



Yukon
Ombudsman

LEFT IN THE DARK

Report 2

Safer Schools Action Plan Assessment

February 2024





Yukon
Ombudsman

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February 27, 2024

The Honourable Jeremy Harper
Speaker of the Yukon Legislative Assembly

Dear Mr. Speaker:

Re: Final Report on Hidden Valley Elementary School
Our File: OMB-INV-2021-10-077

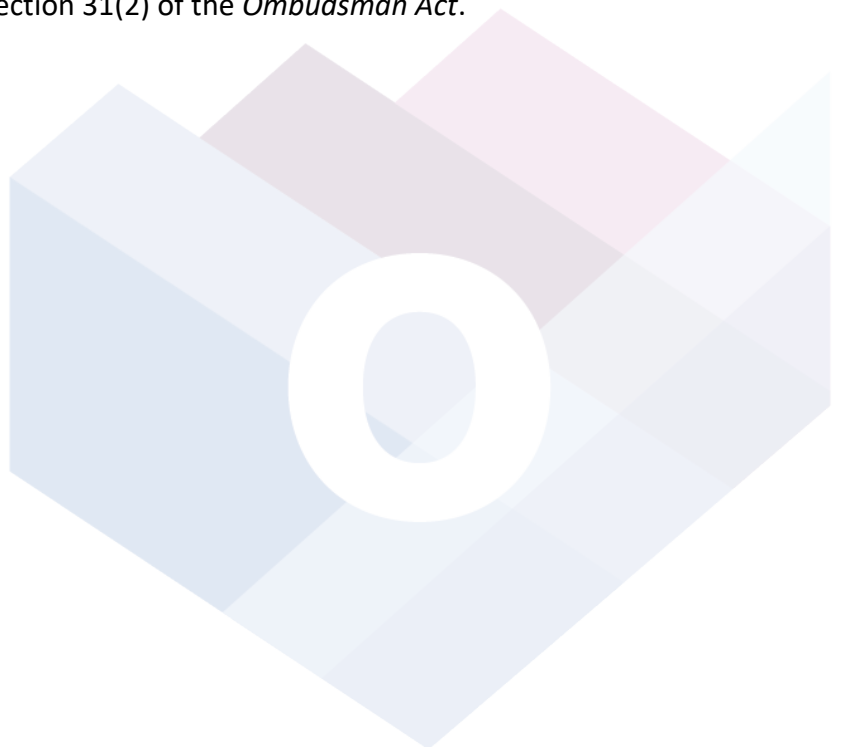
It is my pleasure to present the Ombudsman's final report, *Left in the Dark: Report 2*, on the investigation into the mishandling of abuse allegations at a Yukon school by the Department of Education. The report examines whether certain Department commitments in the Action Plan meet the Rogers Report recommendations and whether the steps taken by the Department in this plan sufficiently mitigate the risk of future communication failures of a similar nature.

This report is presented pursuant to subsection 31(2) of the *Ombudsman Act*.

Yours sincerely,

Original Signed

Jason Pedlar, BA, MA,
Ombudsman





Yukon
Ombudsman

REPORT 2

**Pursuant to sections 11 and 23 of the
*Ombudsman Act***

**Department of Education
File OMB-INV-2021-10-077**

**Jason Pedlar, Ombudsman
Rick Smith, Investigator**

February 27, 2024

Summary

On October 6, 2021, the Office of the Yukon Ombudsman received a complaint that the Department of Education (Department) took too long to inform the parents, guardians, caregivers (Parents) of students at Hidden Valley Elementary School (School) about allegations that a staff member sexually abused a student. The complainant believed that this delay was unfair because the Parents missed a critical opportunity to talk with their children, and provide the necessary supports in a timely manner, including support for other alleged child victims (collectively, the *communications failure*).

This issue, which became public after a CBC News story on July 16, 2021, resulted in four independent investigations: one by British Columbia (B.C.) lawyer, Amanda Rogers, on behalf of the Yukon government, one by the Child & Youth Advocate, one by the Royal Canadian Mounted Police (RCMP), and one by our office; each with different mandates.

Our first report on the matter, issued on September 7, 2023, examined three issues to see if there was a *communication failure*. The first issue was why the Department waited more than 19 months to inform the Parents, after first learning about the alleged sexualized abuse of a student at the School. The second was why the Department did an about-face and began sharing information with them following the CBC News story. The third was whether the Department had an obligation to communicate with the Parents when it first became aware of the alleged abuse or was prohibited from doing so by law. The Ombudsman concluded that the complaint about the *communications failure* was substantiated.

This, our second report, is a review of the Department's Safer Schools Action Plan (Action Plan). The plan was created by the Department in response to its acceptance of the Rogers Report recommendations. These recommendations were designed to improve how the Department handles serious incidents/allegations like the sexualized abuse of a student, and how it will ensure that parents are appropriately informed and supported. The purpose of our second report is to examine whether the relevant Department commitments (Actions) in the Action Plan meet those recommendations and whether the steps taken by the Department sufficiently mitigate the risk of future communication failures of a similar nature.

The Department had guidelines, policies, and procedures in place to manage a situation like this; however, the documents were not interconnected, staff were not aware of or failed to follow them, and nobody was delegated the responsibility to communicate with the Parents.

In urgent situations, procedures must be detailed to remove any ambiguity regarding what needs to be done, in what order, and by whom. To ensure proper accountability, procedures

should identify who is responsible for making decisions. They do not need to be complicated. Effective procedures are clear, concise and do not leave any room for interpretation about the steps that need to be taken.

Mistakes can occur if the procedural language lacks precision. This may lead to costly delays when time is of the essence. Several of our recommendations to the Department focus on this problem.

It is also critical to follow procedures. This requires an awareness of them, their accountabilities, and training on how they should be accessed and implemented, especially in the context of the *communications failure*.

We looked at 15 Actions in the Action Plan, four of which are linked to more than one recommendation, for a total of 19 separate considerations (*e.g.*, Action 1 responded to both Rogers Recommendation 1 and 2). Of this total, eight Actions met their respective recommendations, five partially met them, three did not meet them, one was inconclusive but met the training requirement, and two were inconclusive with no qualifiers.

The complete list, including our evaluations, can be found below in [Action Plan Conclusions](#).

We also made eight recommendations, the commonality of which is the Department's need for inter-connected and detailed procedures, accountability, and training.

The complete list of recommendations can be found below in [Recommendations](#).

Lastly, in response to our request for comments on our draft Report 2 as required by section 17 of the *Ombudsman Act*, the Department Deputy Minister formally accepted our recommendations 'in principle'. While we are pleased that they have accepted them, we are unsure what 'in principle' means, since the Deputy Minister also stated that our recommendations provide 'clarifying insights'.

As such, we ask that the Department provide us with a revised Action Plan based on our recommendations in this final Report 2 within six months of the date of this report.

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Complaint

[1] On October 6, 2021, an individual (Complainant) complained to the Office of the Ombudsman that officials and employees of the Department, including the School, took more than 19 months to inform Parents and students of the School about allegations of sexualized abuse of a student by educational assistant, William Auclaire-Bellemare (WAB). The Complainant alleged that this delay aggrieved the Parents and students of the School because Parents had no critical opportunity to talk to their children and provide or seek any necessary supports in a timely manner.

[2] The Complainant also believed that this delay resulted in other students, allegedly victims of sexualized abuse by WAB, not receiving the supports they needed in a timely manner.

[3] These two aspects of this complaint comprise the *communications failure* that the Department was accused of, for purposes of our investigation.

Investigations

[4] Once the issue of sexualized abuse came to the public's attention through a media story on July 16, 2021, it led to four independent investigations: one by the RCMP, one by B.C. lawyer, Amanda Rogers, on behalf of the Yukon government (YG), one by the Child & Youth Advocate, and one by our office.

[5] Our first report (Report 1) identified unfairness that resulted from or contributed to a *communications failure* by the Department, as supplemented by a report by Amanda Rogers (Rogers Report). Report 1 concluded that the complaint about the *communications failure* was substantiated but did not make any recommendations because any forthcoming would depend on the findings of the second Ombudsman report on this matter.

[6] This, our second report (Report 2), examines whether the relevant Actions in the Action Plan meet the Rogers Report recommendations and whether the steps taken by the Department in the Action Plan sufficiently mitigate the risk of future communication failures of similar nature. As such, Report 2 contains our findings and recommendations.

Background

[7] The Department hired WAB as a School Educational Assistant (EA) in 2014.

[8] On November 17, 2019, a Parent informed the School principal about an alleged incident of sexualized abuse by WAB. An RCMP investigation began, WAB was immediately removed from the School and later fired. He pled guilty to the criminal charge of sexual interference in late 2020 and was sentenced in January 2021.

[9] The Department did not communicate with families about these events until after a July 16, 2021 CBC News story on a WAB-related lawsuit launched against YG. It was through this story that the Parents learned about the allegation against WAB and his conviction. The next day, the RCMP learned about other students who said they were victims of WAB.

[10] On August 11, 2021, the Department sent out its first formal communication to the Parents assuring them of the School's safety, offering some facts concerning the WAB matter, and providing supports. It did not, however, offer an apology or acknowledge that the matter could have been managed better.

[11] On September 9, 2021, the RCMP arrested WAB on a series of allegations involving two additional children who were allegedly harmed between 2014 and 2018. One charge was later stayed and, on October 16, 2023, the court acquitted WAB on three other charges, noting that three civil lawsuits are still pending against him.

[12] Between September 22, and November 24, 2021, the Department and other entities, including the RCMP, met with the Parents, sent Ministerial letters to them, conveyed apologies, and acknowledged independent investigations of the matter, including that of the Ombudsman.

[13] In October of 2021, YG commissioned B.C. lawyer, Amanda Rogers to conduct an independent review of the Department's handling of the first allegation that WAB had sexually abused a student. Part of her mandate was to make findings and issue recommendations. Although she issued her 30-page Rogers Report on January 31, 2022, her mandate did not include the opportunity to evaluate the Department's response to it (in the form of the Action Plan).

[14] On February 18, 2022, having accepted the Rogers Report recommendations, the Department issued its Action Plan, with updates following on July 21 and October 5, 2022.

[15] On September 7, 2023, we issued Report 1.

Report 1 Fairness Findings

[16] Report 1 made several findings in respect of fairness prompted by the *communications failure*.

Fair process

[17] Despite having multiple processes, communication templates, guidance documents, and corporate-wide emergency communications principles outlined in the YG General Administration Manual, as well as the School Emergency Response Plan, the Department did not meet standards of procedural fairness because it did not engage any structured policy/procedure for communicating with the Parents about the sexualized abuse allegation.

Fair service

[18] After the Department duly reported the WAB matter, it should have informed the Parents as quickly from the outset as possible. When it finally did so, it should also have acknowledged its mistake of undue delay and apologized. By not doing any of this, it failed to provide the Parents with the responsive people-centred service that would have enabled them to make immediate and appropriate decisions for their children. The result was diminished public confidence in the education system, especially in such a serious situation as the sexualized abuse of a student by an employee, and a loss of trust that the Parents had placed in the Department to act in the best interests of their children.

Fair decision

[19] The Department, on first learning about the WAB matter, quickly drafted a communication to the Parents so they could make immediate and appropriate decisions about their children. However, this was put on hold when the Department mistakenly shifted focus from what it should tell them to what, if anything, it could tell the public who only had a general stake in matters of student safety. The Department also mistakenly believed that it had no responsibility to communicate with the Parents because it assumed that the RCMP would likely notify them during its investigation. This was compounded by failing to escalate the WAB matter to the appropriate level of senior leadership for quick and decisive action. As such, it sent nothing to the Parents or to the public in the absence of any official decision. This outcome occurred because the Department did not focus on the needs of those it served, the children.

Rogers Recommendations

[20] The Rogers Report made several recommendations, six of which are relevant to the fairness findings in Report 1.

- **R1** – Implement a policy/process for interdepartmental cooperation for significant events and provide appropriate training.

- **R2** – Implement a [Department] policy for addressing school incidents including criminal allegations against employees.
- **R3** – Provide better training for school administrators and better onboarding of [Department] employees.
- **R4** – Ensure computerized databases in all Yukon schools are capable of easily identifying families of students both past and present and information about EA assignments.
- **R5** – Ensure school administrators, teachers, and staff are provided training in respect of their duty to report and document suspected abuse on an annual basis.
- **R6** – Develop and Implement a policy in cooperation with the RCMP *re* information sharing/working together in the event of an allegation of criminal conduct.

[21] Common throughout these recommendations are the tangibles of policies, processes, training, and a computerized database. Also common are the contexts of interdepartmental cooperation, significant events/serious school incidents, student and family identification, EA assignment information, and the duty to report/document suspected abuse. Together, they are concrete, measurable, and results oriented.

[22] The Action Plan responds to each of these recommendations, either singularly or in combination. For the Action Plan to be effective, each of its commitments (Actions) must be a sensible answer to a particular Rogers recommendation or set of recommendations. For example, in Rogers calling in R1 for a Department-level policy to address school incidents, it would be reasonable to expect that at least one of the Actions sets out such a policy in that context. If this is the case and the response to the Rogers recommendation meets that end, then nothing further is required. If this is not the case, then a gap would exist between that recommendation and the Action.

[23] Our report will therefore set out each Rogers recommendation and identify the various Actions that respond to it with a view to determining if a particular Action meets the recommendation, thus reducing the likelihood of a *communications failure* reoccurrence.

[24] In some cases, we have taken a granular approach to unpack an Action because its initial description provided by the Department lacked precision. Since the *communications failure* was largely a procedural failure to make informed decisions by appropriate decision-makers in a timely manner, details matter. Therefore, granularity is, in our view, necessary.

[25] Action Plan

Description

[26] The Action Plan, as presented, is a nine-page document created by a committee of deputy ministers, led by the Executive Council Office's (ECO) Deputy Minister (ECO DM), to address the Rogers recommendations that arose out of the Department's communications response to the WAB matter. This (or a similar) committee will also oversee progress, using accountability and outcome measures, as well as data, to track serious incidents and how they are reported. Review may also be based on further recommendations from other interested parties such as the RCMP, the Ombudsman, the Child & Youth Advocate, and various stakeholders (*e.g.*, Parents).

[27] According to the Action Plan's introduction, several critical gaps in YGs handling of the WAB matter needed to be addressed immediately, the implementation of which would require a joint and coordinated effort across multiple departments and agencies. This type of approach was necessary because many of its Actions have two goals. The first is to develop or improve guidance, policies and agreements that clarify duties, roles and responsibilities. The second is to enhance opportunities for formal/informal dialogue and coordination on serious incidents across departments and key agencies.

[28] To that end, the Action Plan presents as a wide collection of information to address the critical communications gaps that arose in the Department's handling of the WAB matter. Although it contains 23 Actions, only 15 are relevant to Report 2. Similarly, there are seven Rogers recommendations but only six, R1-6, are pertinent.

[29] Each Action is paired to a Rogers recommendation or a combination of them. Some Actions are responsive to the same recommendations or combinations while others are responsive to different ones. Out of the 15 relevant Actions, Education is listed as the lead entity or co-lead in 11 of them. The co-leads, besides the Department and depending on the particular Action, consist of ECO, Health and Social Services (HSS), Justice, and the Public Service Commission (PSC).

Analysis

[30] The Action Plan is broad in scope and, in our view, extends beyond the unfairness that resulted in the Department failing to inform the Parents about the WAB in a timely manner. It is a constellation of policies, procedures, guidance documents, training materials,

correspondence, and meeting information intended to address critical gaps in YGs handling of this serious incident.

[31] In that respect, the Action Plan almost immediately transforms from a means to address the WAB matter, to a general composition for addressing a variety of school incidents ranging from the minor to the serious, and other considerations such as employee onboarding, leadership, and related training.

[32] It should be remembered, however, that government-wide policies and procedures did exist at the time of the WAB matter, as well as a Department 'Crisis Communications Manual' paid for in a contractual arrangement but not implemented. The problem was that the Department, and the other associated ones, were not aware of or failed to follow them. This, combined with additional mistakes, led to the *communications failure*.

[33] In taking this larger approach to the Action Plan, YG, as opposed to the Department, appears to have oversight of what was and remains the Department's *communications failure*. In part, this makes sense. YG is a government bureaucracy that contains many structural components and employs a rules-based hierarchy that governs everyone within this united group. As such, it has a corporate dimension in which the Department, for example, is but a part of the greater whole. In that context, YGs apparent oversight is understandable because YG has responsibility for every department and entity within its organization. Not only is it ultimately accountable for their programs and services but it has more resources at its disposal than the Department. To that extent, it can bring to bear a corporate perspective to the Action Plan.

[34] On the other hand, this government-wide approach to oversight is problematic for two reasons. In the first place, the obligations under the *Ombudsman Act*, as well as other legislation within our jurisdiction, are specific to an authority and not to YG. By YG stepping in as a corporate entity, something not recognized in the *Ombudsman Act*, there runs the risk of confusing the legislative obligations of an authority with the organizational obligations of YG.

[35] In the second place, corporate oversight risks casting the Action Plan as an interdepartmental response owned by no one rather than the Department where it should properly reside. How the Action Plan responds to the Department centric context is, in our view, uppermost in protecting students. Improving government-wide policies and procedures to assist Yukon school communities is also important, but only if such improvement supports the Department's responsibility to protect students as part of a cohesive scheme that includes specific policies and procedures, training, and needed resources and infrastructure.

[36] In addition, a school is a unique workplace in that it is an education institution where teachers deal with and provide instruction to children and youths. It is not, for example, like the typical Department environment where adults work together in an office setting while pursuing administrative goals and objectives. For this reason, a school is neither a Department entity nor a YG corporate one in practice, despite its organizational ties to each. Therefore, the Actions proposed or implemented by the Department and YG, including their accountabilities, must specifically be a cognisant product of and tailored to the uniqueness of a school setting. In our view, taking a ‘corporate’ approach is problematic and overly simplistic.

[37] While the Action Plan may purport to be a detailed proposal for meeting the six relevant Rogers recommendations, all of which arise from the *communications failure*, six of the 23 Actions do not involve the Department at all. Since the Action Plan responds to the Rogers recommendations which, in turn, responded to WAB matter, its focus is somewhat unclear in taking this approach. It is therefore not a direct answer, in our view, to the *communications failure*.

Are the Rogers Recommendations fulfilled by the Action Plan?

Actions, NTPR Records, and Ombudsman Questions

[38] In presenting the various Actions, as described in the Action Plan, we have included those records (Records) that the Department provided to us in response to a ‘Notice to Produce Records’ (NTPR) that we issued for investigation purposes. However, we only considered them if the Department explained their relevance to the particular Action or we had to determine if these Records contributed to it in any significant manner. They are identified in each of the tables below. In some cases, the ‘Records Received’ column contains no Records because the Department did not provide any.

[39] We have also asked clarifying questions that, in our view, are examples of what needs to be considered and addressed; that is, not just when an Action satisfies a Rogers recommendation but where we find inconsistencies or where we cannot make a determination. These are identified throughout this report as highlighted boxed sections entitled ‘Our Question(s)’ for the Department to consider. The questions are not exhaustive.

[40] In addition, we have used a traffic light approach to scoring the Department’s response to the Rogers recommendations. Green means that the Action met the recommendation, yellow means that it partially met the recommendation, and red means it did not meet the recommendation, or we were unable to make a determination due to a lack of information provided by the Department.

Rogers Recommendation 1

Implement a policy/process for interdepartmental cooperation for significant events. Provide appropriate training.

R1 – Action 1	Records Received
Finalize and implement the Yukon School Post-Incident Communication Guidance and Procedures, including timelines for reporting, what information to provide to parents [or caregivers] and the supports available for victims and families.	Yukon School Post-Incident Communication Guidance and Procedures Student Protection Policy: Preventing and Responding to Harm by Adults 9.11 Procedures for Preventing and Responding to Harm by Adults

Analysis

As described in Action 1, the Department is relying on the ‘Post-Incident Communication Guidance and Procedures’ (Post-Incident Comms Guide) as the foundational document for this Action. Its purpose is to assist Department administration in gathering, processing and disseminating critical information for the purpose of communicating effectively after an incident and reporting internally for communications decision-making purposes. Such a purpose is well stated because any alleged abuse of or harm to a student by a staff member is a complicated matter, notwithstanding its criminal, health and safety concerns. Since the Department is entrusted by law and society to protect any student in a school, it must act correctly and decisively in many facets upon learning about this type of situation. Relying on the Post-incident Comms Guide is a good start.

[41] However, it is a Department-level guidance document that is neither a policy nor a process (*i.e.*, set of procedures) for interdepartmental cooperation in response to significant events. Stating, for example, that certain Department officials “coordinate briefings and communications with other departments or agencies (*e.g.*, HSS, Justice, RCMP) for information

sharing (communications advice)” [page 7] is not procedural in nature because it leaves to the imagination how one proposes to coordinate such briefings.

[42] Although the other Records provided by the Department in response to a NTPR are not identified as being part of Action 1, the ‘Student Protection Policy: Preventing and Responding to Harm by Adults’ (Student Protection Policy) contains a reference to “confirming actions of collaborating departments and agencies” and developing a “collaborative and multidisciplinary team” [page 5] but, like the Post-Incident Comms Guide, does not set out the method for doing so.

[43] Similarly, the ‘9.11 Procedures for Preventing and Responding to Harm by Adults’ (9.11 Procedures) does not set out a process for interdepartmental cooperation for significant events other than, for example, to direct a Department employee who believes that a child needs preventive intervention or is a victim of a criminal offence to report it to the RCMP or the Department’s Family and Child Services Branch (FCS).

[44] The Department advised us that the Student Protection Policy governs the Post-Incident Comms Guide which, in turn, constitutes the procedures that must be followed. It further stated that it is the Assistant Deputy Minister (ADM) of Schools & Student Services who, at page 5 of the Student Protection Policy, is responsible for confirming the actions of collaborating departments or agencies after the Department reports an incident of suspected abuse. To that end, the Post-Incident Comms Guide directs this ADM to coordinate with the RCMP, FCS, PSC, Justice and ECO to consider the approach for communicating with students, a direction further set out in the ‘Critical Incidents Response Guidelines’ (CIR Guidelines) discussed in R1-Action 2 below.

[45] We accept, that the Student Protection Policy could be the foundation document for Action 1 in that its purpose is to prevent and respond to harm by adults. We also accept that the 9.11 Procedures that flow from it is intended to be procedural tool for front-line employees, starting with the mandatory duty to report suspected abuse, harm or unlawful behaviour concerning a child. However, the Department’s characterization of the Post-Incident Comms Guide as essentially a ‘procedures’ document listed beneath the 9.11 Procedures document on page 3 is confusing.

[46] In our view, the Post-Incident Comms Guide is either guiding in nature or procedural. If the former, then any decision to follow it can only be a voluntary one. If the latter, then there is no option but to follow it. In short, titling it as the ‘Post-Incident Comms Guide and Procedures’ does little to clarify this situation. More explanation needs to go into the role of this document. This might start with the Department, in R1-Action 1, elaborating on how the Post-Incident

Guidelines, as it seems to assert, augments both the Student Protection Policy and the 9.11 Procedures.

[47] In addition, the Department asserted that coordinating briefings are part of the routine work of government officials and does not need to be described in this policy framework. We disagree because the more specific the process the better, if only to signpost the coordination function as between the Department policy framework and the CIR Guidelines ‘guidance’ document. This is particularly important considering that a main component of the *communications failure*, was a lack of escalation to senior leadership. In Report 1, we found that important decision-making in respect of managing the WAB matter was not escalated to the appropriate level of senior leadership for quick and decisive action, nor was the benefit of interdepartmental ministerial or Cabinet involvement considered.

[48] There is also no mention in Action 1 of any training on a policy and set of procedures in respect of interdepartmental cooperation for significant events.

R1/Action 1 Conclusion

[49] For the above reasons, we find that Action 1 does not meet R1.

R1 – Action 2	Records Received
<p>Develop corporate guidance for interdepartmental communication and coordination in response to serious incidents in schools that expands on existing protocols and includes:</p> <ul style="list-style-type: none"> a) the involvement of senior interdepartmental committees when serious incidents occur; b) clarifying the roles of the Communications Management Committee and departmental communications teams; c) clarifying Ministerial briefing protocols; and d) [setting out] timelines for action. 	<p>Critical incidents Response Guidelines</p>

Analysis

[50] Policy/Process

[51] R1 clearly uses the terms ‘policy’ and ‘process’ separated by a forward slash. In examining this in conjunction with its usage in the Rogers Report, we are of the view that the R1 reference to ‘policy/process’ means ‘policy and process’. We are also of the view that ‘process’ means ‘procedures’ as opposed to ‘guidance’.

[52] Student Protection Policy and the CIR Guidelines

[53] As stated above, R1 calls for the implement a policy/process for interdepartmental cooperation for significant events, as well as the provision for appropriate training. That said, it is unclear how the ‘development of a corporate guidance ... that expands on existing protocols’ (*i.e.*, the abridged description in Action 2) meets R1 without the Department identifying these protocols.

[54] The Department advised us, in respect of R1-Action 2 above, that the policy called for by R1 is the Student Protection Policy which, in turn, lists the procedures on its page 3. This is confusing. The description provided in Action 2 is only about developing corporate guidance for interdepartmental communication and coordination in response to serious incidents in schools. It contains no information about the Student Protection Policy. If Action 2 is meant to include this policy in addition to its current description, then it should state as such and make a clear linkage between the two.

[55] That said, a policy can be informed by guidance information. The Department advised us that the CIR Guidelines also speak to Action 2. It is a six-page unsigned, undated corporate-focused document designed to address the need for interdepartmental communication and coordination in response to critical incidents [such as the WAB matter]. It is also composed of two major sections:

- 1) Responding to critical incidents: internal communications; and
- 2) Responding to critical incidents: external communications.

[56] In examining these sections, both share what amounts to a common definition of ‘critical incident’ (*i.e.*, an alleged criminal event or situation with serious consequences to victims) but appear to serve different ends. The internal communications section states that its guidance “will help support a coordinated and victim-centred response from government and external organizations.” [page 1] The other section states that it is “intended to provide departments with guidance on preparing external communications for critical incidents.” [page 5]

[57] The first section sets out a decision-making process that can result in the convening of a ‘Critical Incident Group’ (CIG) made up of assistant deputy ministers from six departments, including the Department. The CIG is meant to “guide government actions and response recommendations, including the development of a response plan and the facilitation of legal counsel and interdepartmental guidance as required.” [page 1] Any department that reports a critical incident is designated as a ‘lead department’ and is therefore included in any CIG decision-making for purposes of a response. However, the CIG is clearly the entity that facilitates timely responses and coordination in respect of each critical incident.

[58] Nowhere, however, does this section expressly contemplate the need to communicate outwardly so it is unclear if it applies to a situation involving, for example, a question of whether to communicate with the parents of an affected school in the event of an incident or allegation of abuse/harm to a student by an adult.

[59] The second section sets out a decision-making process that addresses, for our purposes, a ‘public-facing’ response. We infer from this type of response that it could involve the same parent example, but this section is silent on whether to convene the CIG. It merely states that each lead department will follow its own internal approval process but may benefit from advice provided by the PSC or Justice. [page 5] The accompanying flow charts on its page six offer no assistance on this matter.

Our Questions

- How does the CIR Guidelines address Action 2 components (b) to (d)?
- What is the effective date of the CIR Guidelines?
- What version is it?
- Who approved it?
- Is it monitored or reviewed for operational effectiveness?
- If so, then how often?
- Why is it not attached, for example, to the GAM 1.3 ‘Communications Policy’ (GAM 1.3)?

[60] The Department advised us that the CIR Guidelines is meant to complement the Post-Incident Comms Guide as part of Action 2. Given the Department's first obligation to report an allegation of sexualized abuse concerning a student victim to the authorities, it must then consider, in addition to other things, what (if anything) to convey to parents and students of the affected school. As such, it turns to the Post-Incident Comms Guide within which the ADM of Schools & Student Services is tasked with 'interdepartment/agency communications' coordination.

Our Question

- How does the Post-Incident Comms Guide address the four components listed in (a) to (d)?

[61] If the ADM of Schools & Student Services thinks the Department needs interdepartmental support on the communications question, they then transition to the CIR Guidelines where the ECO DM, in consultation with CIG deputies, determines what level of incident risk is at hand and, as a result, whether to convene the CIG. Although this complementary set of guidance documents (the Post-Incident Comms Guide and the CIR Guidelines) makes sense operationally, none of this 'complementary' nature is clarified in Action 1, nor made clear how the two sections in the CIR Guidelines interact (if at all).

[62] It is our view, therefore, that the 'Communication and Coordination' references on page 5 of the Student Protection Policy, calling on the ADM of Schools & Student Services to ensure that communication procedures are followed and that the actions of collaborating departments/agencies are confirmed, should be expanded to include reference to the CIR Guidelines. We would add that this reference should also be included under the 'Communications' section on page five of the 9.11 Procedures where it currently identifies the Post-Incident Comms Guide.

[63] There is another issue. The *communications failure* occurred because no one took ownership of the need to inform the Parents [as distinct from the general public], what to tell them, and when. Regardless of whether the Department, in taking a certain communications approach for purposes of informing the Parents, uses the Post-Incident Comms Guide, the CIR Guidelines, or both, we are of the view that the Department Deputy Minister (Department DM) must ultimately sign off any decision to inform or not inform them.

[64] The need for this is twofold. Firstly, whenever a group of well-meaning individuals collectively consult to solve a problem, they invariably bring their own expertise, perspectives and interests to the forum. It is, therefore, important not to lose sight of the reason for the consultation or risk losing it in what might be unnecessary and distracting paths. The latter occurred when the Department, on first learning about WAB matter, sent the Parent communications question to the PSC which then sent it to Justice. This resulted in a lot of differing considerations and the *communications failure*. In our view, the Department must designate someone, such as the ADM of Schools & Student Services, to keep the consultation purpose on track and actively report to the Department DM on its status, whether the consultation is at the Department or CIG level.

[65] Secondly, final sign off is a concrete measure of accountability and an assurance that a decision of this magnitude falls to the Department's most senior executive. This also ensures that the Minister is duly advised about it.

[66] While we acknowledge that the Department has no authority over a corporate document such as the CIR Guidelines, it does have input to the extent that these guidelines are "intended to serve as a living document and will be subject to revisions as [YG] gains further experience responding to critical incidents using this approach." [page 1] As such, we're of the view that, if the CIG is convened to help the Department come to an appropriate communications decision about whether, for example, to inform/not inform the parents of an affected school, then the CIR Guidelines should be revised to provide for such final approval by the 'lead' department deputy minister.

[67] We're also of the view that the Student Protection Policy, under its 'Coordination and Communication' heading, should be revised to require similar sign-off at the Department level, with appropriate revisions to the 9.11 Procedures and Post-Incident Comms Guide.

R1/Action 2 Conclusion

[68] For the above reasons, we find that Action 2 partially meets R1 because of its description about corporate guidance concerning interdepartmental cooperation for significant events. However, it does not meet R1 as it fails to make any reference to policy or process. Further, it does not address any training initiatives.

R1 – Action 3	Records Received
Develop corporate guidance for communicating publicly or with stakeholders about serious incidents when a criminal matter is under investigation or before the courts. Justice and the PSC have the lead, with the Department and HSS in support.	External Communications for Critical Incidents – Flow Charts (under investigation and before the courts)

Analysis

[69] The Department provides no information as to what the description in Action 3 would look like, what type of relationship would be established as between PSC, Justice, HSS and the Department, what development/implementation timeframe is envisaged, and what training initiatives are planned.

[70] It does, however, provide a set of flow charts in response to our NTPR. The first serves as a lead department decision matrix for a critical incident matter under investigation and sets out an interdepartmental involvement process based on whether the incident involves an employee or not. The second serves as a lead department decision matrix for a critical incident matter before the courts and similarly sets out an interdepartmental involvement process based on whether the incident involves an employee or not.

[71] However, the Department does not include any text, such as that provided in the CIR Guidelines, to explain how these flow charts either comprise Action 3 or complement it. In examining these flow charts in the absence of such text, we are of the view that they do set out a two-streamed interdepartmental process for communicating externally about critical incidents, but it is unclear how they meet a policy/procedure called for by R1.

R1/Action 3 Conclusion

[72] For the above reasons, we find that Action 3 partially meets R1 because of its interdepartmental content but does not meet it by identifying itself as a guidance document. Further, it does not address any training initiatives.

R1 – Action 6	Records Received
<p>Update and consolidate policies/procedures under a stand-alone Policy on Prevention and Reporting of Serious School Incidents, which includes:</p> <p>a) the prevention/protection of students, [including]:</p> <ul style="list-style-type: none"> i. onboarding and annual training requirements for school staff and administrators on the prevention and reporting of abuse, including sexualized abuse; ii. enhanced criminal record checks; iii. safe schools procedures; iv. protocols for appropriate and inappropriate physical contact with students; and v. specialized requirements for special education settings, including training requirements for EAs; <p>b) responding/reporting, [including]:</p> <ul style="list-style-type: none"> i. coordination with RCMP when there is an allegation of criminal conduct; ii. incident record-keeping for school administrators; iii. responses to other serious incidents, such as peer-to-peer or teacher/student violence; iv. internal and external communications; and v. coordination with other departments and agencies. 	<p>Post-Incident Comms Guide</p> <p>Student Protection Policy</p> <p>9.11 Procedures</p>

Analysis

[73] As stated, R1 calls for the implementation of a policy and process (*i.e.*, procedures) for interdepartmental cooperation for significant events. Action 6 responds to this by means of updating and consolidating policies/procedures under a stand-alone Policy on Prevention and Reporting of Serious School Incidents that includes several elements under each of two sub-headings. Under sub-heading (b), ‘responding to and reporting on a serious incident’, two of the five elements (i) involve coordination with the RCMP concerning criminal allegations, and (v) other department/agency coordination concerning unspecified issues. To this extent, the ‘interdepartmental cooperation’ reference in R1 appears to be met provided such cooperation also includes the RCMP.

Our Questions

- What is the timeframe for this update/consolidation initiative?
- Who is responsible for updating and consolidating the policies/procedures under the stand-alone policy?
- Who ensures that the stand-alone policy will operationally interact with and refer to corporate policies, procedures or guidance documents that address, for example, communicating externally in response to critical incidents?
- Does 'school staff' include, for example, substitute teachers, EAs, custodians, volunteers and the like?

[74] The Department advised us that the answer to the timeframe question in bullet 1 is that the Student Protection Policy, inclusive of its [9.11 Procedures] is already in place. As such, it intended to serve as a 'living document' as YG gains more experience about critical incident response.

[75] While this seems clear on one level, the description, as provided in Action 6, is about a Policy on Prevention and Reporting of Serious School Incidents. It makes no reference to the Student Protection Policy and, although the Department provided it in response to the NTPR, it did not connect it to this Action. This leaves unclear how the 'stand-alone' policy and the Student protection Policy are related, especially in a timeframe context. The Department indicates, however, that the two are the same and that the title in Action 6 has been changed to the Student Protection Policy. This may be but we are of the view that the Department should address any confusion stemming from this by updating the Action 6 description.

[76] In addition, Action 6 identifies the Policy on Prevention and Reporting of Serious School Incidents [perhaps the Student Protection Policy/9.11 Procedures] but does not provide any details as to how it addresses its content under (a) and (b). Therefore, we are unable to determine if it meets R1. Since the Action Plan is a public document, we are of the view that the Department has to do more than simply assert that the policy/process addresses these elements.

[77] Action 6 also states that the Policy on Prevention and Reporting of Serious School Incidents will include several training requirements. In our view, these training requirements, when implemented, address the training component of R1.

Our Question
<ul style="list-style-type: none">• Is additional training needed, for example, on protocols for appropriate and inappropriate physical contact with students or incident record-keeping for school administrators?

R1/Action 6 Conclusion

[78] For the above reasons, we are unable to conclude if Action 6 meets R1 with one exception. On the evidence provided, it meets the requirement to provide appropriate training.

R1 – Action 9	Records Received
Review and update internal Department policies to ensure that they are aligned with corporate policies and processes. The Department has the lead, with the PSC in support.	Post-Incident Comms Guide Student Protection Policy 9.11 Procedures

Analysis

[79] Action 9 responds to the R1 call for a contextual policy and set of procedures by initiating a Department-led review/update of Department policies to make sure they align with corporate policies and procedures. There is, however, no elaboration.

Our Questions

- What is the timeframe for this initiative?
- Who reviews and updates the Department's policies to ensure alignment with corporate policies and procedures?
- Does this initiative include Department procedures or, where they do not exist, creating ones for purposes of alignment?
- What does 'alignment' look like in the context of interdepartmental cooperation for significant events?
- Who is responsible for any corporate policies and procedures that may require updating because of this initiative?
- Where a corporate policy is updated or modified, what is the process for ensuring that the Department's policies and procedures are also updated so that they align?
- Which corporate policies and procedures?
- Which Department policies?

[80] Given the lack of specific information in Action 9, we are unable to determine if it meets R1.

[81] The above Records provided in response to the NTPR also offer no assistance because there is no information before us as to whether these are indeed the Department documents to be reviewed and updated.

[82] As such, we will examine the Student Protection Policy and the 9.11 Procedures to determine if they include any policy/process information on interdepartmental cooperation in respect of significant events. If they do, then they are two Department documents that could be used for purposes of the initiative.

[83] Student Protection Policy

[84] There are several references that allude to ‘interdepartmental cooperation for significant events’. For example, one of the policy’s principles is to work collaboratively with departments and agencies to prevent harm to students and respond to allegations/disclosures of harm in a timely manner. Under Coordination and Communication, a senior Department official, in situations involving allegations of abuse, will confirm actions of collaborating departments/agencies after the Department has reported an allegation of suspected abuse. That official will also develop a collaborative and multidisciplinary team to support the physical and emotional health of students and staff as warranted.

[85] There are other examples but suffice it to say that we are of the view that the Student Protection Policy could be used for purposes of ensuring that such Department documents align with its corporate counterparts in respect of interdepartmental cooperation for significant events.

[86] 9.11 Procedures

[87] There is nothing in this document that addresses any form of interdepartmental cooperation for significant events. The only reference to another entity is under the ‘Responding’ heading in which the reader is directed to call the RCMP or FSC when they have reason to believe that a child is in need of protective intervention or made the victim of a criminal offence.

[88] As such, we are of the view that the 9.11 Procedures should not be used for purposes of Action 9.

[89] In examining the Student Protection Policy and the 9.11 Procedures, we have no other policy and procedure documents before us to inform our views further.

[90] Finally, there is no mention in either document of training as called for by R1.

R1/Action 9 Conclusion

[91] For these reasons, we find that Action 9 does not meet R1.

R1 – Action 18	Records Received
Enhance and formalize interdepartmental committees for serious incidents.	None provided

Analysis

[92] To the extent that the context in R1 is about interdepartmental cooperation for significant incidents, Action 18 aligns with it by referring to what appears to be several interdepartmental committees in respect of serious incidents. However, R1 calls for a policy and set of procedures so it is unclear how Action 18 will be improved or sanctioned. It also does not elaborate on this or provide any information on what type of training will be developed and implemented, and for whom.

Our Questions

- How many interdepartmental committees are there in respect of serious incidents?
- How do they interact with the Department?
- Are any of these committees set in policy or procedure and, if yes, then what order of precedence do they take?
- Who is responsible for triggering them in the case of a serious incident?
- Do any of these interdepartmental committees influence or directly affect, in any way, the Department need to communicate externally with parents or report internally when a serious incident occurs in a school?

R1/Action 18 Conclusion

[93] For these reasons, we find that Action 18 meets the context of R1 but not the policy or procedural platform set out for its governance and operations.

R1 – Action 22	Records Received
1) Update the General Administration Manual (GAM) to reflect the most up-to-date practices regarding interdepartmental coordination for communicating publicly; and 2) establish a schedule for future updates/reviews.	GAM 1.3 ‘Communications Policy’

Analysis

[94] The context of R1 and Action 22 align with each other but there are no details as to which of the three GAM volumes are to be updated. However, since we addressed GAM 1.3 in detail in Report 1, we re-examined it for the purposes of Action 22 and note that the Record provided in response to our NTPR is GAM 1.3, we infer that Action 22 is about this particular corporate policy. In addition, it shows that it was last updated on August 29, 2022, a year after the Department issued a letter to the Parents to inform them officially about the WAB matter.

[95] We are therefore satisfied that GAM 1.3 has been sufficiently revised and also contains an annual review directive.

R1/Action 22 Conclusion

[96] For these reasons, we find that Action 22 meets R1.

Rogers Recommendation 2

Implement a [Department] policy for addressing school incidents including criminal allegations against employees.

R2 – Action 1	Records Received
Finalize and implement the Yukon School Post-Incident Communication Guidance and Procedures, including timelines for reporting, what information to provide to parents [or caregivers] and the supports available for victims and families.	Post-Incident Comms Guide Student Protection Policy 9.11 Procedures

Analysis

Action 1 Documents

[97] Action 1 identifies the Post-Incident Comms Guide as being responsive to R2. The Department presents it as including timelines for reporting, what information to provide to parents [or caregivers] and the supports available for victims and families. In examining this document in the context of R1, we acknowledge that it does address various school incidents or allegations of abuse/harm, noting that such abuse or harm is criminal in nature.

However, R2 calls for a policy to that effect. As we have previously stated, the Post-Incident Comms Guide is not a set of procedures; it is only a guidance document.

[98] It is well established that there is a document hierarchy in public administration. A policy is a written document for establishing standards by which a public body manages its activities. It sets out rules governing the appropriate conduct needed to meet the entity's mandate, ensure coordinated compliance and reduce risk. A procedure is a set of operational steps necessary to carry out the policy. To that end, they must be clearly articulated, consistently applied and periodically reviewed. They are also mandatory.

[99] By contrast, a guideline provides such things as administrative instructions, advice, recommendations or best practices. It is an informational tool designed to give the user a contextual framework in which to assess a situation and consider actions. Unlike a policy or a procedure, a guideline is voluntary in nature.

[100] Given these descriptions, several questions arise. For example:

Our Questions

- Since the Post-Incident Comms Guide uses the term 'procedures' which, in turn uses such verbs as 'must' and 'will' under the heading 'Who to communicate with', are these procedures mandatory or voluntary – or are they governed by something else, such as the Student Protection Policy and 9.11 Procedures?
- Is there a corporate policy and procedures for interdepartmental cooperation in respect of significant events [serious incidents] as set out in the CIR Guidelines?

- Are the Post-Incident Comms Guide references to ‘immediate’, in respect of responding to and reporting an abuse/harm incident, the operative timelines or are they superseded by the 9.11 Procedures?

[101] These questions also raise several problems.

[102] Firstly, there is an interpretation issue that could have serious consequences for parents whose children attend a particular school. On the one hand, Action 1 implies that the Post-Incident Comms Guide is completely inclusive, such that a Department official could turn to it, at least initially, for the purpose of informing parents of an affected school. This makes operational sense where informing them should occur as quickly as possible. On the other hand, it seems that the Department official needs to be aware of and consult additional documents before a decision is made to inform parents in a timely manner.

[103] The Department advised us that it developed the Student Protection Policy to meet R2 and that the other two documents, the Post-Incident Comms Guide and the CIR Guidelines, explain the steps that an individual needs to take to fulfil the policy requirements.

Our Questions

- If Action 1 relies on two documents in addition to the Post-Incident Comms Guide, then why did the Department not expressly refer to them in support of this Action?
- If the Records provided in response to the NTPR are important to the implementation of Action 1, then why are they not identified in Action 1?

[104] Secondly, Action 1 requires a Department official to be aware of victim and family supports that may only be available through other departments. While such availability is not at issue, the lack of support information in a central document such as the Post-Incident Comms Guide means that they must look elsewhere for the information. This runs the risk that, in telling the parents about the alleged incident so that they can immediately help their children, the Department official may not address the concurrent need to provide them with such supports.

[105] The Department stated that the Post-Incident Comms Guide does have a checklist of information in a handout called 'Supports for Yukon Students and Families'. We note, however, that this is not set out or hyperlinked under the page seven heading 'What information to include' and is only referred to under the page 8 general heading 'Resources to support families'. Similarly, the Department identifies the 'Community Liaison Coordinator or Executive Director of Inclusive Policy and Practice' under this same page heading but does not explain its relevance to the supports available to students and families.

Our Questions

- Which other department(s) should a Department official engage for student victims and families of victims?
- What steps should they follow?
- If supports are needed for students and their families who are not victims, who does the Department official approach and what are the steps to follow?

[106] Thirdly, the Post-Incident Comms Guide includes a 'Reference' section. It lists five documents, including the Student Protection Policy, but does not refer to the 9.11 Procedures. To the extent that both are meant, according to the Department, to support Action 1 as described, this Reference section should include both.

Our Question

- Are the documents in the various Reference sections operationally significant in that a Department official, when faced with a serious incident, should be familiar with their content, application and order of precedence?

[107] Fourthly, R2 calls for a Department-level policy for addressing school incidents that include criminal allegations against employees. YG has chosen to combine them into the Post-Incident Comms Guide that either is Action 1 or a large measure of it. However, nowhere in R1

or R2 is the term 'guidance' and so it is unclear why this document is identified as such without any clear linkage to the Student Protection Policy and 9.11 Procedures.

[108] In our view, these incongruities need to be revisited by the Department so that, after a serious incident occurs, there is unity of purpose in respect of communicating to parents/caregivers, as well as reporting amongst the Department and school officials, other YG officials and the RCMP, all of which must occur in a timely manner.

'Yukon School Post-Incident Communication Guidance and Procedures'

Description

[109] An examination of the Post-Incident Comms Guide reveals an eight-page document with the following purpose:

[T]o support school administrators to communicate effectively with families after an incident and provide guidance on internal reporting within the Department of Education. Proactively sharing information with families ensures they remain confident that their children are safe and secure while at school. When sharing information, we must maintain the privacy and dignity of all staff and students involved in the incident.

[110] To achieve this purpose, it states that the Department will inform families in a timely manner when incidents occur, assure them (and the wider community) that student safety/security is a top priority, promote a factual understanding of potentially 'concerning' incidents [defined term] and support staff in their work. It also identifies five categories of incidents ranging from 'minor' to 'abuse/harm', together with examples, and states that, not only should a communications response be proportional to the actual or perceived severity of any incident but should not include any personal information.

[111] It then follows with a set of incident templates. Each template consists of two headings: 'Who to communicate with' and 'What information to include' but only the minor, major and concerning incidents have a 'Reviews/approvals' heading.

Analysis

[112] We are of the initial view that the Post-Incident Comms Guide should be part of a set of central 'go to' communications/decision-making documents because R2 can be characterized as concrete, measurable and context specific. When faced with serious incidents, a Department official should immediately be able to turn to this guidance document for clear assistance, both in understanding the communications/reporting considerations at play and the actions required.

[113] To that end, the Post-Incident Comms Guide should not only clearly identify which overarching or local policies and procedures apply to each incident category, especially where there may be some ambiguity in application, but also act as a Department checklist of questions to be asked and/or actions to be taken.

[114] Think of a pilot experiencing a mid-flight engine failure – a high stakes emergency where seconds matter and lives are at stake. While the pilot immediately stabilizes the aircraft, they turn to their checklist for the engine restart procedures. It would not be appropriate for this checklist to include a chapter on the ‘theory of flight’, refer generally to other documents or, in simply stating ‘restart the engine’, offer nothing in the way of precise steps for doing so. An aircraft checklist is purposely written in such a way that a pilot can use specific procedures in an action sequence that is most appropriate to the circumstances at hand. In the absence of a checklist, one pilot may choose a path that makes sense to them while another, flying the same type of aircraft, follows a variation. Either path may lead to a successful restart but this outcome is not assured.

[115] While the following tables are not meant to serve as suggested templates for the Department. They are simply meant to be illustrative of what models could be considered.

Example 1(a)

MASTER INCIDENT/ALLEGATION CHECKLIST			
Step	Type	Action	Status
1		Examine list of incident/allegation examples on reverse of this checklist.	(check)
2		Identify the type of incident at hand.	(check)
	Minor	Go to page ‘V’.	
	Concerning	Go to page ‘W’.	
	Major	Go to page ‘X’.	
	Critical	Go to page ‘Y’.	
3	Abuse/harm	Go to page ‘Z’.	(check)

Example 1(b)

ABUSE/HARM INCIDENT/ALLEGATION CHECKLIST			(Page 'Z')
Step	Employee	Action	Status
1	<u>First Report</u>	Immediately report the incident/allegation to the RCMP and FCS. (if child is in actual danger, call 911)	(check)
2	√	When reporting as per Step 1, provide 'What information to include' on reverse of this checklist.	
3	<u>School Administrator</u>	Inform your Superintendent or Executive Director.	(check)
4	√	When reporting as per Step 4, provide 'What information to include' on reverse of this checklist.	(check)
6	<u>Superintendent or Executive Director</u>	Inform the ADM, Schools & Student Services.	(check)
7	√	If the accused is a YG employee, also inform the HR Director/Consultant.	(check)
8	<u>ADM, Schools & Student Services</u>	Inform the Deputy Minister, etc. ...	(check)
9	√	Coordinate with RCMP, FCS, PSC, etc. ...	(check)
10	<u>HR Director/Consultant</u>	Consult with PSC Labour Relations, etc. ...	(check)
11	<u>Deputy Minister</u>	Sign-off on decision to inform/not to inform affected parents/caregivers – or go to CIG.	(check)
12	<u>ADM, Schools & Student Services</u>	If decision is to inform without going to CIG, then inform parents/caregivers.	(check)
13	√	When reporting as per Step 12, provide 'What information to include' on reverse of this checklist.	(check)

14	CIR Guidelines	Does the Department need CIG support?	(check)
15	<u>Deputy Minister</u>	If yes, send Issue Alert/Information Note to ECO DM, etc. ...	(check)
16	√	Sign-off on decision to inform/not inform affected parents/caregivers.	(check)
17	<u>ADM, Schools & Student Services</u>	If decision is to inform, then inform parents/caregivers...	(check)

[116] The point of a checklist model is to apply information in a minimum number of steps to reach a consistent and correct result; in this case, internal/external decision-making process the outcome of which informs communication to parents and students of an affected school. It also allows both the Department and other relevant entities to review, from a learning and feedback perspective, what steps were considered, taken or not taken in answer to a specific incident/allegation.

[117] When an emergency strikes, every second counts, especially in the context of a serious incident such as sexualized assault in a school setting. Indecision and inaction reduce available options and the likelihood of a positive result. In this type of situation, parents have a reasonable right to be informed by school administrators or Department officials in the shortest timeframe possible so that they can immediately reach out to their children and take necessary steps to help them. In this sense, these administrators and officials are responsible for the direct wellbeing of parents and their families.

[118] In stating this, we note that Report 1 concluded that several policies and tools existed, such as the checklist-styled Crisis Communications Manual, when the Department first learned about the WAB matter but none were used, and the Parents were not informed in a timely manner.

Our Questions

- If the Post-Incident Comms Guide is to be a useful tool in communicating what to tell parents about a serious incident involving, for example, the sexualized abuse of a student, what are the reasons for not condensing it into an operationally focused communications and reporting checklist?

- If the Post-Incident Comms Guide is recast as a checklist, who would be responsible for it?
- What is the timeframe for implementing it?
- Will it be reviewed for effectiveness and updated where necessary? If yes, by whom and when?

Incidents or allegations of abuse/harm

[119] While the Post-Incident Comms Guide is designed to address any of the five incident categories in a consistent manner, we will examine the one most associated with the WAB matter.

[120] The abuse/harm incident or allegation [category five] template is set out at page seven. Although it includes the potential or actual abuse/harm of a student by a staff member or adult in the school community, this information, along with examples that comprise the other incident categories, is found in a list on page 1. As such, a Department official must refer back six pages to the various incident examples to understand and confirm that the particular incident category is the appropriate one to follow in the circumstances. To that end, it would be helpful in our view to introduce an additional heading on the actual incident page, in this example at page seven, such as *'What the incident means'*, to save the user time in proceeding to the next two headings.

[121] While the term abuse/harm may be self-evident, terms such as 'concerning, major and critical' are not the case. The absence of an explanatory heading under the various templates suggests that their information may not be procedural in nature because necessary information must be found elsewhere. Flipping through some pages to correlate important information is an indicator that the Post-Incident Comms Guide document is more an administrative support than a procedural imperative.

[122] *Who to communicate with*

[123] When an abuse/harm incident occurs, four focal points under the heading 'Who to communicate with' are set out as follows.

[124] The RCMP and FCS

[125] *[We note that the Post-Incident Comms Guide refers to FCS as 'Child & Family Services' despite the Department having a branch called 'Family and Child Services'.]*

[126] Department administration

[127] A school administrator must inform their superintendent or executive director depending on the administrative context.

[128] Once the superintendent or executive director are informed, they must inform the ADM of Schools & Student Services.

[129] The superintendent/executive director reporting requirement also states that they must inform the HR director when appropriate (*i.e.*, when an adult, accused of abusing or harming a student is a YG employee).

[130] Once the ADM of Schools & Student Services is made aware of the situation, they must inform the Department DM, Senior Advisor, HR Director [who may already be informed], Community Engagement & Relations Director (CER Director) and Policy and Planning Director.

Our Question

- Does the double HR director reporting requirement, one optional and one mandatory, create possible confusion in terms of formulating a Department external communications response and an internal reporting sequence?

[131] Once this last group has been informed, the ADM of Schools & Student Services, Policy and Planning Director and CER Director (or designate) coordinates briefings/communications with other departments and relevant agencies (*e.g.*, HSS, Justice, RCMP) for information sharing purposes and communications advice.

Our Questions

- Which of the three Department officials reaches out to these entities for coordination purposes?

- Once coordination occurs, who takes the lead and who ensures that critical information is sent to the parents of the school students so that they can take immediate steps to help their children?

[132] Department HR branch and the 'Yukon Association of Educational Professionals' (YAEP)

[133] When appropriate, the superintendent or executive director, depending on the administrative context, will inform an HR consultant to determine the need for a workplace assessment. When applicable, the HR consultant will consult with [the PSC's] Labour Relations Branch. If an investigation is required because it involves a YG employee, then the YAEP will be notified to allow for employee representation.

Our Questions

- If the incident is about potential or actual abuse/harm to a student by a staff member, in and of itself a very serious issue with legal reporting obligations, would it not be reasonable for an HR consultant automatically to inform Labour Relations?
- Who decides that an [internal] investigation is required?
- If an investigation decision is made, does someone reach out to the RCMP in the context of its criminal investigation and, if so, who?

Students and families, school staff, school boards and school councils

[134] The ADM of Schools & Student Services will coordinate with the RCMP, the FSC, the PSC, Justice and ECO to consider a communications approach based on any ongoing investigation and an assessment of rights, privacy legislation and dignity as they apply to students and staff. This communications approach can be tailored to each of these four entities or collectively to all of them. If collectively, then the Department must ensure that it conveys necessary information to the parents of the school students so that they can take immediate steps to help their children. In doing so, Department officials must be aware of what privacy principles may or may not apply.

[135] In coordinating with the stated departments and agencies, the Department advises us that the CIG, once activated under the CIR Guidelines, is the communications decision-maker in

ensuring that the parents are quickly informed to the extent possible. While we understand the complementary relation between the Post-Incident Comms Guide and the CIR Guidelines, it is imperative that, given the WAB matter, the Department is ever cognisant of whose role it is to ensure that the special needs of the parents are not mistakenly conflated with those of the other entities, or the general needs of the public.

[136] Reporting Timelines

[137] The Post-Incident Comms Guide, as mentioned, states that school administrators will 'seek' to ensure that families are informed in a timely manner.

Our Questions

- Given the seriousness of an abuse/harm event involving a student, why is the term 'seek' used in place of one that connotes the taking of every possible effort to inform them in a timely manner?
- What are the timelines for each of the four focal points, noting that timelines are specified in each of the other incident categories?
- For example, is reporting under the *Child and Family Services Act (CFSA)* required immediately?
- What is the length of time for the Department, in taking an interdepartment/agency communications approach to informing parents, to decide one way or the other?

[138] Report 1 found that it unfairly took over 19 months for the Department to inform the Parents about the WAB matter, that it only did so because of Parent pressure following a CBC story about a lawsuit against WAB, and that it might never have informed them but for this media event. In our view, policies and procedures informing parents and students as the result of a serious incident must be more prescriptive and directive.

[139] Concerning bullet 2 above, the Department advised us that allegations of abuse and harm are often more nuanced than the other types of incidents in the Post-incident Comms Guide. That is why these allegations from a communications perspective and its associated complexities, are elevated to the CIG to consider the appropriate approach. It also stated,

however, that the timelines set out in the Student Protection Policy and 9.11 Procedures range from 'immediate' to 'timely'.

[140] Our reason in asking this question was to remind the Department that, despite the many nuances of a sexualised abuse allegation, it is critical that parents of the involved students are informed as quickly and fully as possible so that they can take steps to help their children. We are of the view, therefore, that the Department should incorporate these timelines into the Post-Incident Comms Guide and expressly attribute them to both the Student Protection Policy and 9.11 Procedures.

Reporting precision and cohesiveness

[141] The subheading 'Students/families' is used for the other incident categories [critical incidents are referred back to major incidents], but not for the abuse/harm category. Students and families are lumped in with school staff, boards and councils. We appreciate that the heading is really a signpost for the ADM of Schools & Student Services in terms of their communication responsibilities as they apply to students, families, school staff, and school boards/councils. However, the first part of the purpose statement underlying this document is to communicate effectively with the families.

[142] In our view, the relevant bulleted steps should centre exclusively on them or risk losing this critical focus in considerations that have more to do with other entities. As previously mentioned, this loss led to the *communications failure* made by the Department in the WAB matter. In short, it lost sight of the need to communicate immediately with the Parents by mixing it with considerations involving the general public. To mitigate this from happening again, the Department should consider whether the communication responsibilities of the ADM of Schools & Student Services are in any way different as between the students/families and the other entities. If they are, then we suggest the Department revise this part of page seven to separate the 'Students/families' subheading from that applicable to 'School staff, boards and councils' and include the attendant bulleted steps under each heading.

[143] *What information to include*

[144] This heading is common to all the incident categories but the abuse/harm one sets out the nature of the incident, the time and date, the steps taken to ensure the safety of students/staff, any next steps, the supports available to students and families (at school and in community), and a contact name for subsequent questions/concerns or to provide more information. The Department advised us that these information check points comprise the essentials of the information that must be conveyed from person A to person B in any one of

the four communication subheadings (*i.e.*, the RCMP and FCS, Department administration, Department HR and the YAEP, and students/families, school staff, school boards/councils).

[145] It also advised us that the process for providing this information and by whom is not specified because of the complexity of cases involving allegations of sexualized abuse. However, it ultimately falls to the ADM of Schools & Student Services to take note of these information steps and coordinate a communications approach with other departments and agencies. This also includes, if necessary, a possible triggering of the CIG as per the CIR Guidelines.

[146] We take from this that every person who has a communications responsibility under each of the above four subheadings must, at the very least, consider the types of enumerated information in this section and, no matter their thoughts on relevancy, pass them forward. The point is not to lose sight of what must be communicated and to whom. To the extent that the ADM of Schools & Student Supports is the linchpin between what is conveyed within the Department and what is provided outside via the CIG process, it is our view that the Department must identify and stress how accountable this position is in communicating with parents of an affected school and ensuring that supports are made available to them in a timely manner.

Our Question

- Can more information check points be added depending on each situation?

[147] *Reviews/approvals*

[148] There is no such heading for the abuse/harm incident. If allegations of abuse /harm escalate to the ADM of Schools & Student Support and may, according to the CIR Guidelines, lead to a possible triggering of the CIG, then we're of the view that these two information points should be added, however briefly, as a matter of clarity.

Our Questions

- Why does one require a review/approval process for minor to major incidents but none for this one [or a critical incident]?

- Since parents/caregivers are one of the four communication focal points in a sexualized student abuse matter, who reviews and approves the content and timing?
- In what way is this person(s) accountable for their decision, including a decision not to communicate with them or to delay conveyance?
- Is this person a Department official and, if yes, a senior one?
- What is the timeline for reviews and approvals?
- Is the timeline [whenever stated] reasonable and fair when weighed against the needs of the parents/caregivers in helping their children?
- Who is the steward of all the steps in the abuse/harm incident?
- If there are multiple stewards for different parts, then who ensures that all of them have acted in a coordinated way to ensure that, as stated, school administrators should act to inform families in a timely manner after such an incident occurs?

Communication examples

[149] There is no such heading in the Post-Incident Comms Guide but all other incident categories, except the abuse/harm one, have a communication example addressed to parents or caregivers, noting that a ‘critical incident’ uses the same one for a major incident.

Our Question

- Why is there no such example for an abuse/harm incident?

[150] On this point, the Department advised us that the provision of such an example might result in someone not giving due consideration to the type of information to be provided. We disagree.

[151] The complaint addressed and substantiated by Report 1 was a *communications failure* by the Department to inform the Parents about the WAB matter in a timely manner. There was no rigorous process triggered by an abuse/harm incident that required an immediate meeting

(and follow-up meeting) of key lower-level officials and senior leadership to review the possible consequences of not communicating to the Parents. In addition, the Department mistakenly relied on an RCMP investigation that failed to contemplate other possible criminal acts by WAB, and staff did not follow their legal/policy obligations, thus enabling WAB in the process.

[152] Both the Rogers Report and our Report 1 found that a written communication could immediately have been sent to the Parents by the Department stating that a sexualized abuse matter had arisen, a staff member had been removed from the school, the RCMP was investigating, the school was safe, and student supports were being made available.

[153] In our view, this critical and generic content could reasonably serve as a communication example for the abuse/harm incident category without drawing away from the list of information to be considered in each case. By not including such an example; that is, one that signals to the decision-maker that this is what the parental message could entail, runs the risk of repeating the same *communications failure* should another matter of sexualized student abuse arise again.

Student Protection Policy

[154] As previously stated, Action 1 refers to this Record in respect of 'reporting timelines'.

[155] This eight-page document [the first 'Reference' document] is signed by the Department minister and dated September 29, 2022. There is a 'Response and Reporting' section on page 4. It contains several subheadings, three of which are time-related and two of which are relevant to the sexualized abuse of a student by a staff member.

[156] The first, 'Ensuring immediate safety', states that the priority is to take 'immediate' and reasonable actions to protect the student from further harm.

[157] The second, 'Responding to and reporting allegations of abuse', states that any person who has reasonable grounds to believe that such an incident occurred must report their belief immediately to the appropriate authorities. Other than the term 'immediate', there is no other reference to timelines.

[158] There is no mention of the Student Protection Policy in Action 1. It is as if the policy's Responding and Reporting section stands apart from the Post-Incident Comms Guide identified in Action 1, especially in respect of the abuse/harm category which contains no timeline at all.

Our Question

- Does the Student Protection Policy inform the Post-Incident Comms Guide in respect of timelines, is it the other way around, or neither?

9.11 Procedures

[159] As mentioned above, Action 1 refers to this Record in respect of reporting timelines.

[160] This 14-page document, not contained in the Reference section of the Post-Incident Comms Guide, is dated September 29, 2022. It is described as a set of procedures for preventing and responding to harm to students by adults as an extension of the Preventing and Responding to Harm by Adults Policy. The fact that the 9.11 Procedures is grounded in a policy means that it is directive in nature.

[161] The 9.11 Procedures contains a five-page section entitled, 'Responding, reporting, and documenting.' Like the Student Protection Policy, it uses the term 'immediate' in the contexts of protecting a student from harm and further risk, as well as responding to disclosures of harm or inappropriate behaviour by taking immediate student protection actions. Other than this term, there is no other reference to timelines.

Our Questions

- Since the Post-Incident Comms Guide also includes 'procedures', are they the ones that must be followed or must they give way to the timelines referenced in the Student Protection Policy and the 9.11 Procedures?
- If so, why are procedures placed into a guidance document that is only voluntary in nature?

[162] All of this is unclear and confusing, especially in the serious context of the sexualized abuse of a student by a staff member when clarity and timing are critical in formulating a response to parents and providing accurate information to Department decision-makers.

Our Question

- What document or set of documents does a Department official follow after an abuse/harm incident has allegedly occurred when immediate action is required in terms of protecting the student, communicating effectively with parents and both reporting internally and externally?

Does Action 1, as embodied by the Post-Incident Comms Guide, align with R2?

[163] R2 calls for addressing serious school incidents that include a criminal allegation against an employee. However, the Post-Incident Comms Guide purports to be a guidance tool used in a post-incident context in support of communicating both externally and internally with specific entities. In principle, its structure moves from an overarching purpose to a classification of certain events to a set of procedures to address those events. In practice, however, its structure is problematic because it presents as both guidelines and procedures.

[164] In our view, the Post-Incident Comms Guide is neither a policy nor a set of procedures. It is, instead, something merely informative and non-binding in respect of communicating or reporting during or after a serious event. While this would not normally be an issue in the context of public administration, it is one in the context of the Rogers recommendations. The operative wording in R2 is very specific. The Department should implement a policy to address serious school incidents. This recommendation does not use the term guidelines or some hybrid combination of 'guidelines' and 'procedures'.

[165] Rather than employing an imperative-based approach that requires clear consideration and timely action at the Department level when faced with a serious incident, the Post-Incident Comms Guide consists of a collection of somewhat uncoordinated and conflicting information that applies to a range of incidents that can occur in a school setting at any time. There is no implementation order of relevant policy or procedure nor any coordination in respect of which Record(s) comprising an Action should be employed in addressing a serious incident. From a fairness process, service and decision perspective, this absence of operational application continues to run the risk of a *communications failure*.

[166] The Department advised us that the description in Action 1 should have included the Student Protection Policy for several reasons. It lists the procedures to be followed, refers to the Post-Incident Comms Guide, and includes an 'exceptional circumstances' provision in which

decisions may be based on individual merits as well as what 'just' treatment is required in the situation. In its view, the Student Protection Policy makes it obvious, in respect of the R2-Action 1 alignment above, that that the Post-Incident Comms Guide 'is not merely informative and non-binding' because it sets out the roles and responsibilities various Department employees in terms of working together and with other departments/agencies.

[167] While such roles and responsibilities are set out as asserted, Action 1, as currently and publicly described, only refers to the Post-Incident Comms Guide. If, for example, another sexualized abuse of a student occurred, then it is unclear from Action 1 what would happen if a Department official ignored this guidance document, deviated from it, or otherwise failed to make a decision in accordance with it, noting that decision-makers are accountable for these outcomes. Even if the Department included the Student Protection Policy in Action 1, this would not make the Post-Incident Comms Guide 'binding' without expressly stating in the policy something to the effect that it should be used to in conjunction with the 9.11 Procedures to inform the policy.

[168] As such, Action 1, composed only of the Post-Incident Comms Guide, does not align with R2. We suggest that the Department revise the description to include the Student Protection Policy in the description and explain how it is linked to both the Post-Incident Comms Guide and the CIR Guidelines.

Our Question

- To the extent that the Student Protection Policy, 9.11 Procedures, Post-Incident Comms Guide and the CIR Guidelines interact, where is the continuous improvement mechanism (e.g., for reviewing decisions/non-decisions, debriefing after crisis situations, etc.)?

[169] The Department advised us, in respect of the above question, that the Deputy Minister, the ADM of Policy and Partnerships, and the ADM of Schools & Student Supports are each responsible for such improvement. In addition, it has expressly committed in the Student Protection Policy to work with other 'partners' in revising both it and its related procedures. This would include the documenting, monitoring and storage of reports. We support this commitment but suggest that any such mechanism be accompanied by monitor and review timelines.

R2/Action 1 Conclusion

[170] For the above reasons, we find that Action 1 partially meets R2 in respect of addressing school incidents that include criminal allegations against employees but not fully because Action 1 only identifies the Post-Incident Comms Guide as opposed to policy called for by R2 to address such incidents.

Rogers Recommendation 3

Provide better training for school administrators and better onboarding of [Department] employees.

R3 – Action 10	Records Received
<p>Enhance and require training for all school-based staff in the prevention, detection and obligation to report suspected child abuse/suspicious behaviour including:</p> <ul style="list-style-type: none"> a) [delineating] professional conduct/protective environments; b) [identifying] grooming behaviours/suspicious behaviours; c) reporting ‘grey area’ behaviours; d) assessing risk, (e.g., boundary violations and environments that present risk); e) responding to children/families when abuse is disclosed or witnessed; and f) providing ongoing support to victims of abuse in the classroom. 	<p>Post-Incident Comms Guide</p> <p>Student Protection Policy</p> <p>9:11 Procedures</p> <p>Canadian Centre for Child Protection Access to Training</p> <p>School Administrator Training Safeguarding Students – Practice Scenarios June 2022</p> <p>School Administrator Policy Training August 16-17 and 29, 2022</p> <p>Staff Policy Training August 18-19, September 29, 2022</p>

Analysis

[171] The context of R3 is better training for school administrators, as well as better onboarding of Department employees. Action 10 is about training for school-based staff for purposes of preventing, detecting and reporting suspected child abuse or suspicious behaviour in that respect. The description also sets out some of the training components.

[172] While Action 10 does not include any training materials or timelines, we have examined the above Records and acknowledge that contextual training has occurred.

Our Questions

- Is this training mandatory?
- Does the term 'school-based staff' include school administrators?
- Since the *communications failure* involved various Department officials, should other such officials (*e.g.*, central administration staff/decision-makers) be included in this training initiative?
- Is this training part of an on-going process to ensure that all school-based staff are not only provided with the training described in Action 10 but are kept current through repetitive training?
- Who is responsible for ensuring that the training has been provided to each school-based staff member and that they are current?

[173] As stated, R3 also requires better onboarding of Department employees but Action 10 makes no mention of this.

Our Question

- Is employee onboarding something different than employee training in the context of preventing, detecting and reporting suspected child abuse or suspicious behaviour?

[174] However, this omission in Action 10 is not problematic because onboarding is described in Action 12, something we will address below.

R3/Action 10 Conclusion

[175] For the above reasons, we find that Action 10 meets R2 in respect of establishing school-based staff training for purposes of addressing serious incidents in school settings.

R3 – Action 12	Records Received
Update onboarding practices for all school-based and central administration staff with a program that fits the Department’s unique operational requirements.	Onboarding Education Delivery Material Onboarding Additional School Boards Onboarding Being a Public Servant Onboarding Welcome to the Department of Education Onboarding First Nations Way of Knowing, Doing and Being Onboarding Introduction to Policies and Procedures

Analysis

[176] R3 is clear in calling for better onboarding of Department employees, in addition to better training. The Action 12 description responds to this by stating that the Department will update its onboarding practices with some sort of program that fits its unique operational requirements but provides no other information. We have also examined the above Records but

it is unclear how they apply to situations faced by school administrators and Department officials when serious incidents arise in a school setting.

[177] However, the Department provided us, in respect of R3-Action 12 above, with a list of policies, procedures and guidelines including, for example, 'Onboarding Introduction to Policies and Procedures', *Education Act* reporting requirements, the Student Protection Policy, the Post-Incident Comms Guide, and the CIR Guidelines. It also stated that these documents were specifically designed to fit the Department's unique operational requirements, especially those situations faced by school administrators and officials faced with a serious incident. In our view, this additional information is enough to align Action 12 with R3.

R3/Action 12 Conclusion

[178] For the above reasons, Action 12 meets R3.

R3 – Action 22	Records Received
1) Update the General Administration Manual (GAM) to reflect the most up-to-date practices regarding interdepartmental coordination for communicating publicly; and 2) establish a schedule for future updates/reviews.	GAM 1.3 Communications Policy

Analysis

[179] Without more information than what is provided in the Action 22 description, it is unclear how any revision of GAM 1.3 will add to the better training and onboarding of Department employees called for by R3.

Our Questions
<ul style="list-style-type: none">• In view of the recent updates to GAM 1.3, will it be part of any Department employee training and onboarding initiatives?• If so, will currency in GAM 1.3 familiarity, including any updates, be required as part of these initiatives?

- Will GAM 1.3 familiarity be its own subject-matter or will it be presented as part of a Department or larger Department/corporate training/onboarding initiative that addresses serious incidents in a school or child setting?

R3/Action 22 Conclusion

[180] For the above reason, we are unable to determine if Action 22 meets R3.

Rogers Recommendation 4

Ensure computerized databases in all Yukon schools are capable of easily identifying families of students both past and present and information about EA assignments.

R4 – Action 15	Records Received
<p>Explore ways to make the best use of school, student and human resource databases to collect, archive and maintain up-to-date information on:</p> <ul style="list-style-type: none"> a) past/current students and families; b) teacher, EA and teacher-on-call (TOC) assignments; c) students attendance in a classroom or [other] setting, including the presence of a teacher, EA or TOC; and d) family/guardian information for each student. 	<p>None provided</p>

Analysis

[181] Action 15 states that student, school and HR databases are being explored to optimize them for purposes of collecting, archiving and maintaining past and current information. It then sets out the types of information to that end.

[182] Report 1, under Fair Process, addressed the issue of the Department failing to recognize the possibility of other victims due in part to deficiencies in School-level record-keeping

processes regarding the identity of former students and a lack of records concerning EA assignments.

[183] As previously stated, fair process requires policies and procedures to be in place when a serious incident arises because they provide a pre-defined blueprint for what to do, when to do it, who is authorized to do it and how to do it. Not having a policy and procedure governing school registries to facilitate critical information searches that might significantly aid in a criminal investigation made response to the WAB matter even worse because it impeded the timely identification of other potential WAB victims. According to the Rogers Report, having deficiencies in school-level record keeping concerning former students, as well as a lack of records concerning EA assignments, made identification and communication more challenging. In our view, this failure was unfair to the Parents and students and did not meet standards of procedural fairness.

[184] We are of the view that the Action 15 description is a first step to ensuring that computerized databases in all Yukon schools are capable of easily identifying families of students both past and present and information about EA assignments. However, we are of the view that its scope should be expanded to capture allegations of sexualized abuse or other issues arising from a serious incident that could theoretically span multiple schools. For example, an employee engaged in criminal behaviour with students could work at different schools over time. Since the WAB matter, according to the evidence, only occurred at the School, Action 15 could be construed as applying to each school as a 'silo'. In our view, Action 15 should be revised to make clear that the envisaged databases contain information that is individual school-specific but can be tracked across all schools.

Our Questions

- What is the timeframe for implementing the database called for by R4?
- How extensive will the database implementation be?
- Who will be responsible for entering data and ensuring its currency?
- How will the data be used and by whom?
- How will the data be protected administratively, technically and physically?

R4/Action 15 Conclusion

[185] For the above reason, we are unable to determine if Action 15 meets R4.

R4 – Action 16	Records Received
Review existing incident reporting and tracking systems across YG and determine if one common system (or similar systems) could be implemented for all departments, beginning with the Department.	Preventing and Responding to Harm Reporting Form

Analysis

[186] R4 calls for computerized databases in all Yukon schools that are capable of easily identifying families of students, both past and present, as well as information about EA assignments. In response to this, Action 16 implies that there may be existing reporting and tracking systems elsewhere in YG that may meet R4 in some respect. It is unclear, however, how a common system implemented for all departments could be of use to the Department unless this system allows for specificity in collecting information about families of students and EA assignments over time.

Our Questions

- What is the timeframe for conducting the review?
- Who is conducting the review?
- What role does the Department have in this review?
- How extensive is the review?
- If one common system for incident reporting and tracking is chosen, does it have the necessary flexibility to be responsive in a sensitive manner to Department needs?
- If a common system is implemented, will it begin with the Department?

- Who will be responsible for reviewing and updating the system – and how easy will it be for the Department to require this entity to make changes that the Department needs for reporting and tracking purpose?

[187] The Department has advised us that it has identified a Department-specific ‘e-system’ for development as a possible tracking system but it does not provide any further information.

Our Question

- When will the Department know if this ‘e-system’ is capable, as called for by R4, of easily identifying families of students both past and present and information about EA assignments?
- If it is not capable, then what will the Department do next as a function of meeting R4?

[188] We have examined the above Record to see if it assists in this review but we are of the view that it does not because, as a reporting form, its intent is to collect serious incident information from a Department official when faced with a disclosure, allegation or suspicion of abuse/harm or inappropriate behaviour.

R4/Action 16 Conclusion

[189] For the above reasons, we are unable to determine if Action 16 meets R4.

Rogers Recommendation 5

Ensure school administrators, teachers and staff are provided training in respect of their duty to report and document suspected abuse on an annual basis.

R5 – Action 4	Records Received
<p>Develop a victim support plan and identify materials, which could include:</p> <ul style="list-style-type: none"> a) identifying a victim support team and its roles/responsibilities at various levels; b) incorporating into teacher/school personnel training or developing specific training on victim support about: <ul style="list-style-type: none"> i. how to respond to victims/families when an allegation is made, and ii. working and providing supports to student victims and families post-incident (<i>e.g.</i>, in the classroom); and c) developing an information package for families that provides guidance and information on current policies, support services, financial options and navigating the system. 	<p>Victim Support and Safety Plan template March 24, 2023</p> <p>Guidance Victim Safety and Support Plan March 24, 2023</p> <p>Sexualized Assault Response Team presentation – Youth Service Providers</p> <p>Support for a Child or Youth Victim of a Crime for parents and Caregivers March 23, 2023</p>

Analysis

[190] R5 clearly calls for training on the obligation for school administrators, teachers and staff to report and annually document suspected abuse. Action 4 is about developing a victim support plan and identifying various non-exhaustive materials in respect of such support.

[191] On their face, R5 and Action 4 do not align because Action 4 is not about reporting and documenting per se. In addition, the context of R5 is suspected abuse in a school setting.

[192] However, the Department advised us, in respect of R5-Action 4 above, that Action 4 was designed to help enable school administrators, teachers and other staff to meet their duty to support student victims as per the Student Protection Policy and 9.11 Procedures. It further stated that while the victim support plan identified in Action 4 is being developed, the Department is providing supports to students and delivering training to staff in respect of Action 4. Such training is annual and mandatory in nature, as well as being updated to include resources as they are developed and available.

[193] Given this additional information, we are only left with the following two questions.

Our Questions
<ul style="list-style-type: none"> • Does ‘school personnel’ include, for example, school administrators, substitute teachers, EAs, custodians, volunteers and the like? • Is this a Department plan, a Justice plan or some sort of combination?

R5/Action 4 Conclusion

[194] For the above reasons, Action 4 meets R5.

R5 – Action 10	Records Received
<p>Enhance and require training for all school-based staff in the prevention, detection and obligation to report suspected child abuse/suspicious behaviour including:</p> <ul style="list-style-type: none"> a) [delineating] professional conduct/protective environments; b) [identifying] grooming behaviours/suspicious behaviours; c) reporting ‘grey area’ behaviours; d) assessing risk, (<i>e.g.</i>, boundary violations and environments that present risk); e) responding to children/families when abuse is disclosed or witnessed; and f) providing ongoing support to victims of abuse in the classroom. 	<p>Post-Incident Comms Guide</p> <p>Student Protection Policy</p> <p>9:11 Procedures</p> <p>Canadian Centre for Child Protection Access to Training</p> <p>School Administrator Training Safeguarding Students – Practice Scenarios June 2022</p> <p>School Administrator Policy Training August 16-17 and 29, 2022</p>

	Staff Policy Training August 18-19, September 29, 2022
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Analysis

[195] Action 10 is about requiring training that has been improved in some manner for purposes of preventing, detecting and reporting on suspected child abuse or suspicious behaviour in respect of this. It also sets out a non-exhaustive list of training components in that context. The recipient of this training is all school-based staff.

[196] The context of R5 is about requiring training for purposes of reporting and documenting suspected abuse. In our view, the context of Action 10 is similar to R5 except for the documentation requirement. The recipients in each are also similar to the extent that all school-based staff include school administrators, teachers and staff.

Our Questions

- Can the training described in Action 10 include the documentation requirement in R5?
- Does the term 'school-based staff' include school administrators?
- Since the *communications failure* involved various Department officials, should other such officials (*e.g.*, central administration staff/decision-makers) be included in this training initiative?
- Is this training part of an on-going process to ensure that all school-based staff are not only provided with the training described in Action 10 but are kept current through repetitive training?
- Who is responsible for ensuring that the training has been provided to each school-based staff member and that they are current?

R5/Action 10 Conclusion

[197] For these reasons, we find that Action 10 meets R5.

R5 – Action 13	Records Received
1) implement summer training for principals, vice-principals and new staff on reporting serious incidents, prevention, supporting victims and related subject matter; and 2) develop a plan to train all school staff over time.	None provided

Analysis

[198] The context of R5 is training on the obligation school administrators, teachers and staff have to report and annually document suspected abuse. The context of Action 13 is twofold: summer training for principals, vice-principals and new staff on serious incident reporting, prevention, victim support and related subject matter, and a training plan for all school staff. There is, however, no information on the intent of the training plan although it is reasonable to infer that could include the same or similar components set out in the summer training initiative.

Our Questions

- Are the recipients of the summer training different from those in the training plan?
- Does ‘school staff’ include, for example, substitute teachers, EAs, custodians, volunteers and the like?
- What is the timeframe for developing a training plan for all school staff?
- Since Action 13 states that the training plan will unfold over time, what is the timeframe and is this training a recurring initiative?
- Will recipients be required to stay current in respect of the two training initiatives?

R5/Action 13 Conclusion

[199] We find that Action 13 meets R5 to the extent that the training is initially delivered but we are also of the view that Action 13 should be ‘evergreen’ in nature (*i.e.*, an Action that is continually edited and updated).

Rogers Recommendation 6

Develop and implement a policy in cooperation with the RCMP re information sharing/working together in the event of an allegation of criminal conduct.

R6 – Action 6	Records Received
Update and consolidate policies/procedures under a stand-alone Policy on Prevention and Reporting of Serious School Incidents, which includes:... <i>b) responding/reporting, [including]:</i> <i>i. coordination with RCMP when there is an allegation of criminal conduct; ... [Emphasis ours]</i>	Post-Incident Comms Guide Student Protection Policy 9.11 Procedures

Analysis

[200] Action 6 is about updating and consolidating policies and procedures under a stand-alone Policy on Prevention and Reporting of Serious School Incidents that includes two main components, the second of which concerns responding and reporting considerations.

[201] For purposes of Report 2, however, we have only reproduced and underlined the responding and reporting portion that involves coordination with the RCMP because R6 is about developing and implementing a policy in cooperation with the RCMP for information sharing and collaboration if an allegation of criminal conduct occurs. It states that if there is an allegation of criminal conduct, then the actions of responding and reporting will require coordination with the RCMP. There is no other information that elaborates on this reference.

[202] We examined the above Records and note that only the Post-Incident Comms Guide briefly mentions coordination with the RCMP in the context of sharing information and external communication purposes. However, the Department advised us, in respect of R6-Action 6

above, that the policy referred to in Action 6 is, after a slight revision, the Student Protection Policy. It also stated that the requirement to report an alleged criminal offence concerning a child to the RCMP/FCS is on page 4 and the responsibility to confirm the actions of collaborating departments/agencies after such a report is on page 5. In addition, it referred to similar reporting responsibilities in the CIR Guidelines, an August 30, 2022 updated GAM 1.3, and the Post-Incident Comms Guide.

[203] This new information is helpful because it demonstrates that the Department is taking steps to examine and, where necessary, update its policies and procedures or, where they are corporate in nature, to assist in examining and updating them. That said, we acknowledge that the Student Protection Policy and its 9.11 Procedures have a singular focus. As such, consolidation, described in Action 6 in respect of a 'stand-alone' policy, would be problematic.

[204] However, we are of the view that because R6 is about involving the RCMP for information sharing and collaboration purposes, the Department should include a 'one-source' reference to these additional documents in the Student Protection Policy, as well as revising Action 6 to include them. It follows that this would assist in understanding how the Department is trying to align Action 6 with R6.

Our Questions

- If the RCMP is involved, will responsibility for coordination be shared jointly as a function of Ministerial direction to YG's contract policing force in respect of establishing the priorities, objectives and goals of the territorial police service?
- Will the newly established 'Hidden Valley School Parent Advisory Committee' have any role in developing or refining the coordination responsibilities between the Department and the RCMP?
- What training is envisaged for this coordination responsibility and who will be the recipients of it?
- Will this coordination responsibility be reviewed for effectiveness and updated where necessary? If yes, by whom and when?

R6/Action 6 Conclusion

For the above reasons, we find that Action 6 partially meets R6 in respect of updating policies/procedures, noting that consolidation is not possible under a ‘stand-alone’ policy.

R6 – Action 7	Records Received
Create a new ‘Inter-Agency Agreement for the Investigation of Child Abuse’ between the RCMP, HSS and the Department; and provide training on roles/responsibilities under that agreement to those responsible within each department.	None provided

Analysis

[205] Action 7 is about creating an interagency agreement and providing the training necessary to implement and maintain it in respect of each agency’s roles and responsibilities. The context of the agreement is the investigation of child abuse. R6, however, is about developing and implementing a policy in cooperation with the RCMP. The context is information sharing and collaboration if an allegation of criminal conduct occurs. This would include, for example, allegations of child abuse in a school setting.

[206] It is reasonable, however, to infer from R6 that an interagency agreement could fall within the scope of a policy involving the RCMP, especially the type previously described in Action 6 [Policy on Prevention and Reporting of Serious School Incidents]. Such an agreement would be very important because, as found in Report 1, there were serious misunderstandings amongst the RCMP, the Department, PSC and Justice that led to both the *communications failure* and the RCMP not broadening its investigative scope to take into consideration the possibility of more WAB victims.

[207] However, Action 7 as currently described provides no information about how the proposed agreement links to the policy called for by R6 and what the relationship between the two would look like. What is critical from a fairness perspective is to ensure that parents and their families are informed as soon as possible following a serious incident a serious incident, especially if this were to lead to further disclosures about criminal behaviour. A proposed agreement must take this into account so that this important element is not subsumed into something else.

[208] Similarly, an agreement between YG and the RCMP must allow for coordination between the RCMP and an authority such as the Department in criminal matters because, from our perspective, the *Ombudsman Act* only sets out a scheme of authorities as opposed to something corporate in nature.

[209] The Department advised us, in respect of R6-Action 7 above, that the Department does not have the legislative authority to conduct child abuse investigations. Only the RCMP and HSS have this power, the former in a non-criminal capacity and the latter in the criminal context. As such, the Department cannot be a party to an inter-agency investigation agreement.

[210] Instead, the Department and HSS entered into a joint agreement on April 12, 2023, setting out interdepartmental operations and communication when a child's safety is or is likely to be at risk. It provides guidance to both parties on how to communicate and share information when there is a duty to report and when a child is in need of protection, as per the CFSA.

[211] In addition, HSS and the RCMP entered into a joint protocol on June 13, 2023, concerning concurrent child abuse investigations. It reiterates their respective commitments to follow a joint 'memorandum of understanding' (MOU) on this issue. The parties also updated the MOU in December of 2023 and are expected to sign it shortly, with training to follow.

Our Questions

- Is the Inter-Agency Agreement for the Investigation of Child Abuse a stand-alone agreement or it is grounded in a policy? If yes, which policy?
- Since the parties to this agreement are HSS and the RCMP, how will its terms and conditions govern the Department in respect of reporting a serious incident of a criminal nature?
- What are the agreement-based roles and responsibilities of HSS and the RCMP in respect of the need, from a fairness perspective, to communicate with parents and their families as soon as possible following a serious incident of a criminal nature involving a child in a school setting?
- If one of the parties to the agreement (or an authority affected by it) disagrees with the need to inform parents and their families in a particular situation, what happens (especially if an apparent legal impediment is identified)?

- Who will be responsible for ensuring that the agreement, in its implementation, respects and accounts for the need to inform parents and their families in a timely manner following a serious incident?
- How often will this agreement and the MOU be reviewed for effectiveness and updated where necessary? If yes, by whom and when?
- Since this agreement identifies HSS, does it have a corporate dimension (*e.g.*, does it involve the CIG in any way)?
- What training is envisaged for this agreement, what is its delivery timeframe and who will be the recipients of it?

R6/Action 7 Conclusion

[212] For the above reasons, we find that Action 7 meets R6.

R6 – Action 8	Records Received
Develop corporate policies and procedures for information-sharing with the RCMP on matters involving the investigation of alleged criminal conduct by an employee, including: <ul style="list-style-type: none"> a) considerations around informed consent; and b) collaborative case management. 	Application Guidelines Series #43 – Criminal Activity in or connected to the Workplace

Analysis

[213] Action 8 is about developing corporate policies and procedures in the context of information-sharing with the RCMP when it investigates a criminal allegation against an adult. This context will also include two particulars identified as informed consent and collaborative case management. While R6 is about developing and implementing a policy of the same or similar context in cooperation with the RCMP, the Action 8 description provides no information as to the nature of RCMP involvement in this initiative.

[214] I have also examined the above Record. While it refers to the RCMP in several instances, such as reporting suspected criminal conduct to the RCMP, or communicating with it to ensure that a [YG] process does not unintentionally affect the criminal investigation, it is distinctly a guideline and not a policy or procedure.

Our Questions

- What is the timeframe for developing and implementing corporate policies and procedures for information-sharing with the RCMP?
- Who is responsible in YG for this initiative?
- How will the RCMP and the Department be involved in this initiative?
- Is a 'stand-alone' corporate policy and set of procedures envisaged by Action 8? If no, then how will a collective of them interact with a Department-level policy and set of procedures in the context of information-sharing with the RCMP?
- Will the Department be required to create its own 'stand-alone' policy and set of procedures to interact with a 'stand-alone' or collection of corporate policies and procedures?
- What training is envisaged for these corporate policies and procedures (or a 'stand-alone' entity) and who will be the recipients of it

R6/Action 8 Conclusion

[215] For the above reasons, we find that Action 8 meets R6.

Action Plan Evaluation

[216] In summary, we are of the following opinions (in table form). For ease of reference, we will also use a traffic light marker to score the Department's response to the Rogers recommendations:

Rogers Report	Action	Ombudsman Opinion	Does not meet recommendation or unable to determine
			Partially meets recommendation
			Fully meets recommendation
R1	1	Action 1 does not meet R1.	
R1	2	Action 2 partially meets R1 because of its content but does not meet it by identifying itself as a guidance document. It also does not address any training initiatives.	
R1	3	Action 3 partially meets R1 because of its content but does not meet it by identifying itself as a guidance document. It also does not address any training initiatives.	
R1	6	Unable to conclude if Action 6 meets R1 – <u>except</u> that it meets the requirement to provide appropriate training.	
R1	9	Action 9 does not meet R1.	
R1	18	Action 18 meet the context of R1 but not the policy or procedural vehicle set out for its governance and operations.	
R1	22	Action 22 meets R1.	

R2	1	Action 1 partially meets R2 in respect of addressing school incidents that include criminal allegations against employees but not fully because Action 1 is not identified as a policy.
R3	10	Action 10 meets R2 in respect of establishing school-based staff training for purposes of addressing serious incidents in school settings.
R3	12	Action 12 meets R3.
R3	22	Unable to determine if Action 22 meets R3.
R4	15	Unable to determine if Action 15 meets R4.
R4	16	Unable to determine if Action 16 meets R4.
R5	4	Action 4 meets R5.
R5	10	Action 10 meets R5.
R5	13	Action 13 meets R5 to the extent that the training is initially delivered. Action 13 should be 'evergreen' in nature.
R6	6	Action 6 partially meets R6 in respect of updating policies/procedures (noting consolidation not possible under a 'stand-alone' policy) but not fully because the current Action 6 description does not include the additional documents examined by the Department, some of which it revised or assisted in revising.
R6	7	Action 7 meets R6.
R6	8	Action 8 meets R6.

[217] In short, we looked at 15 Actions, four of which are linked to more than one recommendation, for a total of 19 separate considerations (*e.g.*, Action 1 responded to both R1 and R2). Of this total, eight met their respective Rogers recommendations, five partially met them, three did not meet them, one was inconclusive but met the training requirement, and two were inconclusive with no qualifiers.

Conclusion

[218] Although we have endeavoured to provide a comprehensive review of the circumstances surrounding the WAB matter and the Department's response (Safer Schools Action Plan) from a fairness perspective, we recognize it is only one piece of the larger puzzle and one that requires a multi-disciplinary approach.

[219] In addition to our investigation, there were three other reviews conducted: one by the RCMP, one by Amanda Rogers on behalf of YG, and one by Annette King, the Child & Youth Advocate.

[220] The RCMP also conducted a review on its handling of the WAB matter, including its interactions with the Department, Parents and students, and evaluating its role in the communication breakdown that occurred. Any conclusions reached as part of its internal review must ensure a clear process for interacting with stakeholders and demarcating both ownership and responsibility for keeping stakeholders informed.

[221] The Rogers Report made recommendations that stemmed from the Department's *communication failure*, and touched on many aspects that align with the Ombudsman's mandate. We evaluated those recommendations that related to administrative fairness and provided our recommendations in this report. In addition, one recommendation by Rogers (Recommendation #7) was outside the scope of our investigation and, as such, we recommend that the Department consider whether the Action Plan fully meets it.

[222] In addition, the Department's Action Plan extends beyond the recommendations of the Rogers Report. Although we commend the Department for looking for additional opportunities for improvement in serving the needs of parents and students throughout the school system, we suggest that those actions not included in our review (Actions 5, 11, 14, 17, 19, 20, 21, and 23) are evaluated to ensure the objectives are fully met.

[223] The Child & Youth Advocate's report provided an invaluable perspective as it relates to the fundamental rights of children and [made eight recommendations](#) focusing on "ensur[ing] that clear policies and procedures not only exist but are followed in order to prevent abuse and to respond appropriately when abuse occurs." We recommend that the Department continue to collaborate with the YCAO to ensure that the rights of the child are appropriately prioritized and upheld.

[224] As discussed in these reports, the WAB matter had an appalling effect on the School community as well as the community at large. Sending children to a legislatively mandated institution for most of the day requires a firm trust that children will be protected and, when

incidents occur, confidence that their parents and families will be informed as quickly as possible so that they can take necessary steps to support their children. This requires the Department maintaining, at all times, a child-centred focus when it comes to addressing serious incidents in a school setting, especially where other considerations such as labour relations or privacy concerns may loudly compete for attention.

[225] While we know that the sexualized abuse perpetrated by WAB will never be undone, we are very supportive of the independent efforts made to review this abhorrent situation; that these lessons cannot just be ‘learned’ by the Department but put into a clear, operational context where and when they are needed most. That is why we have suggested, for example, that teachers, school administrators and Department officials should have a checklist setting out unequivocal procedures in an action sequence that is most applicable to a particular incident or allegation. It is not enough to provide pieces of this information in various documents, especially where time and clarity matter.

[226] It is also why we strongly believe that a checklist, certainly in the case where an allegation or incident of abuse/harm occurs, should include an apology procedure if Department mistakes are made in which parents of children in an affected school are not informed about this situation in a timely manner. It is a fact that the Parents learned of the November 2019 abuse by WAB only when the CBC reported on a lawsuit involving him in July 2021. It is a fact that the Department finally sent out a formal communication to the Parents in August assuring them of the School’s safety, offering some facts concerning the WAB matter and providing supports, but not offering an apology or acknowledging at the time that the matter could have been managed better. This is what this directly contributed to the Parents’ sense of feeling ‘dismissed’ along with their concerns; essentially, a betrayal of the trust they had placed in the Department.

[227] We would be remiss, however, if we did not acknowledge that the Department is taking a serious and considered approach in respect of the WAB matter. In responding to our draft Report 2, the Deputy Minister described, for example, several training initiatives that have occurred or will shortly occur, in addition to commenting on what the Department is doing as a function of its Action Plan to make schools safe, caring and supportive environments.

[228] In our view, the public interest in the welfare of our children, and served by each of the reviews, deserves nothing less.

Recommendations

[229] Given our findings, we make the following eight recommendations.

Number	Ombudsman Recommendation
1	<p>Revise the 'Yukon School Post-Incident Communication Guidance and Procedures' (Post-Incident Comms Guide) to make clear its relationship to the 'Student Protection Policy: Preventing and Responding to Harm by Adults' (Student Protection Policy), the '9.11 Procedures for Preventing and Responding to Harm by Adults' (9.11 Procedures) and the 'Critical Incidents Response Guidelines' (CIR Guidelines), especially:</p> <ul style="list-style-type: none"> a) their respective authorities, applications, purposes, principles, roles and responsibilities, and accountabilities; b) how they interact and what their precedence is in respect of the Post-Incident Comms Guide following the occurrence of an incident, and c) what training regimen is attached to this.
2	<p>Revise the Post-Incident Comms Guide by recasting part of it as a set of checklists outlining the steps that an individual in a school or within the Department must take to report an incident/allegation and communicate effectively with families after it occurs. These checklists should include:</p> <ul style="list-style-type: none"> a) a 'master' checklist for quickly determining the type of incident/allegation at hand; b) a set of 'incident/allegation' checklists, each addressing a particular type of incident/allegation; c) a list of 'what information to include' on the reverse of each checklist; and d) concise information on where/how to hand-off to an interdepartmental responsibility (<i>e.g.</i>, CIR Guidelines).
3	<p>Revise the Post-Incident Comms Guide to include:</p>

	<ul style="list-style-type: none"> a) timelines of decisions and actions; b) a communications message example to parents that responds to an incident/allegation of sexualized abuse or other violent incidents involving a student at a school; c) continuous improvement mechanisms and timelines (<i>e.g.</i>, review on a regular basis, debrief after situations that have used it, etc.); and d) a training regimen to learn about and apply it in crisis situations, including ‘practice scenarios’ to test its application and effectiveness.
4	<p>Revise the Student Protection Policy, with appropriate revisions to the 9.11 Procedures and Post-Incident Comms Guide, to:</p> <ul style="list-style-type: none"> a) designate someone, such as the ADM of Schools & Student Services, to be accountable for keeping the communications purpose on track (in respect of informing/not informing parents of an affected school) and actively report to the Department DM on its status, whether the consultation is at the Department or ‘Critical Incident Group’ (CIG) level; and b) require the Department DM to sign off on a final communications decision (to inform/not inform parents of an affected school) about an incident/allegation of abuse/harm to a student by an adult.
5	<p>Work with the Executive Council Office Deputy Minister to revise the CIR Guidelines to provide for final approval by the ‘lead’ department deputy minister of the communications decision about a critical incident if the CIG is convened.</p>
6	<p>Revise any Action to include a list of relevant documents associated with that Action, and briefly explain how they tie together for purposes of operational priority and cross-referencing.</p>
7	<p>Identify a senior Department official whose authority is to ensure that the Action Plan is implemented, followed, and periodically reviewed for effectiveness.</p>

8	<p>Develop and implement a comprehensive training regimen for purposes of addressing serious incidents and communicating with families that includes:</p> <ul style="list-style-type: none">a) the Post-Incident Comms Guide (including its partial recasting as a set of checklists);b) associated legislation, policies, procedures and guidance documents; andc) ‘table-top’ exercises (<i>e.g.</i>, practice scenarios, case studies) to test and validate policies, procedures and capabilities by identifying resource requirements, capability gaps, strengths, areas for improvement and potential best practices.
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Report regarding investigation of Complaint

[230] As per section 23, we are providing this Report to the Deputy Minister in their capacity as the chief executive of the Department.

Original Signed

Jason Pedlar, BA, MA,
Ombudsman

Original Signed

Rick Smith, BA, MCP, LLB
Investigator

Distribution:

- Department and Complainant

Attachment:

- Response letter to draft Report 2 from the Department DM to the Ombudsman, January 31, 2024



Education
Deputy Minister's office (E-1)
PO Box 2703, Whitehorse, Yukon Y1A 2C6

January 31, 2024

Sent via Secure File Transfer

Jason Pedlar, Ombudsman
Yukon Ombudsman Office

Dear Mr. Pedlar:

Re: Hidden Valley Investigation Report 2 – Ombudsman Act Our File: OMB-INV-2021-10-077

Thank you for your investigation into this matter. Our top priority is to support healthy, safe, and caring learning environments in all Yukon schools. As you are aware, our government and the RCMP acknowledged that we mishandled reports of sexualized abuse at Hidden Valley Elementary School and have committed to implementing comprehensive corrective actions across the system. We have received reviews from the Yukon Child and Youth Advocate, the RCMP, an independent reviewer for the Department of Education, Amanda Rogers, and we have accepted all the various report recommendations in principle and launched the Safer Schools Action Plan.

We formally accept in principle your recommendations in this review. All 23 actions in the Action Plan are now implemented and are continuously being reviewed to ensure an adaptive improvement to their application over time. Your report and recommendations provide clarifying insights.

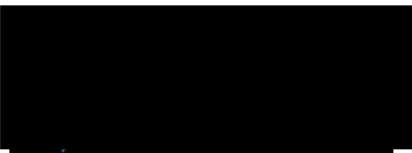
The Student Protection Policy, Yukon School Post-Incident Communications Guidance and all associated processes are continuously being reviewed, modified and improved as situations arise. We intend to seek feedback from several committees and advisory groups and authorities as we address your recommendations. We have already engaged with schools and education partners and asked for feedback regarding the Student Protection Policy and related procedures and the implementation of the policy, procedures, and training. In February 2023, we also engaged with the First Nation Education Commission, which comprises representatives of Council of Yukon First Nations member governments. We surveyed school administrators in April 2023. In June, we met with the Advisory Committee for Yukon Education to review and request feedback. That committee comprises the Yukon Child Care Board; educators; the Association of Yukon School Administrators; the First Nation Education Commission; Yukon First Nation Education Directorate; Commission scolaire francophone du Yukon; school councils; the Catholic Education Association of Yukon; the Association of Yukon School Councils, Boards and

Committees; the Yukon Association of Education Professionals and Yukon University. We also met with Family and Children's Services in July 2023 to discuss the policy and clarify specific topics. As we address recommendations, we will reach out to the applicable groups for their expertise and authority.

Attached to this letter is a summary of your recommendations, our responses, and, where relevant, a description of work underway. I am pleased to see that your recommendations align with our ongoing work.

Again, we are grateful for your recommendations. As we address those actions, your work will contribute to safer schools.

Sincerely,



Mary Cameron
Deputy Minister, Education

c.c.
Justin Ferbey, Deputy Minister, Executive Council Office
Sherri Young, Public Service Commissioner
Ed van Randen, Deputy Minister, Social Services
Mark Radke, Deputy Minister, Justice



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