

People for Education’s Draft Right to Education Framework

Education is foundational to all our **human rights**.

Human rights are guaranteed to us no matter who we are, and include civil and political rights, as well as economic, social, and cultural rights. These rights are – as the UN High Commissioner for Human Rights says – “interdependent, interrelated, and indivisible.”

What is the right to education and why is it important?

In Canada, everyone has a **right to education**, but that right is currently neither adequately defined, nor equitably accessible.

Even more importantly, we have not articulated the right to a quality education – an education that not only ensures that no child or student is discriminated against, but also ensures that every child and young person has access to an education that prepares them with the wide range of skills and competencies they need to become capable human beings with an equitable chance for long-term success and the capacity to participate in democratic society.

The right to education is a “multiplier” right, in that it enables us to access our other human rights.

For example, it enables the right to freedom of expression, the right to freedom of association, the right to political participation, the right to vote, the right to freedom of thought, conscience and religion, and the right to family and private life.

According to the [UN Committee on Economic, Social and Cultural Rights](#), it is also “the primary vehicle by which socially and economically marginalized adults and children can lift themselves out of poverty.”

How is the Draft Right to Education Framework being developed?

Beginning in 2018, People for Education, with support from the [Maytree Foundation](#), convened a [right to education advisory group](#) with experts in children’s rights, human rights, youth engagement, Indigenous education, and public education, along with key stakeholders in the education system including students and teachers.

The advisory group – along with consultations with young people from across Canada, held in partnership with the [Students Commission of Canada](#) – shaped the focus and goals included in the Draft Right to Education Framework.

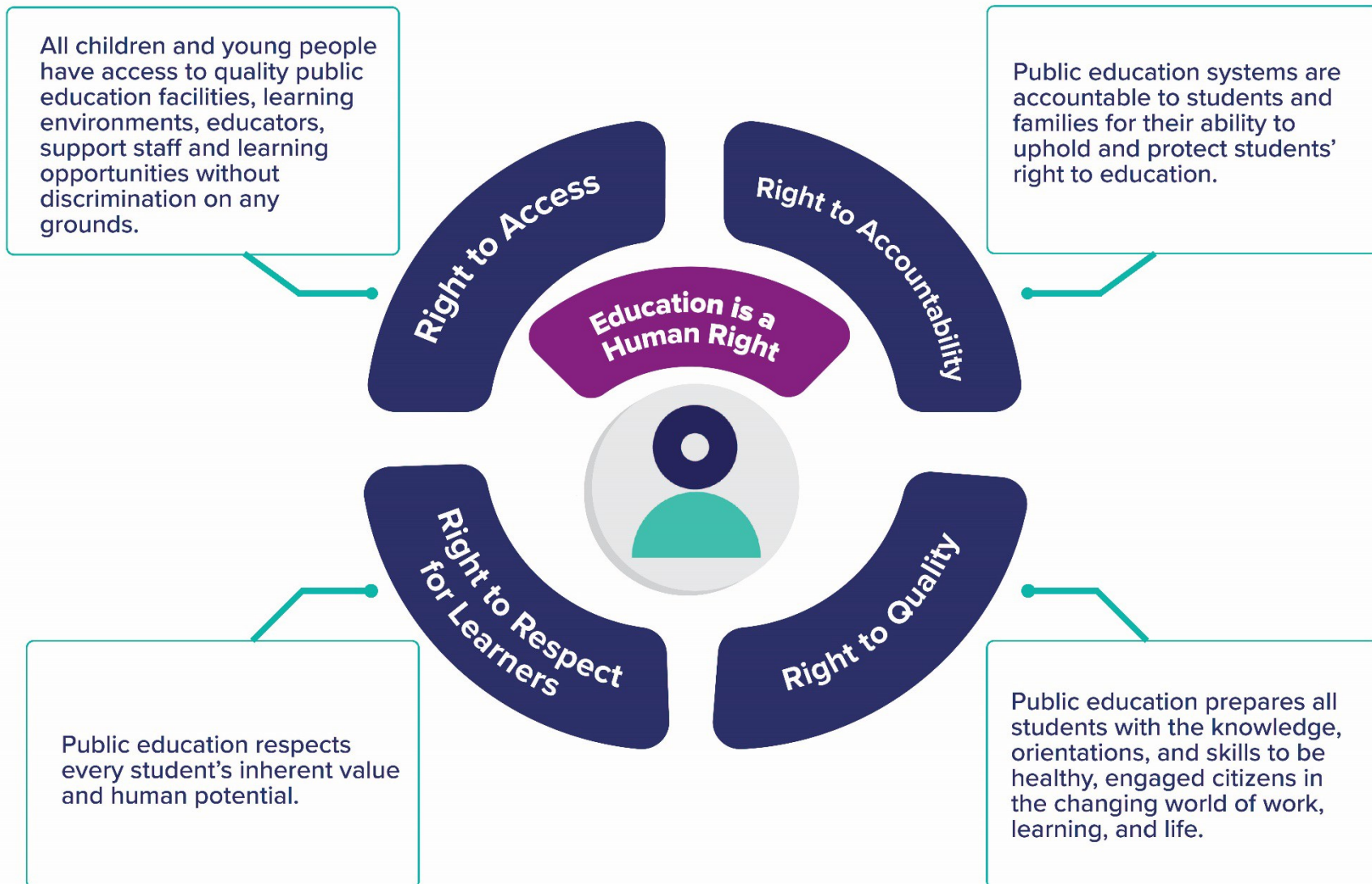
How could we use a Right to Education Framework?

The proposed Framework – which addresses education from early childhood education through kindergarten to Grade 12 – outlines 61 specific goals related to access, accountability, quality, and respect for learners and communities.

We know that not every one of the goals can be achieved overnight. But the Framework will provide a tool to help students, educators, schools, boards, provincial and territorial governments, and the country as a whole **track our progress toward achieving the goals of a quality education for all learners**. This concept of “progressive realization” of rights is enshrined in the [International Covenant on Economic, Social and Cultural Rights](#) which requires states to take steps toward the full realization of social rights, using their maximum available resources.

Draft Right to Education Framework

Defining a public education system where *all* children and young people fully enjoy the right to a quality education



RIGHT TO ACCESS

Vision: All students have access to quality public education facilities, learning environments, educators, support staff, and learning opportunities without discrimination on any grounds.

Goals	1. Education institutions and programs are physically and economically accessible to everyone, without disproportionate and disparate outcomes.
	2. Resources are adequately and equitably distributed for all education institutions receiving public funds.
	3. Children have access to early childhood and care programs that ensures they arrive at school ready to learn.
	4. Students can attend comparable education institutions and programs within reasonable distance of their home.
	5. Students living in Canada without legal immigration status have access to publicly funded education.
	6. Students have access to broad learning opportunities both inside and outside the classroom.
	7. Students have access to arts and music programs, trained arts and music educators, and proper equipment and facilities.
	8. Students have access to sports, recreation and wellness programs, trained educators, and proper equipment and facilities.
	9. Students have access to outdoor spaces such as schoolyards and parks with various health-promoting features.
	10. Students have access to learning opportunities that reflect and value their lived experiences, identities, and communities.
	11. Students have access to staff and resources to support their spiritual and cultural needs and their mental and physical health.
	12. Students have access to learning environments free from surveillance, including policing.
	13. Students have access to well-maintained transportation to and from school.
	14. Students with diverse sexual orientations, gender identities, and gender expressions have access to full, safe, and equitable participation in curricular and extra-curricular activities.
	15. Students have access on an as-needed basis, to guidance counsellors, social workers, and mental health workers.
	16. Students have access to internet and necessary equipment, software, and support to participate in digital learning opportunities.
	17. Students have access to cooperative education experiences that offer appropriate credits for completion.
	18. Students with disabilities have access to special education programs and required resources to support their learning needs.
	19. School boards uphold their duty to accommodate students with disabilities, informed by principles of respect for dignity, individualization and integration, and full participation.

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Goals	20. Students have access to healthy food at school.
	21. Students have access to washrooms and change rooms congruent with their gender identity.
	22. Students have access to education in an official language of their choice.
	23. Indigenous students have access to education in their language.
	24. Students have access to a full range of library services, staff, and programs to support their learning and developmental needs.
	25. Students have access to libraries that provide materials and resources that encourage leisure reading, support success in school, and provide connection online.

RIGHT TO ACCOUNTABILITY

Vision: Public education systems are accountable to students and families for their ability to uphold and protect students' right to education.

Goals	1. School, board, and jurisdictional improvement plans include concrete goals for supporting human rights-based cultures in schools.
	2. There are clear and respectful interventions that students, families, staff and communities can access when their rights are violated.
	3. Clearly identified human resources and mechanisms exist to support students, staff, parents, and communities to bring forward complaints if rights are violated.
	4. Policy and programs exist to work against the persistent connection between demographic factors and student success.
	5. With permission and according to self-identification, identity-based data is collected, analyzed and utilized to address persistent barriers to achievement and well-being for historically oppressed communities.
	6. Data collection recognizes and upholds a young person's right to privacy and access to/management of information about them.
	7. Policies and programs are developed, sustained, and monitored to close any gaps identified by identity-based data collection.
	8. Data is open, comparable, and longitudinal so that longer-term outcomes and impacts can be measured.
	9. Clearly identified human resources are in place for students, parents, and communities to contact at the school, school board, and government level when rights are violated.
	10. System advocates, such as an ombudsperson, support students and families in accessing advocacy related to their right to education and support students and families to navigate the education system.

RIGHT TO QUALITY

Vision: Public education prepares all students with the knowledge, attitudes, and skills to be healthy, engaged citizens in the changing world of work, learning, and life.

Goals	1. Children’s rights, human rights, and treaty rights are taught throughout students’ schooling.
	2. Learning facilities are safe, well-maintained, and clean.
	3. Students are taught literacy, numeracy, and skills for life.
	4. Students are taught transferable skills such as learning to learn, thinking creatively and critically, collaborating, communicating effectively, and developing a sense of self and society.
	5. Students are taught by educators who have subject matter expertise.
	6. Students are taught by educators with pedagogical training and ongoing professional development.
	7. Assessment of learning is both formative and summative and provides opportunities to learn and improve with feedback.
	8. Student growth is supported through flexible pathways that do not limit students’ options for career or post-secondary progression.
	9. The Truth and Reconciliation Commission’s Calls to Action 62 and 64 are fulfilled: <ul style="list-style-type: none"> ● Make age-appropriate curriculum on residential schools, Treaties, and Aboriginal peoples’ historical and contemporary contributions to Canada a mandatory education requirement for Kindergarten to Grade Twelve students. ● Provide the necessary funding to post-secondary institutions to educate teachers on how to integrate Indigenous knowledge and teaching methods into classrooms. ● Provide the necessary funding to Aboriginal schools to utilize Indigenous knowledge and teaching methods in classrooms. ● Establish senior-level positions in government at the assistant deputy minister level or higher dedicated to Aboriginal content in education. ● Provide public funds to denominational schools to require such schools to provide an education on comparative religious studies, which must include a segment on Aboriginal spiritual beliefs and practices developed in collaboration with Aboriginal Elders.
	10. Education programs are designed to yield the most opportunities for student progression to a range of post-secondary options.
	11. School board leadership and educators reflect the diversity of the communities they serve.
	12. Students, families, teachers, and guidance counsellors are provided with the information necessary to make informed decisions about students’ pathways.
	13. Article 29 of the Convention on the Rights of the Child is upheld, including agreeing that education shall be directed to: <ul style="list-style-type: none"> ● The development of the child’s personality, talents and mental and physical abilities to their fullest potential; ● The development of respect for human rights and fundamental freedoms, and for the principles enshrined in the Charter of the United Nations; ● The development of respect for the child’s parents, his or her own cultural identity, language and values, for the national values of the country in which the child is living, the country from which he or she may originate, and for civilizations different from his or her own; ● The preparation of the child for responsible life in a free society, in the spirit of understanding, peace, tolerance, equality of sexes, and friendship among all peoples, ethnic, national and religious groups and persons of Indigenous origin; ● The development of respect for the natural environment.

RIGHT TO RESPECT FOR LEARNERS AND COMMUNITIES

Vision: Public education respects every student’s inherent value and human potential.

Goals	1. Students are valued as knowledge-bearers and included in decision-making processes that respect their rights to information, participation, and safety.
	2. School board policies and procedures are developed in accordance with human rights standards.
	3. Disciplinary processes prioritize students remaining in school and are rooted in restorative practices that promote healthy relationships between students and others.
	4. Police officers in all educational settings are a last resort and deprioritized as a response to student discipline.
	5. Students learn in safe environments free of all forms of physical or psychological bullying and violence, including gender-based, racial, sexual, class-based, and faith-based.
	6. Curriculum and pedagogy reflect and respect the diversity of lived realities and ways of knowing for students, parents, and communities.
	7. Indigenous elders are involved in the development of learning opportunities for students related to Indigenous education and Indigenous worldviews.
	8. Students are addressed using their pronouns.
	9. Ongoing professional development is provided to educators and administrators on how systems of oppression operate to create and sustain barriers for student achievement and well-being.
	10. The Truth and Reconciliation Commission’s Call to Action 57 is fulfilled: <ul style="list-style-type: none"> ● We call upon federal, provincial, territorial, and municipal governments to provide education to public servants on the history of Aboriginal peoples, including the history and legacy of residential schools, the United Nations Declaration on the Rights of Indigenous Peoples, Treaties and Aboriginal rights, Indigenous law, and Aboriginal–Crown relations. This will require skills-based training in intercultural competency, conflict resolution, human rights, and anti-racism.
	11. The Truth and Reconciliation’s Commission Call to Action 1, iii, is fulfilled: <ul style="list-style-type: none"> ● Ensuring that social workers and others who conduct child-welfare investigations are properly educated and trained about the history and impacts of residential schools.
	12. School boards create and sustain programs and policies that work against the effects of anti-Black racism, anti-Indigenous racism, and racism and discrimination in all its forms on student achievement and well-being.
	13. School boards and their systems are structured to amplify student voices.

Acknowledgments

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