

CHAPTER 5

Bolstering French First Language Programming

Tous ensemble!

The Commission scolaire francophone du Nunavut (CSFN) is responsible for the delivery of French First language programs across the territory. Under the *Education Act*, the CSFN has the same roles and responsibilities as a DEA, with some additional powers in recognition of the particularity of French First language programs and the constitutional protections under the *Charter of Rights and Freedoms* for minority language communities. These enhanced powers include, for example, greater control over the delivery of the Education Program and School Program than DEAs.

Since 2008, a need has arisen to more clearly establish the lines of accountability and division of responsibility between the department and the CSFN, including the role and responsibilities of the CSFN's Director General. The status of CSFN school staff as government employees, with the related protections that this entails, also requires reinforcing. In addition to this, the proposed changes establish more authority for the department over curriculum used in CSFN schools, but not the Education Program as a whole, or related resources, methods and tools used by education staff.

The following changes are proposed to Part 13 of the *Education Act*

Education Program

The Minister will have the singular authority to establish, approve, review and update curriculum for all schools in Nunavut, including those under the jurisdiction of the CSFN. It is important to note that "curriculum" refers to the desired outcomes for students, and not specifically the resources, tools or methods used to reach them. In developing curriculum, the Minister will give proper weight to the promotion and preservation of minority language culture and to the role of the CSFN in balancing considerations of culture and pedagogy. The Minister will include the CSFN in the development and/or adaptation process with respect to curriculum.

Although the CSFN will be required to follow the curriculum established by the Minister, the CSFN will have control of the implementation of the curriculum—that being the resources, tools and methods of the CSFN's choosing, within the overall constraints of the educational framework (i.e., cost, practicability and principles of inclusive education).

Rationale: Students transferring from the French First Language program to the mainstream territorial Education Program, and vice versa, should expect similar learning outcomes. Ministerial authority over curriculum will ensure this. However, the CSFN's role with respect to other aspects of the Education Program must be preserved, in keeping with the protections under the *Charter of Rights and Freedoms*. These other aspects include choices regarding resources, tools and methods, most particularly with respect to language and culture.

Inclusive Education

With respect to Inclusive Education, decisions regarding the exclusion of students from the classroom setting and decisions concerning specialized services or assessments for students will rest with the Minister, and no longer the Director General of the CSFN. The CSFN will be a partner in this process, and the Director General will be able to provide recommendations to the Minister on these issues. Appropriate measures will be taken by the department to ensure that these centralized services and decisions are provided with language considerations in mind.

Rationale: Inclusive Education must be standardized across the territory. The change in authority for the decision making set out above mirrors that for all DEAs, with an enhanced role specific to the CSFN with respect to making recommendations to the Minister, something the other DEAs will not have.

School Staff

For staff in schools under the jurisdiction of the CSFN, there will be greater clarity of their status as government employees and members of the public service. Management of the school staff will remain the role and responsibility of the CSFN. The CSFN will be required to manage staff in accordance with the *Public Service Act* and government human resources policies.

Rationale: To firmly set out the CSFN's obligation to follow the required rules and protocols with respect to staffing and human resources as set out by the Government of Nunavut.

Governance

When the CSFN is providing instruction to a CSFN student in a non-CSFN school, any related agreements between the CSFN and DEA will be entered into based on Ministerial direction. This is to ensure the fairness and long-term stability of the arrangement.

The Minister will appoint the Director General of the CSFN based on the recommendation of the CSFN, with the requirement that all of the applicable human resource policies, directives and processes have been followed.

The Director General will continue to receive directions from the CSFN, with respect to the Education Program, finances and human resources/staffing only. The Minister will provide oversight to ensure that all decisions taken, by either the Director General or the CSFN, are in keeping with provisions in the Act and regulations, as well as the *Public Service Act*, the *Financial Administration Act* and their respective regulations. Therefore, the Director General of the CSFN, as a public employee, will report directly to the Minister of Education to ensure this oversight.

The CSFN will follow ministerial directions and the regulations when informing residents of Nunavut about the provision of public education under their jurisdiction.

The Minister will be restricted from providing direction that infringes upon the powers of the CSFN under the Act, or is inconsistent with the directions of the CSFN, unless the directions of the CSFN are inconsistent with the Act, its regulations or the *Public Service Act*, the *Financial Administration Act* and their respective regulations.

Rationale: To more clearly establish the lines of accountability and responsibility between the GN and the CSFN, thereby improving working relationships and communications between the two organizations, as well as better clarifying and protecting employee rights at the CSFN. A stronger legislative framework will ensure that French First language programs operate more accountably with respect to the use of public funds.