

## Discussion Paper to prepare for Canada's 5<sup>th</sup>/6<sup>th</sup> Review

### Children's Rights and Education: More than a Right to Go to School

#### Introduction

Education is one of the areas where Canada ranks high in comparisons with other countries, in surveys done by the OECD and UNICEF. However, Canada is far from filling its education obligations under the Convention on the Rights of the Child. Challenges continue in the areas of access and equity, the content of education, and teaching children about their rights.

#### Access

While access to education is near universal for non-indigenous children, there are barriers that children with disabilities, immigrant children, and children in alternative care face to find appropriate placements in elementary and high schools. Ensuring access to culturally appropriate education for all indigenous children on and off reserves remains a major challenge (will be addressed in discussion on indigenous children).

Completion of high school remains a challenge among some groups. An increased focus on support for a successful transition from school to employment includes expansion of opportunities to learn skills that are in demand in workplaces and mentorship.

User fees can be a barrier to some educational activities. In the last review Canada was asked to "*take measures to abolish the need for user fees at the level of compulsory education.*" We look forward to information from provinces on this point in the upcoming review.

#### Equity in education

Canada was asked to address the following issues relating to equity in education:

- a. the high dropout rate of indigenous and African-Canadian children;
- b. over-use of suspension and referral to police as discipline for indigenous and African-Canadian children;
- c. integration of minority and disabled children in educational settings to prevent segregation and discrimination.
- d. disparities in funding for education on-reserves.

We look forward to steps taken and specific plans to address these recommendations.

### **Kind of Education: Article 29**

Article 29 of the Convention receives limited attention in Canada. Pressure to prepare children for the workforce often shapes curriculum more than development of “the child’s personality, talents, and mental and physical abilities to their fullest potential.” (Article 29.1)

Equally important are the other aims of education in Article 29:

- a. development of respect for human rights and fundamental freedoms;
- b. development of respect for a child’s parents, cultural identity, language, and values;
- c. development of respect for the national values of Canada, of countries from which children may come, and for civilizations different from their own;
- d. preparation for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples; and
- e. development of respect for the natural environment.

Fulfillment of Article 29, which is uneven across Canada, warrants more attention by provincial governments and the Council of Ministers of Education. At present there is no systematic basis for evaluating progress.

### **Learning about Children’s Rights: Action on Last Review**

In addition to Article 29, Article 42 specifically requires states to “*make the principles and provisions of the Convention widely known, by appropriate and active means, to adults and children alike.*”

The CCRC made the low level of awareness of children’s rights across Canada a high priority in the last review. Canada was specifically asked to address this fundamental issue through the following means:

- a. *Systematically disseminate and promote the Convention;*
- b. *Raise awareness in the public at large, among professions who work with children, and directly with children;*
- c. *Expand the development and use of curriculum resources on children’s rights;*
- d. *Specifically, use the extensive availability of free internet and web access to raise awareness*
- e. *Integrate knowledge and exercise of children’s rights into curricula, policies and practices in schools.*

The CCRC calls on all governments in Canada to respond to these recommendation in the last review by taking specific steps immediately and tabling clear plans to address the low level of knowledge about children’s rights. This is fundamental to making progress in other areas.

As indicators of progress, the CCRC is gathering information about two key tools Canada was asked to use to raise awareness:

- a. Children’s rights in the educational curricula of provinces
- b. Raising awareness through government websites

## **Children’s Rights in Education Curricula: Summary Findings**

There are references to teaching human rights in all provincial curriculum guides across Canada, but there are only sporadic references to children’s rights and fewer explicit references to learning about the Convention on the Rights of the Child. The most frequent requirements are teaching knowledge about the Charter of Rights and Freedoms as part of Canada’s history and learning the rights and responsibilities of citizenship. Some include specific instruction in workplace rights as part of life-skills or career classes, and optional global education courses include learning about children’s rights in other parts of the world.

**No province offers a program that would meet the recommendation to “*integrate the knowledge and exercise of children’s rights into curricula, policies, and practices in schools.*”**

Individual school boards and schools may have programs that meet this standard. Scaling up good practices in teaching children to understand and exercise rights-respecting relationships needs more focus in all provincial departments of education.

See appendix A for a sample of details found in a review of provincial curricula.

### **Promoting awareness of children’s rights through government websites**

The Public Health Agency of Canada provides a basic resource for teaching children about their rights in a National Child Day Toolkit. It provides a variety of teaching modules for different age groups and situations. It is not prominent on the Government of Canada website, with the result that most teachers are not aware of it.

Children looking for information about their rights on the Government of Canada or provincial government websites do not find many youth-friendly resources. They are not easy to find. Basically a young person has to already know about children’s rights to find the resources about children’s rights. Children may find some information about their rights through the websites of their provincial children’s advocates, if they know about those offices. The limited mandates of most provincial advocates does not cover all rights or public education about all rights.

Young people with the capacity to search online may find information on the websites of children’s organizations, particularly those with mandates that include engaging with young people in rights-respecting ways. There has been some growth in the number of non-profit agency programs that help children learn about their rights, since the last review. While these programs promote awareness of the Convention, the scale and reach of these initiatives leave major gaps. Most children are not reached by such programs and some aspects of children’s rights receive less attention than others, leaving big gaps in awareness.

Equally important is integrating children’s rights into related government information websites. This is an area for considerable improvement in Canada, as one response to the recommendation in the last report that Canadian governments use Canada’s “extensive availability of free internet and web access” as a tool

to raise awareness of children's rights across Canada. For example, violence against women and children, especially girls, is a current priority focus, but government resources on this subject do not include references to Article 19, which articulates the right of every child to grow up free from all forms of violence. This is a big missed opportunity.

If one compares the state of public information about children's rights on government websites with public communications on matters that are a priority for government agencies, it is reasonable to assume that this is not being given a high priority. A higher priority and a systematic approach is needed to ensure that children in Canada, parents, professionals, and citizens are aware of the rights of children and what they mean in different areas of life.

### **Recommendations for the Upcoming Review**

- 1. Top priority is a detailed, practical strategy to respond to previous recommendations about informing children about their rights in each of the last three reviews, with timelines and accountability measures, through:**
  - a. Active use of federal and provincial government-controlled websites to make youth-friendly resources easily and widely accessible by young people;**
  - b. Specific steps by each provincial government to include children's rights in the education curricula for each province;**
  - c. Distribution of copies of youth-friendly versions of the Convention to all students at a determined age, with accompanying awareness activities, to ensure that every child at some point at least can read about their rights.**
- 2. Governments table information about steps taken and specific plans to address previous recommendations about equitable treatment in education systems for vulnerable groups, including indigenous children, African-Canadian children, and children with disabilities, as outlined above.**
- 3. Each province address the recommendation about user fees.**
- 4. The Council of Ministers of Education commit to undertake a study of how well provincial education systems reflect Article 29 of the Convention and what steps could be taken to ensure that the kind of education available in Canada helps children realize their full potential.**

### **Your Input**

The CCRC welcomes your comments and suggestions on this discussion paper. We hope it fosters action by all stakeholders in Canada to advance children's rights in education ahead of Canada's upcoming review.

Contact: Kathy Vandergrift, Chair of CCRC, at [info@rightsofchildren.ca](mailto:info@rightsofchildren.ca) or [kathyvandergrift@rogers.com](mailto:kathyvandergrift@rogers.com).

## Appendix: Children’s Rights in Provincial Curriculum Guides

The following tentative findings are based on reviewing official provincial curriculum documents, looking for references to teaching children about children’s rights in general and more specifically the Convention on the Rights of the Child. School boards and individual schools may provide a richer educational experience with regard to children’s rights than outlined in official curriculum documents.

In the last review the CCRC called for a mapping of how children’s rights are taught across the country, hoping the Council of Ministers of Education might take up that recommendation. The sampling below suggests that a full mapping would be a valuable step toward a more systematic approach to educating children about their rights and fulfilling Article 29, which includes learning to live in a rights-respecting society.

### British Columbia

- The curriculum guide for Kindergarten to Grade 9 Social Studies includes goals of learning about rights associated with citizenship, but not specific reference to children’s rights or the Convention.
- The Grade 9 Career Education curriculum includes education about “the rights and responsibilities of the worker.”
- The Grade 10 Social Studies curriculum includes learning about the Charter of Rights and Freedoms and other rights, but no specific mention of children’s rights or the Convention on the Rights of the Child.
- Curricula for Grade 12 Law Studies and Social Justice Courses, which are optional courses, include extensive learning about Charter rights and other rights, but no mention of the specific Convention rights of young people.

### Alberta

- The curriculum guide for Kindergarten to Grade 12 Social Studies includes general references to rights education and one outcome is that “students understand their rights, roles, and responsibilities, as citizens.” The guide includes references to the Charter and other documents, but not specifically children’s rights or the Convention.
- The curriculum guide for Grade 8 Health and Life Skills includes as an outcome that students can “describe the rights and responsibilities of employers and employees in relation to workplace safety.”
- The curriculum guide for a Career and Life Management course includes learning how to exercise various rights and responsibilities, such as those of workers and tenants, but there is no reference to the rights of children or the Convention.

### Saskatchewan

- In 2010 Saskatchewan renewed its curriculum guide to focus on a number of cross-curricular outcomes that reflect some of the basic principles of human rights, e.g. one of the desired moral values is “respect for all; and there is a strong focus on citizenship education. A specific goal for grade 1 – 12 Social Studies is to “demonstrate respect and commitment to human rights, indigenous treaties, and environmental sustainability.”

- The revised curriculum guide includes a strong focus on understanding indigenous culture, history, and treaty relationships.
- There is no specific reference to children’s rights or the Convention.

#### Manitoba

- The curriculum guide for Kindergarten to Grade 8 Social Studies includes education about rights, such as Charter rights, citizenship rights, and rights and responsibilities associated with democracy, but there are no specific references to children’s rights or the Convention.
- The curriculum guide for Grade 9 – 12 Social Studies also includes learning about various types of rights, but there is no mention of children’s rights or the Convention specifically.

#### Ontario

- The curriculum guide for Grades 1 – 6 Social Studies and 7-8 History and Geography includes teaching children about rights and responsibilities for citizenship. An over-arching aim is stated as: “To be active and effective citizens, Canadians need to understand their rights and responsibilities as well as how governments work.” By the end of grade 5, students are expected to be able to “describe the major rights and responsibilities associated with citizenship in Canada.” While there is no clear reference to children’s rights or Convention rights explicitly, there is reference to learning why Canada participates in international human rights agreements such as the Convention.
- The curriculum guide for Grade 1 -8 Arts includes general suggestions for learning about rights and responsibilities, such as examining issues through fiction and non-fiction from various cultures, times, and places, and exploring or expressing issues through drama and artwork, but there are no specific references to learning children’s rights or the Convention.
- The curriculum guide for Grade 9 – 12 Social Sciences and Humanities includes goals for learning to identify and describe various rights and responsibilities, drawing on various sources, e.g. students will “identify the rights of the individual in human interactions as outlined in a variety of laws and policies (e.g. the UN Convention on the Rights of the Child.) One explicit desired outcome is that, by the end of the course, students will “describe the legal, social, and moral responsibilities of parents as outlined in the Convention on the Rights of the Child.”
- The curriculum guide for the Grade 11-12 Canadian and World Studies course, which is an optional course, includes as an objective that “students will gain an understanding of the need for laws, and of their rights, freedoms, and responsibilities under Canadian law. Possible topics include: the workplace, marriage, cyberbullying, and criminal law. The Convention is named as a suggestion for broader goals such as having students “analyze the contributions of some significant individuals and/or organizations to human rights in two or more regions of the world (e.g. with reference to the UN Convention on the Rights of the Child).”

#### Quebec

- The curriculum guide for pre-school education includes learning about “rules of conduct, e.g. individual rights and responsibilities.”
- The curriculum guide for elementary schools includes learning about rights in general, including a focus on awareness of “rights and responsibilities associated with democratic institutions.”
- The curriculum guide for Moral Education specifically incorporates the Convention on the Rights of the Child to help students learn to “make connections between elements of the moral frame of reference and life situations. As an example, students in cycle 3 for Grades 5 and 6 will learn to

compare “what the Convention on the Rights of the Child says and what is actually happening in the world.”

- The curriculum guide for High School, History and Citizenship Education includes learning to identify various rights and responsibilities of individuals with a goal that students “construct consciousness of citizenship through the study of history.” References are predominantly the Charter of Rights and Freedoms and other general documents; there are not specific references to children’s rights or the Convention. A guide for a course on the History of the 20<sup>th</sup> Century includes learning about the history and conceptual development of human rights.
- Learning about labour rights and unions is mandatory, as part of career development.

### Maritime Provinces

- *Foundations for Atlantic Canada Social Studies Curriculum* provides a common framework for grade 1 – 12 that is designed to develop the capacity of students to examine issues and make informed decisions as a person and citizen in an interdependent world. It includes significant elements that would be consistent with children’s rights, but does not emphasize human rights or make explicit reference to teaching children about their rights as children. Under citizenship, for example, the goals include learning to “examine human rights issues and recognize forms of discrimination” and learning to “determine principles and actions of just, pluralistic, and democratic societies” with the goal of enabling students to “see equitable, sustainable, and peaceful solutions to issues that confront our culturally diverse world.
- More specific outcomes include: “demonstrate an understanding of equality, human dignity, and justice” by the end of grade 3; and “analyze issues involving rights, responsibilities, roles, and status of individual citizens in local, national, and global contexts” by the end of grade 12.
- There are no specific references to children’s rights or the Convention.

### New Brunswick

- The curriculum guide for Grade 1 – 12 Social Studies includes, as part of citizenship education, developing the ability to “examine human rights issues and recognize forms of discrimination.” Expected outcomes by grade 3 include “understanding equality, human dignity, and justice,” and by grade 12 “analyze rights, responsibilities, and roles” of various parties” as well as understanding the principles of “just, pluralistic, and democratic societies.”
- There is no specific mention of children’s rights of the Convention.

### Nova Scotia

- The curriculum guide for Social Studies, Primary to Grade 2 includes learning about the right to a name as part of children’s rights, as articulated in the Convention.
- The curriculum guide for Grade 4-6 Social Sciences requires that students learn about the Convention on the Rights of the Child and be able to express knowledge of its contents.
- Curriculum guides for Social Studies at higher grade levels refer to general human rights education, including some references to the Convention. A course on World Cultures, for example, expects students to give examples of how rights in the Convention are practiced.

### Prince Edward Island

- The basic principles for public education includes a “respect and support for fundamental human rights as identified in the Canadian Charter of Rights and Freedoms and the P.E.I. Human Rights Act”



and recognizes that application needs to include embodied examples as well as curriculum. Specific aspects such as gender equity, bilingualism, and equal access for persons with disabilities are named.

- There are no specific references to children’s rights or the Convention.

#### Newfoundland and Labrador

- A general curriculum guide for social studies, dated September 2011, makes explicit reference to the Foundations for Atlantic Provinces Social Studies Curriculum, and repeats the general goals for personal decision-making and citizenship. The curriculum guide has a strong focus on understanding cultural diversity, different belief systems, and interdependent relationships between individuals, nations, and the environment with the purpose of supporting peace and sustainability.
- One stated goal is to “develop attitudes that balance rights with responsibilities”
- There is no specific reference to teaching children about children’s rights or the Convention.