

**Yukon Human Rights Commission Submission**  
**Education Reform Project**  
**August 27, 2007**

***Ensuring our Children Learn About Their Human Rights and Responsibilities***

*"Everyone has the right to education...Education shall be directed to the full development of the human personality and to the strengthening of respect for human rights and fundamental freedoms. It shall promote understanding, tolerance and friendship among all nations, racial and religious groups, and shall further the activities of the United Nations for the maintenance of peace."*

*(The Universal Declaration of Human Rights, 1948)*

After signing this Declaration, Canada also committed to International Conventions to end discrimination and to ensure that education develops respect for children's cultural identity, language and values as well as for our national values. Key concepts in the universal right to education are "full human development", "respect for human rights and fundamental freedoms", the promotion of "understanding, tolerance and friendship among all nations [e.g. First Nations and non-First Nations], racial and religious groups" and "peace". In the Commission's view, considerable effort is required from all sectors of society, including the education system, to eliminate discrimination and racism and to generate support for the systemic change required to achieve these goals.

The Education Reform Project provides an opportunity to review the Yukon education system in light of not only *The Universal Declaration of Human Rights*, but also that of the Yukon *Human Rights Act*. Education is considered a "service" to people under the Yukon *Human Rights Act* and so is an area of life and government service delivery that is "protected" from discrimination in terms of the way people are treated in our education system.

Although the current section 4 of the *Education Act* says that one of the goals and objectives of the Yukon education system is to promote the recognition of equality consistent with the *Charter* and the *Human Rights Act*, there is no comprehensive curriculum to achieve this throughout the K-12 grades. This is a gap that needs to be filled in order to create a culture of human rights in every school learning environment.

Human rights are not merely a mechanism for making complaints and obtaining remedies (important as these mechanisms for redress are). More importantly, they embody values for citizenship and social responsibility in terms of resolving conflict, creating social harmony and full citizen participation, and fostering peace and social stability.

It is now well-established under human rights instruments such as United Nations conventions and declarations to which Canada is signatory that education about

human rights is a necessary part of the rights themselves: without knowledge and understanding of human rights, human beings cannot use their rights or respect, promote and protect them. Therefore, every Yukon child should learn, in an age-appropriate way, from K-12 about his or her human rights, as well as the corresponding legal obligation and responsibility to respect the rights of others, all as part of that child's learning, social responsibility and citizenship. This is an essential part of building capability and capacity in our children and our society for the future and all its challenges.

### **Recommendation 1**

**Provide in the *Education Act* for human rights education from K-12 as part of the prescribed curriculum, replacing the current reference in section 28 of the *Act* to "optional" education and providing a mechanism for implementing section 38 of the *Act* which says "every student shall respect the rights of others".**

### ***Ensuring That Our Children Are Part of a Culturally Competent and Inclusive Education System***

The Commission has reviewed the themes identified from the pre-consultation with First Nations communities and organizations: they are similar to ones identified in previous educational reform documents. An element that appears to be missing is an organizing framework or model for addressing these issues. Such a framework would assist in identifying gaps in the existing system and identifying successful interventions and programs that work well for First Nations students.

The Commission has developed a draft model for a "Culturally Competent Inclusive Education System", identifying eight areas that impact the development of such a system, which we are willing to share as a basis for discussion with educators. Key components are "Organizational Culture" (an atmosphere that welcomes diverse cultures, language, abilities, family structures), as well as "Governance" (First Nations input and decision-making, meaningful roles for school councils and committees), "Administration" (accountability of principals and senior administrators [Directors, ADM's and Deputy Minister] not only for collecting data and programming but also for educational results), "Policy and Decision-Making" (policies that may have cultural impacts, sufficient resources to implement equity policies and practices) and "Communication" with diverse populations, and levels of literacy. These are all important elements that provide the bigger picture or a broader context for reviewing and evaluating the progress toward an educational system sensitive to the needs of Aboriginal people and diverse populations.

It is the Commission's suggestion that our First Nations' knowledge and culture is not adequately represented in the school system, in terms of language, education traditions, values and learning styles. Nor are First Nations teachers adequately represented at all levels of the teaching force and administration and in key decision-making roles in the Department of Education. Aboriginal pedagogy, which

emphasizes experiential learning, should be explored and incorporated across the curriculum for all students in order to facilitate learning for all children and to foster respect for aboriginal values and knowledge and the shared heritage of all students, aboriginal and non-aboriginal. Both communities need to trust and understand one another and the education system is an important vehicle for accomplishing this goal.

### **Recommendation 2**

**Provide under the *Education Act* that every three years each school as well as the Department of Education complete an equity review and plan to address the equity issues identified as a result of the review's assessment of the cultural competency of the staff and students and identification of any systemic barriers to learning and inclusion, in particular for aboriginal learners and employees but also for people with disabilities and those with sexual orientation, religious and racialized identities that make them vulnerable to bullying, harassment, and isolation. This review should include consultation with Yukon First Nation governments, school councils and boards, students and parents. <sup>1</sup>[1]**

### **Recommendation 3**

**Provide in the *Education Act* that the K-12 prescribed curriculum, especially at the secondary level, include in-depth history of Yukon First Nations, from pre-contact, including pre-existing indigenous legal traditions and governance and social structures, to the effects of early contact and colonialism on First Nations, including the impact of residential schools and the impact of the denial of fundamental freedoms (e.g., right to practice traditional ceremonies such as the potlatch) and civil rights (e.g., right to vote, etc.) on the health and capacity of First Nation communities through to modern-day land claims treaties and self-government agreements. This curriculum should be developed in partnership with First Nations governments and can build on curriculum development already present and underway in schools and the Department.**

---

<sup>1</sup>[1] The Commission also notes that many aboriginal communities have indigenous customs or traditions with respect to adoption and responsibility for children, some of which predate federal or territorial law-making that have implication for decision-making in the education system. This should be explored as part of Recommendation 2 above.