



Department of Education
January 17, 2024

Applicant c/o
Access and Privacy Officer
Corporate Information Management, ATIPP Office

Final Response ATIPP Access Request 23-386

The Department of Education has searched Policy and Partnerships and has identified records responsive to Access Request 23-386 noted below:

In April 2022 the Department of Education received a report from Sandra Cunningham summarizing her investigation into the physical abuse and use of corporal punishment at Jack Hulland Elementary School. That report was not released publicly even though it potentially identifies minors that are victims of abuse - minors whose parents may not be aware of what happened to their children. I am seeking all communications and documentation by, between, and among the following people regarding this report and the decision to keep it from the public, including Teams messages, email, digital copies of voicemails, briefing notes, professional notes in physical notebooks:

NAME

NAME

Search items include but are not limited to: "Sandy Cunningham", "Internal Investigation", "restraints", "seclusion", "RCMP Investigation", "Jack Hulland Elementary" "JHE", "ATIPP", "production order", "HR Investigation". Timeframe: April 1, 2022 - October 31, 2022

Decision

The Head of the Department of Education has approved the following response to this request:

Access Granted in Part

Certain types of information have been withheld pursuant to the Access to Information and Protection of Privacy Act. A summary of records reviewed and withheld redactions is enclosed.

Final Costs

There is no charge to the applicant.

Right to Complain

Pursuant to section 66 of the Access to Information and Protection of Privacy Act you may contact Yukon's Information and Privacy Commissioner with a complaint in respect to this response. Section 66 states:

An applicant may, in respect of the head of a responsive public body's response to their access request under section 64, make a complaint to the commissioner by filing the complaint in accordance with section 90.

Should you wish to do so, please refer your written complaint within 30 business days to the Information and Privacy Commissioner at:

Yukon Information and Privacy Commissioner
3162 Third Avenue, Main Floor, Whitehorse, Yukon Y1A 1G3
E-mail: intake@yukonombudsman.ca
Phone: (867) 667-8468; (toll free: 1-800-661-0408 ext. 8468)

Contact Person in Department

If the applicant has any questions, please contact the Designated Access Officer for Department of Education at edu.atipp@yukon.ca.

Summary of Redactions

ATIPP Access Request 23-386

Records Summary	
Initial Page Count:	944
Duplicates:	28
Not responsive:	11
Pages withheld in full:	865
Final Page Count:	40

Redactions Summary	
Code # 73(a)	Information withheld which is subject to solicitor client privilege
70(1)	Disclosure of third party personal information including – names, relationships, sensitivity of third party details would be an unreasonable invasion of privacy to disclose
72(1)(b)(i)	Disclosure would interfere with a law enforcement matter.

Notes:

Non-responsive records may include records outside of the time frame of the request and/or records unrelated to the subject matter of the request.

Pages withheld in full are documents that have the information withheld in entirety, with no part of the page being eligible for release. The ATIPP request has 865 pages of information subject to solicitor client privilege that have been withheld.