systems for Yukon children with complex needs.
- Provide case management support. Identify a lead case manager and include relevant services providers in meetings as necessary. Include First Nations and First Nation support organizations for First Nation children.
- Ensure all children have developmentally and culturally engaging programs that incorporate school and community.
- Provide recommendations to modify existing Yukon government policies, processes and programs that create barriers to education, health, therapeutic or rehabilitation services, preparation for employment, and recreation opportunities. Recommend solutions conducive to children achieving the fullest possible social integration and individual development, including their cultural and spiritual development.
- Allocate necessary resources to respond to emerging and prolonged situations for all Yukon children.
- Be knowledgeable of and able to make referrals to resources for appropriate assessment and treatment.
- Develop and implement customized supports for parents/caregivers.
- Establish an inter-departmental system to register and track consent to share information.

## 2 Establish Yukon-based Therapeutic Resources

The Advocate recommends that the Departments of Education and Health & Social Services establish culturally and developmentally appropriate Yukon-based therapeutic resources that work together to support children and their families in accessing education, and therapeutic placements.

- The Department of Education, with the collaboration of Health and Social Services, should develop a therapeutic education day program. They must work with relevant local experts to develop a model that is developmentally and culturally responsive. Children participating in the day program would have access to educational programming and wrap around therapeutic assessments and supports. This program would respond to the needs of students and the gaps in services identified by the Complex Case Committee and YCAO.
- The Department of Health and Social Services should develop a placement option that provides culturally and developmentally responsive therapeutic care for children and support for families, regardless of formal custody arrangements. The child should not have to need protective intervention to access this program, and guardianship should not have to be amended to access the resource. This resource should be available for short- or long-term placement options, respite support, and should facilitate access to wrap around therapeutic assessments and supports, including intensive family supports when relevant. The department should engage with relevant local experts to develop options that meet the needs of Yukon children requiring this intervention.

### 3 Develop Policies and Programs for Parents Supports

The Advocate recommends that the Departments of Education and Health and Social Services collaborate with each other, First Nations governments, non-government organizations and local professionals to provide supports for parents and caregivers.

Supports should assist in navigating the various services, and breaking down silos, with broad consideration for the impacts on families in cases where children have been removed from the school environment or are at risk of being removed from the school environment due to dysregulation. This includes considerations for potential financial insecurity, risk of losing employment, and feelings of burnout, stress and disillusionment.

### 4 Provide Additional Training for Educators

The Advocate recommends that the Department of Education provide training for educators on working with children with complex needs, particularly in the areas of preventing and managing dysregulation through relational methods and in a manner that fosters the socio-emotional development of all children in the classroom. The training should build an understanding of the local interagency resources available and the path to effective assessment and intervention. Educators should have access to assessments and strategies for the children they are supporting.

### 5 Yukon Government Response

The Advocate recommends that the Departments of Education and Health and Social Services facilitate ongoing discussions about Close to Home: A Yukon Approach for Supporting Children with Complex Needs with interagency service providers within Yukon government, First Nation governments, non-government organizations, and other relevant professional service providers.

The Advocate requests that this report be tabled in the Legislative Assembly in Spring 2025 and be released publicly. The Advocate requests that Deputy Ministers of Education and Health and Social Services provide an initial response to the Advocate by March 31, 2025, and a follow up response by December 1, 2025, outlining progress made toward addressing the issues and recommendations for strategic interventions. The Advocate requests that these responses are released publicly.

# Acknowledgements

It is clear that the systems are more complex than children or their needs. We are grateful to have expertise, experience and passion in the professionals working in this field. They have asked us to systemically address the gaps, and they are keen to be part of the solution. Thank you for your participation.

Thank you to Michael Pealow for facilitating personal interviews, a focus group, and an engaging session with government professionals and for compiling your findings for us.

Thank you to Xhastin's Healing Journey. Yvonne Jack and April Schultz provided cultural support and guidance throughout the review process.

We appreciate everyone who shared their experiences to strengthen this report. Despite the gaps we all observe, we are encouraged to have connected with many people who share a passion for improving the experience for young people. We expect a continuation of collaborative conversations.

Parents and caregivers took the time to fill out our survey and to participate in a focus group. We have also had numerous conversations with caregivers as we navigate the systems together through our individual advocacy work. We are consistently impressed by your dedication and hard work, fighting for what you know your children need.

Finally, we want to acknowledge that the reason we are all doing this work to improve system responses is because of the children who struggle in the existing system. They teach us through their words and actions, and they inspire us all to do better.

“ We want to provide a good quality education that develops the child's personality, talents, and mental and physical abilities to their fullest potential through the provision of education, training, health care services, rehabilitation services, preparation for employment, and recreation opportunities in a manner conducive to the child's achieving the fullest possible social integration and individual development, including his or her cultural and spiritual development.

- Service Provider ”

# Appendix A: Additional Relevant Articles from the UN Convention on the Rights of the Child

## Article 3

In all actions concerning children, whether undertaken by public or private social welfare institutions, courts of law, administrative authorities or legislative bodies, the best interests of the child shall be a primary consideration.

States Parties undertake to ensure the child such protection and care as is necessary for his or her well-being, taking into account the rights and duties of his or her parents, legal guardians, or other individuals legally responsible for him or her, and, to this end, shall take all appropriate legislative and administrative measures.

States Parties shall ensure that the institutions, services and facilities responsible for the care or protection of children shall conform with the standards established by competent authorities, particularly in the areas of safety, health, in the number and suitability of their staff, as well as competent supervision.

## Article 4

States Parties shall undertake all appropriate legislative, administrative, and other measures for the implementation of the rights recognized in the present Convention. With regard to economic, social and cultural rights, States Parties shall undertake such measures to the maximum extent of their available resources and, where needed, within the framework of international co-operation.

## Article 5

States Parties shall respect the responsibilities, rights and duties of parents or, where applicable, the members of the extended family or community as provided for by local custom, legal guardians or other persons legally responsible for the child, to provide, in a manner consistent with the evolving capacities of the child, appropriate direction and guidance in the exercise by the child of the rights recognized in the present Convention.

## Article 39

States Parties shall take all appropriate measures to promote physical and psychological recovery and social reintegration of a child victim of: any form of neglect, exploitation, or abuse; torture or any other form of cruel, inhuman or degrading treatment or punishment; or armed conflicts. Such recovery and reintegration shall take place in an environment which fosters the health, self-respect and dignity of the child.

# Appendix B: Notification to Yukon Government



Yukon Child and Youth Advocate Office  
A: 2070 2nd Ave. Whitehorse, Yukon, Y1A 1B1 | P: 867-456-5575  
E: [info@ycao.ca](mailto:info@ycao.ca) | W: [www.ycao.ca](http://www.ycao.ca) | [@ytycao](https://twitter.com/ytycao)

April 16, 2024

Departments Health and Social Services  
and Education  
Box 2703  
Whitehorse, YT  
Y1A 2C6

Attn: Ed Van Randen, Deputy Minister of Health and Social Services;  
Tiffany Boyd, Deputy Minister of Health and Social Services  
Mary Cameron, Deputy Minister of Education

Re: Systemic Advocacy – Children with Complex Needs

Dear Deputy Ministers,

I'm writing to advise you that the Yukon Child and Youth Advocate Office (YCAO) is actively working on a systemic review regarding how Yukon children with complex needs are supported by the departments of Education and Health and Social Services. By launching a formal systemic review in accordance with s. 12(1) of the Child and Youth Advocate Act, we are intending to work with leaders within your departments and relevant organizations to create a formal action plan that will address the needs of children impacted by this issue.

The issue:

Through YCAO's ongoing individual and systemic advocacy work, we are connected to a growing number of children in the territory with exceptional needs. Although the issue is widespread from K-12, we have decided to focus on the immediate needs of children who are elementary school aged. We are deeply concerned about the lack of local comprehensive resources to adequately support these children. In many cases, these children are connected to a wide range of Yukon government departments and community organizations, and continue to face challenges accessing safety and stability, mental and physical wellness, and a meaningful education program. We have observed a growing trend of elementary school children being denied access to full time learning environments, often due to neurodiversity and dysregulation resulting in difficult behaviours and complex learning challenges. Our office has had consistent discussions with various departments and organizations on this complex topic. We believe there is the need for collaborative community response to address these gaps and find a way forward. To date, we have identified the following themes:

1. *Assessment and Treatment*
2. *Safety at School, at home and in the community*
3. *Educational Programs*
4. *Supports for Families*

For reference, YCAO has provided the following reports and communications related to a coordinated response for children with complex needs:

- August 25, 2011 – Letter to HSS re: individual and systemic access to child psychiatry
- October 19, 2019 – Systemic Analysis – Mental Wellness for Children and Youth
- August 18, 2016 – Systemic Review – Out of Territory Treatment
- May 2021 – Systemic Review - *Review on School attendance in the Yukon: What is What Could Be*
- July 19, 2022 – Systemic Analysis – Access to Educational and Behavioural Supports
- June 19, 2023 – Letter to HSS re: individual and systemic concerns re: Mental Health Treatment
- December 4, 2023 – Systemic Analysis – Community Safety

Goals of the Review:

We recognize the complexity of this issue. We have been working closely with community professionals to address these concerns for individual children. Most of the time, we have found workers to be dedicated and compassionate with a desire to explore services and programs that can fill the gaps and it is our understanding that EDU and HSS are reviewing options for in-territory treatment options and therapeutic education programs.

YCAO is hosting a one-day collaborative session for senior managers from governments and relevant organizations. From this session, we will prepare a report describing an integrated response and action plan for children with complex needs. We encourage you to ensure the relevant staff from your departments are able to attend and to share initiatives they are planning or working on.

Departmental representatives can participate in this review session in the following ways:

- 1) Leaders and representatives from relevant departments and organizations are being invited to attend the facilitated session on May 30th, 2024. If you have representatives you would like to include, please let us know.
- 2) Workers from relevant departments and organizations are encouraged to provide a written submission regarding experiences and actions.
- 3) Prior to the May 30th session, the facilitator will be hosting targeted interviews with selected senior managers. We have provided specific names for your departments for the facilitator to reach out to. If you have any representatives you would like to include, please let us know.

Mandate and Authority: As an independent office of the Legislative Assembly, YCAO is mandated to support, assist, inform and advise children and youth with respect to designated services as set out in the *Child and Youth Advocate Act* (the Act). While the primary function of YCAO is to provide individual advocacy, YCAO is also empowered to undertake systemic reviews of issues affecting children and youth, and to provide public education on its role, mandate, and services.

The authority to conduct this systemic review is provided by ss. 12(1), 13, 23 (1) and (2), and 21 of the Act and is supported by the Protocol between YCAO and the Department of Education (2014) and the Protocol between YCAO and the Department of Health and Social Services (2017).

We look forward to working with you and your teams to come up with creative solution for children and their families.

Respectfully,

A handwritten signature in black ink that reads "Annette King". The signature is written in a cursive style with a large, looped 'K' at the end.

Annette King

Child and Youth Advocate

- c. Marc Champagne, Directeur général, Commission scolaire francophone du Yukon
- Melissa Flynn, Executive Director, First Nations School Board
- Honorable Jeanie McLean, Minister of Education
- Honorable Tracy-Anne McPhee, Minister of Health and Social Services







## Contact Us:

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