

# Children's Rights and Curriculum Review in Ontario

## CCRC Submission to the Ontario Ministry of Education

### Introduction

The Canadian Coalition for the Rights of Children (CCRC) is a network of Canadian organizations and individuals who promote respect for the rights of children. Our purpose is to provide public information about the Convention on the Rights of the Child; monitor implementation of the Convention in Canada; and engage in dialogue with government officials on issues relating to children's rights. A high priority for implementation across Canada is informing children about their rights and how to exercise them with respect for the rights of others. The Convention includes a commitment to ensure that children in Canada learn about their rights, under Article 42, and are able to realize them, including Articles 28 and 29 on education.

Ontario participated in ratification of the Convention in 1991, along with Canada and other provinces. Provinces, including Ontario, are duty-bearers for implementation in Canada along with the federal government because many public policies that affect children's rights fall under provincial jurisdiction. The 5<sup>th</sup>/6<sup>th</sup> official review of implementation in Canada is currently underway, including follow-up on previous recommendations relating to education. Implementation is important because research shows that children are doing better in comparable countries where the Convention is implemented. For this reason we would like to draw attention to implications of the Convention for the three curriculum areas under review and the obligation to teach children about their rights:

- Preparing students with needed job skills, such as [skilled trades](#) and coding
- Building a new age-appropriate [Health and Physical Education curriculum](#) that includes subjects like mental health, sexual health education and the legalization of cannabis
- Developing the first-ever [Parents' Bill of Rights](#)[1]

### I. Preparing students for the workplace and society

In addition to learning technical job skills, children need to learn about their rights and how to exercise them, in order to fully participate in a 21<sup>st</sup> century workplace and society. This is an area that needs attention in the review of Ontario's curriculum. In the last review of how Canada implements the Convention, a specific recommendation called on governments to "expand the development and use of curriculum resources on children's rights, ... as well as education initiatives that integrate knowledge and exercise of children's rights into curricula, policies, and practices in schools." (Concluding Observations: Canada, paragraph 25, CRC/C/CAN/CO/3-4, p. 5).

In 2017 the Coalition undertook a review of how provincial curricula implement children's right to learn about their rights, as provided in Article 29, which outlines the purpose of education, and Article 42 which explicitly outlines the duty of states to inform children about their rights under the Convention. Article 29 in particular provides a useful framework for curriculum development to enable children to be successful in contemporary workplaces and society.

While Ontario's curriculum guides include some general references to learning rights and responsibilities for adulthood, there is no clear and explicit provision for teaching children about their rights as children and how to exercise them. As the [Canadian Coalition for the Rights of Children notes in its 2017 discussion paper on education](#), only very general references to rights education are included in the following curriculum guides:

- The curriculum guide for Grades 1-6 Social Studies and 7-8 History and Geography includes teaching children about rights and responsibilities for citizenship.
- The curriculum guide for Grade 1-8 Arts includes general suggestions for learning about rights and responsibilities.
- The curriculum guide for Grade 9–12 Social Sciences and Humanities includes goals for learning to identify and describe various rights and responsibilities.
- The curriculum guide for the Grade 11-12 Canadian and World Studies course, which is an optional course, includes objectives about understanding rights, freedoms, and responsibilities under the rule of law.

There are many reasons why children should learn about children's rights in schools. Primarily, human rights education is an important life skill. It also fosters belonging among students. Education researchers Covell, Howe and Polegato (2011) have documented the following benefits to learning about children's rights:

- Learning about rights has promoted children's engagement in school, which in turn has led to an increase in children's sense of academic and social efficacy.
- It has resulted in a more positive school climate with better peer and student-teacher relationships and reductions in bullying and reductions in teacher burnout.
- It has led to enhanced citizenship values and behaviours.
- Where teachers have focused primarily on rights, rather than responsibilities, children have developed a clearer sense of mutual obligation and ethical behaviour.
- Teacher motivation and job-satisfaction also improve[2]

There are many places that teachers can look for resources and toolkits that will allow them to teach students about children's rights and the Convention in a meaningful way. For instance, Equitas' Play it Fair toolkit, UNICEF's Rights Respecting Schools curriculum, and Right to Play educational materials are already used in some school boards in the province, and could be embraced more fully. Some provinces are showing more leadership than Ontario to implement

children's rights in the curriculum. For instance, in Quebec, "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." [3] In Nova Scotia, 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. [4] Countries such as Iceland have made significant progress toward incorporating children's rights into the national school curriculum

### **Recommendations**

The CCRC recommends that learning about children's rights be embedded in Ontario curricula, along with opportunities to apply knowledge about children's rights.

1. Children's rights should be incorporated into the curriculum at all ages, in a similar way to health education. Evidence shows that, from preschool onward to grade 12, students should have the opportunity to learn and practice their rights. Research shows that children who learn about their rights early are better able to stay safe and develop their full potential.

2. As a minimum, the curriculum guides for the following grades should update existing references:

- Social Studies Grade 3 should introduce students to children's rights.
- Social Studies Grade 5 expects students to learn about rights and responsibilities. This should explicitly include learning the core elements of the Convention, its place in Canada, and why Canada has ratified it.
- The Arts curriculum for Grade 1-8 could explicitly make references to learning about children's rights through fiction and non-fiction from various cultures, times, and places, and exploring or expressing issues through drama and artwork.
- The Social Sciences and Humanities curriculum for Grade 9-12 could explicitly provide opportunities for children to engage with questions of children's rights and the Convention.
- The Canadian and World Studies Grade 11-12 course could ensure that the rights of adolescents under the Convention are explicitly learned.
- The Health and Physical Education curriculum Grades 1-12 should include up-to-date sexual health education information. The World Health Organization notes that this is a human right.

3. The Ontario College of Teachers should provide an Advanced Qualification course on Children's Rights with the following learning objectives:

- To describe the development of children's rights, including the history, the international scope, and the relevance in Canada.

- To demonstrate awareness of why rights are relevant in the lives of children, with an emphasis on the rights to participation, protection and provision.
  - To explore the development of materials on children's rights to be used in classrooms across the curricula
4. The Ministry of Education should take a leadership role in implementing a broader, more holistic purpose for education that goes beyond simply job preparation, in keeping with the purpose of education articulated in Article 29 of the Convention.
5. Whereas Article 42 of the UNCRC says that all children, young people and adults should know about the Convention,
- 5.a. All members in good standing with the Ontario College of Teachers should have a working knowledge of the Convention.
  - 5.b. Teacher education programs should provide teacher candidates with opportunities to learn about children's rights and explore ways to make rights practical across all grade levels.
  - 5.c. Training/professional development for parents, teachers, administration, and educational support staff should be provided around the Convention.
  - 5.d. Schools should display in clear sight and in accessible language a commitment to children's rights, as well as information about what to do to if a child's rights are not respected.

## II. Health & physical education curriculum

Article 24 of the Convention, which articulates children's right to health, specifically names the right to accurate health education in paragraphs e and f.

- In Article 24 state parties recognize the right of the child to the enjoyment of the highest attainable standard of health and to facilities for the treatment of illness and rehabilitation of health.
- More specifically, in relation to education, state parties shall take all measures
  - *(e) To ensure that all segments of society, in particular parents and children, are informed, have access to education and are supported in the use of basic knowledge of child health and nutrition, the advantages of breastfeeding, hygiene and environmental sanitation and the prevention of accidents;*
  - *(f) To develop preventive health care, guidance for parents and family planning education and services.*

General Comment No. 15 on the Right of the Child to the Enjoyment of the Highest Attainable Standard of Health provides guidance for states to implement Article 24 e and f:

*Family planning services should be situated within comprehensive sexual and reproductive health services and should encompass sexuality education, including counselling. . . States should ensure that adolescents are not deprived of any sexual and reproductive health information or services due to providers' conscientious objections. (UN Committee on the Rights of the Child, General Comment No. 15, CRC/C/GC/15, paragraph III.A. 17 April, 2013)*

General Comment No. 20 on Implementation of the Rights of the Child during Adolescence provides further guidance on the matter of health education:

*59. The Committee urges States to adopt comprehensive gender and sexuality-sensitive sexual and reproductive health policies for adolescents, emphasizing that unequal access by adolescents to such information, commodities and services amounts to discrimination. Lack of access to such services contributes to adolescent girls being the group most at risk of dying or suffering serious or lifelong injuries in pregnancy and childbirth. All adolescents should have access to free, confidential, adolescent-responsive and non-discriminatory sexual and reproductive health services, information and education, available both online and in person, including on family planning, contraception, including emergency contraception, prevention, care and treatment of sexually transmitted infections, counselling, pre-conception care, maternal health services and menstrual hygiene.*

*60. There should be no barriers to commodities, information and counselling on sexual and reproductive health and rights, such as requirements for third-party consent or authorization. In addition, particular efforts need to be made to overcome barriers of stigma and fear experienced by, for example, adolescent girls, girls with disabilities and lesbian, gay, bisexual, transgender and intersex adolescents, in gaining access to such services. The Committee urges States to decriminalize abortion to ensure that girls have access to safe abortion and post-abortion services, review legislation with a view to guaranteeing the best interests of pregnant adolescents and ensure that their views are always heard and respected in abortion-related decisions.*

*61. Age-appropriate, comprehensive and inclusive sexual and reproductive health education, based on scientific evidence and human rights standards and developed with adolescents, should be part of the mandatory school curriculum and reach out-of-school adolescents. Attention should be given to gender equality, sexual diversity, sexual and reproductive health rights, responsible parenthood and sexual behaviour and violence prevention, as well as to preventing early pregnancy and sexually transmitted infections. Information should be available in alternative formats to ensure accessibility to all adolescents, especially*



*adolescents with disabilities.* (UN Committee on the Rights of the Child, General Comment No. 20 on Implementation of the Rights of the child during Adolescence, paragraphs 59, 60, 61 CRC/C/GC/20,p.16, 6 December,2016)

When done well, sexual health education saves lives. As [People for Education notes](#), “effective health education supports students in adopting healthy lifestyles from an early age, and provides them with the self-regulatory skills and competencies they need to make healthy decisions and engage in health promoting behaviours.” Children and youth today need to have access to reliable, up-to-date information on comprehensive sexual education. This means learning about consent, LGBTQ+ issues, and correct names for body parts. Learning about sexual health is a safety issue for many children.

### **Recommendations**

1. The government should return to the 2015 sexual health education curriculum and continue to update information on children’s health, including sexual and reproductive health.
2. All children should have access to the same reliable, up-to-date information and educational resources, regardless of where they live. With respect for the evolving capacity of children, all children have a right to equitable access to the health information they need to be safe and develop their full potential.

### **III. Parental Rights Bill**

The Convention on the Rights of the Child provides helpful guidance on the relationship between children’s rights and the rights and responsibilities of parents. Article 3 gives top priority to the best interests of the child. Article 4 outlines the duties of state parties, which includes both federal and provincial governments. Article 5 outlines the responsibility of parents to guide the child in the exercise of the child’s rights, and Article 18 and other articles outline the responsibility of parents to focus on and protect the best interests of the child.

Article 5 of the Convention states:

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

Article 18 states:

*Parents or, as the case may be, legal guardians, have the primary responsibility for the upbringing and development of the child. The best interests of the child will be their basic concern.*

The CCRC recommends that, in keeping with the Convention, the province consider a statement of both children's rights and the rights and responsibilities of parents in education. These are complementary and integrated in the Convention; it is important to reflect that in official policies of a province that has ratified the Convention and avoid setting one over against the other.

Articles 28 and 29 of the Convention specifically relate to education, and other articles are also important, including the four basic principles of the Convention. Research evidence shows that children benefit when both children and parents learn about children's rights and how to exercise them in ways that respect the rights of others. A statement about both the rights of children and parents would reflect the principles of the Convention and a commitment to put them into practice to realize the development of the full potential of every child, which is the goal of the Convention. That would be a significant step forward for education in Ontario.

As the Ontario Public School Boards Association notes: "education is a shared responsibility among parents, guardians, students, teachers, trustees, board staff, community agencies, interest groups, and the provincial government (its policies and funding) and its agencies."

### **Recommendations:**

1. If the government pursues a Parent's Bill of Rights, it should be an integrated statement of children's rights and parent's rights in education, perhaps modelled on the [Rights-Respecting Schools Initiative](#).
- 2 .Adoption of a Bill of Rights for Children and Parents should be accompanied with training and plans to foster rights-respecting practices throughout the curriculum, pedagogy, and culture of every school.

## **Conclusion**

The Convention on the Rights of the Child provides a helpful comprehensive framework for improving the educational curriculum, practice, and outcomes in Ontario.

First, helping children know their rights and how to exercise them is a critical skill for developing the full potential of every child. Experience shows that children who learn about their rights are better able to keep themselves safe, navigate their environments, and develop their abilities to fully contribute to life in the home, school, the workplace, and society.

Second, by ensuring children can realize their right to reliable and comprehensive sexual health education, Ontario can provide young people with what they need to live healthy lives.

Third, an integrated statement about children's rights and parent's rights in education could be helpful for public education and awareness about children's rights and the important role of parents to help children realize their rights, give top priority to the best interests of children, and develop their full potential to contribute to all parts of society, as well as the workplace.

Implementing the Convention in the area of education will have significant benefits for children and Ontario society, drawing on the best international evidence to develop a generation of Ontario leaders who are able to succeed in the 21st century.

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[1] <https://www.ontario.ca/page/for-the-parents>

[2] Covell, Katherine, B.R. Howe & Jillian Pologato. (2011) Children's Human Rights Education as a Counter to Social Disadvantage: A Case Study from England. *Educational Research*, v53 n2 p193-206.

[3] Canadian Coalition for the Rights of Children. (2017) Children's Rights and Education: More than a Right to Go to School: A Discussion Paper. Available at: <http://rightsofchildren.ca/wp-content/uploads/2017/10/Discussion-Paper-on-Childrens-Rights-and-Education-2017.pdf>

[4] Ibid