



THE NEXT STEPS ON OUR LEARNING JOURNEY:

A User Guide to the revised
Education Act 2020 and the
*Inuit Language Protection
Act 2020*

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THE NEXT STEPS ON OUR LEARNING JOURNEY

The *Education Act* 2008 marked a significant step towards creating an education system that reflected the culture and values of Nunavut.

On June 4, 2019, the Government of Nunavut continued building on this important Act by tabling Bill 25, which sought to amend the *Education Act* 2008 and the *Inuit Language Protection Act* 2008.

The Bill received assent on November 10, 2020, becoming the *Education Act* 2020.

The revised *Education Act* is designed to guide the future of education in Nunavut by:

- Increasing government accountability;
- Creating a better balance of roles and responsibilities;
- Improving the implementation of inclusive education;
- Addressing the need for Inuktitut-speaking teachers; and
- Increasing consistency in the delivery of the education program across the territory.



These changes will help ensure that all Nunavut students have access to consistent and sustainable education in every community, including access to early childhood education programs and services, and supports for inclusive education.

Specifically, the *Education Act* 2020:

- Consolidates references to Inuit Qaujimajatuqangit into Part I of the Act;
- Redefines the education program, school program, and local program, clarifying the roles of the Minister, the District Education Authorities (DEAs) and the Commission scolaire francophone du Nunavut (CSFN);
- Revises inclusive education requirements by providing a clearer and more effective process;
- Revises language of instruction requirements to ensure that Inuit Language capacity is properly utilized and monitored;
- Phases in the implementation of bilingual education until 2039;
- Revises some of the responsibilities of the DEAs, including the CSFN; and
- Enhances the responsibilities of the Coalition of Nunavut District Education Authorities (CNDEA).

There are also amendments to the *Inuit Language Protection Act* which phase in the implementation of bilingual education for Grades 4-12 over the next 20 years.

This user guide explains in plain language the changes made to Nunavut's *Education Act* and their rationale.

For more information on Bill 25, such as the complete Bill, the *Education Act* 2008, and other related documents visit

<https://gov.nu.ca/education/information/education-act>.



PART 1: AMENDMENTS TO THE *EDUCATION ACT*

SUBPART 1 – REFERENCES TO INUIT QAUJIMAJATUQANGIT

The *Education Act* 2020 consolidates references to Inuit Qaujimajatuqangit to “Part 1 – Fundamental Principles” of the *Education Act*. Previously, references to Inuit Qaujimajatuqangit principles were found in 9 of the 17 parts of the *Education Act* 2008. These parts included:

- Part 1 – Fundamental Principles
- Part 3 – School Programs
- Part 5 – Registration and Attendance
- Part 6 – Inclusive Education
- Part 7 – Student and Parental Participation
- Part 10 – Instructional Hours and School Calendars
- Part 11 – School Staff
- Part 12 – Administration
- Part 13 – French Minority Language Rights

Consolidating these references to Part 1 of the *Education Act* is a recognition that Inuit Qaujimajatuqangit principles should apply to the entire Act. Part 1 of the Act will continue to include a duty for all to:

"...ensure that Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit are incorporated throughout, and fostered by, the public education system” (section 1(3) of the *Education Act*)."



DEAs, including the CSFN, will continue to be responsible for developing local programs that incorporate Inuit societal values and Inuit Qaujimajatuqangit principles into the curriculum. They will also report annually on how Inuit Qaujimajatuqangit is being incorporated in their schools.

The Minister will continue to be responsible for ensuring that the curriculum incorporates Inuit Qaujimajatuqangit principles at all grade levels, while the CNDEA will be responsible for submitting an annual report that indicates how Inuit Qaujimajatuqangit is being incorporated into the entire education system.

SUBPART 2 – EDUCATION PROGRAM AND LOCAL COMMUNITY PROGRAM

The education program, school program, and local program have been redefined to clarify the differences between the three programs and to separate the education program from the school program.

Changing the term “school program” to “local community program”

First, the term “school program” is now “local community program.” This change reflects that the current “school program” is mostly the responsibility of DEAs, including the CSFN, and is therefore different from community to community.

DEAs will continue to have the responsibility to provide a local community program, which will include:

- Early childhood education programs;
- Adult education programs;
- Registration and attendance policies;
- Inuuqatigiitsiarniq policies;
- School rules; and
- School calendars.



DEAs, excluding the CSFN, however, will no longer be responsible for the education program.

Changing the term “local program” to “local education program enhancements”

The term “local program” is now “local education program enhancements.” This change reflects the fact that this programming is meant to enhance the education program provided by the Minister, ensuring these enhancements reflect the local language, culture, and priorities of each community.

DEAs will continue to establish local education program enhancements as additional courses in all grade levels or as modifications to the curriculum. The Minister will be required to provide funding to support these initiatives.



Separation of the education program and school program

Furthermore, the education program is now separated from the school program. The Minister will have the responsibility to provide the education program, which will include:

- The curriculum;
- Local education program enhancements developed by DEAs and the CSFN;
- Assessments and adjustments provided under inclusive education; and
- Assessments of student performance.

Separating the education program from the school program will help ensure that students receive the same amount of instructional time in each subject area regardless of the community they live in.

[Changing the term “school program plan” to “school improvement plan”](#)

Following the proposals to change the term of the “school program” and to separate the education program from the school program, as stated earlier, the term “school program plan” is now “school improvement plan.”

Previously, the “school program plan” was developed by principals and dealt with the annual delivery of the school program. The “school improvement plan” will be developed by DEAs, not the principal, and will deal with the delivery of the local community program for each school year.

[Developing a new “education program plan”](#)

Principals will be responsible for developing a new “education program plan” that will cover the delivery of the education program, including local education program enhancements for each school year. The education program plan will include:

- Schedule assignments for teachers;
- Student timetables; and
- The names of all education staff and their certifications.

[Funding third-party early childhood education programs](#)

The revised *Education Act* provides the Minister with the ability to fund third-party early childhood education (ECE) program providers through contribution agreements should DEAs elect not to.

DEAs will continue to be able to directly provide ECE programming but will no longer be able to fund third-party providers. This change ensures all available funding for ECE programs is spent and that student access to these important programs increases.



SUBPART 3 – LANGUAGES OF INSTRUCTION

The revised *Education Act* ensures that DEAs are selecting bilingual education models that can be delivered in their community. The Minister will maintain the responsibility for developing the options for the bilingual education models and the DEAs will continue to have the authority to choose the model to be used for schools in their education district. However, DEAs will only be able to select a model that can be delivered with the teaching capacity available in their community.

To ensure DEAs select only those models that can be delivered, the Minister will be responsible for approving the bilingual model selected by DEAs. The Minister will also have the authority to provide direction on which language model will be used by grade level and program of study. This will help improve consistency in the delivery of the education program across the territory and to improve the development of curriculum, teaching resources, and teacher training programs.



The CSFN remains excluded from the requirement to select a language of instruction model. As per its constitutionally-derived mandate, the CSFN is to provide instruction in French, which sets its requirements in this regard. However, the CSFN must make provisions for providing instruction of Inuktitut as a second language, and it can choose to provide instruction of other languages, such as English as an additional language.

Under the *Education Act* 2008, the department was required to fully deliver bilingual education from Kindergarten to Grade 12 by July 1, 2019. Major implementation challenges have prevented the department from meeting this goal for Grades 4-12, such as the need to significantly increase Inuktitut-teaching capacity and develop standardized Inuktitut vocabulary for use in curriculum and resources for programs of study.

Timelines and Reporting

To provide enough time for the full implementation of bilingual education, the revised *Education Act* introduces a phased implementation schedule for Grades 4 to 12, ending in 2039.

The complete Language of Instruction Implementation timeline can be found in *Inuktitut Language Arts / Language of Instruction Implementation: Department of Education Report for the Standing Committee on Legislation on the Government of Nunavut's website at https://gov.nu.ca/sites/default/files/inuktitut_language_arts_-_language_of_instruction_implementation_en.pdf.*

Additionally, the revised *Education Act* will enhance the accountability requirements of the Minister, who will have to closely monitor and report annually to Nunavummiut on the department's ability to provide Inuit language instruction, and the progress of the development of curriculum, teaching materials, and training programs.



SUBPART 4 – INCLUSIVE EDUCATION

Duties of Principals and Teachers

The revised *Education Act* provides principals, instead of DEAs, with the responsibility to oversee the implementation of inclusive education in their schools. This is because principals have the training, knowledge, and daily presence in the school needed to ensure that inclusive education is being properly implemented. Providing principals with oversight responsibility will also help ensure that students in every community have access to supports and services available under inclusive education.

Furthermore, it increases the duty of teachers to assess all students to determine if they need inclusive education adjustments. Previously, teachers were required to assess only those students who they believed may require additional services and supports. DEAs and the CSFN may provide teachers with additional information to assist them in their duty to assess students.



Developing Individual Student Support Plans

Additionally, the main classroom/home room teacher will be charged with the responsibility for developing individual student support plans (ISSPs) in consultation with student support teachers, parents, and students. Previously, the development of ISSPs was a shared responsibility between members of the school team with no one person accountable for ensuring its development.

Additionally, the main teacher, not the DEA, will be given the responsibility for reviewing ISSPs and assessing the progress of students with an ISSP.

The Minister, DEAs, and Reporting

Under the *Education Act* 2020, the Minister, with recommendation from the principal, will be provided with the final authority to exclude students from the regular classroom setting for inclusive education reasons. This responsibility was with principals under the *Education Act* 2008. This change does not affect DEAs or the CSFN in their authority to suspend or expel students under “Part 7 – Student and Parental Participation” of the *Education Act*. The authority of DEAs to suspend or expel students will not change.

DEAs or the CSFN will not be a party in the review board panel that makes decisions on inclusive education appeals. The review board will continue to include members who have expertise in the type of needs required by the student, as well as members of the school team.

The *Education Act* 2020 will also increase the reporting requirements for inclusive education by:

- Requiring principals to report 3 times a year, to DEAs on the implementation of inclusive education in their schools; and,
- Requiring the Minister to report annually on inclusive education throughout the education system.

These changes ensure that both the Minister and principals remain accountable for the delivery of inclusive education in the school.



SUBPART 5 - EDUCATION STAFF

Under the *Education Act* 2020, orientation programs for new teachers will be required to include content on Inuit culture and history, as well as provide an introduction to the Inuit Language. This is a higher standard than the *Education Act* 2008, which required that orientation programs be developed in accordance with Inuit Qaujimajatuqangit principles.

The use of Inuit cultural knowledge will also be expanded in schools by broadening the concept of Inuit cultural experts to include experts of all ages, not just Elders. DEAs and the CSFN will continue to be responsible for deciding which individuals have the skills, knowledge, and abilities in Inuit culture and traditions to serve as Inuksiutiliriji in their schools and recommending them for certification by the Minister.

The revised Act also extends the terms of principal and vice-principal appointments from 3 years to 4 years to allow for greater consistency in school leadership.



SUBPART 6 – DISTRICT EDUCATION AUTHORITIES

School Calendars

The *Education Act* provides the Minister with the authority to establish nine basic school calendars, three for each region, with start and end dates, and dates for professional development. DEAs and the CSFN will be able to select the calendar used by their education district from the available options.

Principal and Vice-Principal Appointment Panels

DEAs and the CSFN will continue to be able to appoint members to the principal and vice-principal appointment panels as in the *Education Act* 2008. However, to ensure that principal interviews occur in a timely manner without delays, DEAs will be required to appoint members to the appointment panel within two working days of receiving the request.

DEA Board Members and CSFN Board Members

The revised *Education Act* 2020 extends the same rights and responsibilities to Elder representatives and student representatives appointed to a DEA as other members of the DEA, including the right to vote.

DEA members as well as CSFN board members will also be required to provide the Minister with a criminal record and vulnerable sector check that is no older than three months from the time they are elected. In the *Education Act* 2008, DEA members could provide criminal reference checks that were completed within the last three years. DEAs will also be required to notify the Minister should any changes to their record occur after the record check is completed.



SUBPART 7 – COMMISSION SCOLAIRE FRANCOPHONE DU NUNAVUT (CSFN)

As with the *Education Act* 2008, unless stated otherwise, the CSFN has all the responsibilities, powers, and duties of a DEA.

The CSFN is now required to follow the Inuit Language (Inuktut as a Second Language) curriculum established by the Minister for the delivery of Inuit Language Arts as a second language in CSFN schools. However, the CSFN maintains the authority to direct the implementation of this curriculum by selecting their own materials, tools, resources, methods, or assessments to reach the curriculum outcomes.

Furthermore, the Minister has the authority to request a range of reports from the CSFN to increase their accountability. These reports can be on a range of issues, including staffing processes, the education program, and the local community program.

The CSFN will also be required to deliver Inuktut as a second language in schools under its jurisdiction.

SUBPART 8 – COALITION OF NUNAVUT DISTRICT EDUCATION AUTHORITIES (CNDEA)

Currently, the Coalition of Nunavut District Education Authorities (CNDEA) has limited reporting requirements to the Minister and no direct responsibilities to DEAs or the CSFN. In the revised *Education Act* 2020, the CNDEA's responsibilities are significantly enhanced and clear lines of accountability between the CNDEA, the DEAs, and the Minister are defined.



Training and Support

For example, the CNDEA will be required to provide training and support to DEAs in the development of school improvement plans, registration and attendance policies, Inuuqatigiitsiarniq policies, and teacher orientation programs.

The CNDEA will continue to participate on hiring panels for senior regional staff of the department and meet with department staff twice annually to assist in the long-term planning for the public education system.

To support the CNDEA in its additional duties, the revised *Education Act* increases the CNDEA's funding to at least six staff positions, instead of the current two.



Accountability

In addition, the CNDEA will be required to submit an annual report to the Minister on its operations and activities, the use of funds provided, and a report on the state of education. The Minister will be required to table the CNDEA's annual report in the Legislative Assembly.

As the CNDEA is the body meant to represent and support all DEAs, the revised *Education Act* requires the CNDEA to:

- Allow any DEA to be a member;
- Limit the CNDEA's ability to remove DEA members from membership in the CNDEA; and,
- Ensure that at least 70% of the CNDEA's board of directors are members of a DEA. The CNDEA may also appoint members from NTI and the Nunavummi Disabilities Makinnasuaqtiit Society

SUBPART 9 – OTHER SUBSTANTIVE AMENDMENTS

The revised *Education Act* affirms Nunavut’s commitment to the implementation of the United Nations *Convention on the Rights of the Child* in the public education system. It also clarifies DEAs’ discretionary authority to enrol other individuals into a school under their jurisdiction, including those over the age of 21.

Additionally, the Minister has been provided with the authority to make transition regulations. This power was previously held by the Commissioner of Nunavut.

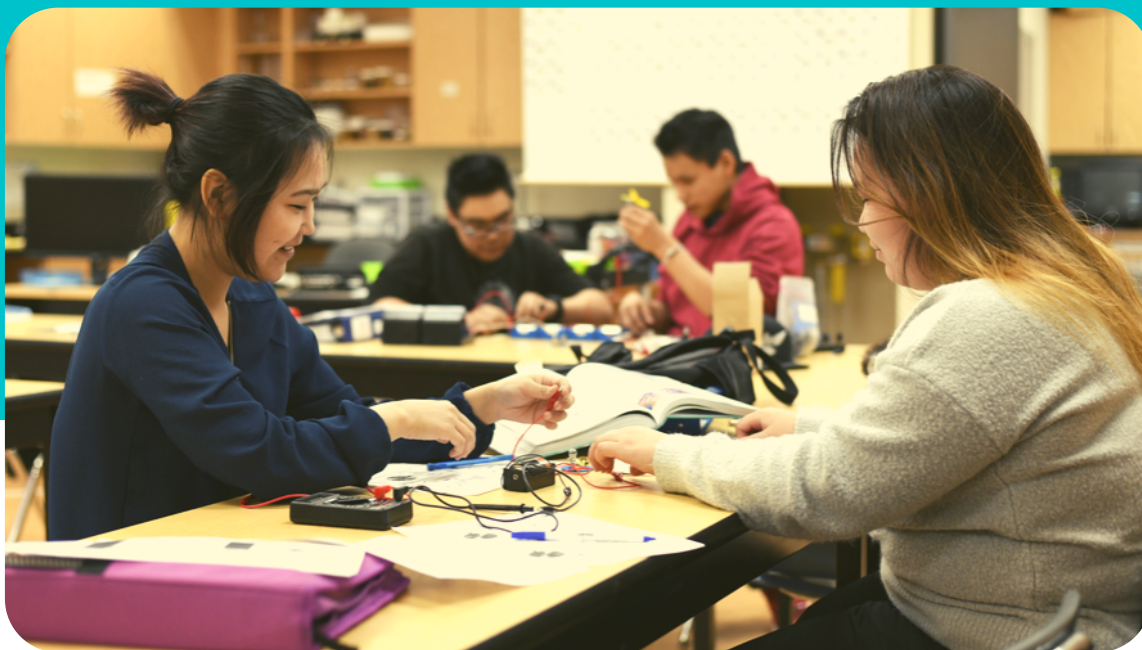
SUBPART 10 – NON-SUBSTANTIVE CORRECTIONS AND CLARIFICATIONS

A number of minor edits to the text of the *Education Act* have been made to ensure the correctness of grammar and terms. These edits do not, in any way, affect the rights of students or the roles and responsibilities of the Minister, school staff, DEAs, the CSFN, and the CNDEA.

Amendments in this subpart also reorganize the presentation of sections of the *Public Service Act* that do not apply to teachers and principals, as well as certain requirements in the *Education Act* that do not apply to the CSFN, and the delegation of certain powers, functions, and duties under the *Public Service Act* to the Director General of the CSFN.

All these amendments simply reorganize the presentation of these requirements in a way that makes the information clearer.

Several pronouns used throughout the *Education Act 2020* will be replaced by gender neutral language.



PART 2 - AMENDMENTS TO THE INUIT LANGUAGE PROTECTION ACT

The *Inuit Language Protection Act* has also been amended to include the term “bilingual education” to section 8(2) of the Act and to require the Government of Nunavut (GN) to deliver Inuit Language instruction in a manner that is consistent with Inuit Qaujimajatuqangit. The requirement in the *Inuit Language Protection Act* will read as:

*“The GN shall, in manner that is consistent with Inuit Qaujimajatuqangit and **bilingual education...**”*

The amendment harmonizes the delivery of Inuit Language instruction between the *Education Act* and the *Inuit Language Protection Act*, as recommended by the Special Committee to Review the *Education Act*.

Finally, the revised *Inuit Language Protection Act* phases in the deadline for implementation of bilingual education for Grades 4 to 12 until July 1, 2039. The deadline for the delivery of bilingual education in Kindergarten and Grades 1 to 3, which was July 1, 2009, will remain without change.

This timeline is the same as the one mentioned in Part 1, subpart 3 of the amendments to the *Education Act*.

PART 3 - COMING INTO FORCE

Not all the amendments to the Act will be legally applied (come into force) immediately. In some cases, there are delayed application dates to allow for the development of supporting regulations and programs.

Even with this delay, a hard deadline is provided for each of the sections where the application is delayed. This hard deadline is July 1 of the year after the assent of the *Education Act* 2020; in this case, July 1, 2021. The Department of Education has already begun the work to meet these deadlines for the sections where there is delayed application.

The sections of the *Education Act* that do not apply until July 1, 2021 are certain requirements related to language of instruction and inclusive education.

The remaining changes to the *Education Act* outlined in Bill 25 began to be applied on November 10, 2020, when Bill 25 received assent.



NEXT STEPS

The Department of Education is working with our education partners on implementation guides to assist with the transition to the revised roles and responsibilities in the *Education Act 2020*. Existing policies, guidelines, and handbooks will need to be updated to reflect the changes in the Act. Additionally, training and development will also be necessary for those staff whose roles and responsibilities have changed.

The department is also preparing for the development of the necessary regulations; namely, Language of Instruction and Inclusive Education regulations.

The Department of Education looks forward to working together with our stakeholders, Nunavut Tunngavik Incorporated, and Nunavummiut.

The final version of Bill 25 can be found on the Legislative Assembly of Nunavut's website: <https://assembly.nu.ca/sites/default/files/Bill-25-5A2S-AATA-Education-Act-and-ILPA-EN-FR-Assent.pdf>.

A consolidated version of the *Education Act 2020*, which includes the changes outlined in Bill 25, is available on the Government of Nunavut's legislation website.

The *Education Act* is required to be reviewed by the Legislative Assembly every five years.

