





# INTRODUCTION

## A Collective Vision

The 2008 *Education Act* marked the first time that Nunavummiut were able to establish education legislation that was rooted in the principles, values and goals of the territory.

Since 2008, a great deal has been learned through significant review of the administration and implementation of the *Education Act*. The reviews have examined how effective the legislation is at ensuring high-quality, bilingual education for students and whether the government and stakeholders in the territory are sufficiently meeting their roles and responsibilities under the legislation.

The first major review of the *Education Act* took place in 2013 and was conducted by the Office of the Auditor General of Canada (OAG). The resulting report gave the government significant guidance on the issues of attendance, assessment, curriculum and teacher resource development, inclusive education, language of instruction and parental/family engagement.

The second major review, carried out from 2014-2015, was a statutorily-required review, conducted by the Special Committee to Review the *Education Act*, a special committee of the Legislative Assembly, that made 23 recommendations for updates to the *Education Act* and the operations of the department.

The Department of Education has continually reviewed its own operations and the effectiveness of the delivery of the Education Program, and contributed significant written submissions to both the OAG and Special Committee reviews.

As a result of these reviews, there are clear opportunities for moving forward and making the necessary changes to establish the best education system possible for students, teaching professionals and communities.

Some of the necessary progress can be made through changes to existing policies and procedures, something that the government has been doing on an ongoing basis. However, it is clear that changes to the legislation are necessary, to achieve the positive impact envisioned by the OAG, the Special Committee, the department and stakeholders.

Both the OAG and Special Committee identified a need to increase standardization and consistency in the Education Program. Currently in Nunavut, students in different communities receive educations that are so varied that it is difficult to monitor their progress and to deliver a high-quality Education

Program. This creates both a system that is unfair to students, but also one that is more costly and less effective. Standardization of the Education Program will allow the department to improve resources, develop effective assessments and better manage teaching resources. Standardization does not mean losing community control, which will be explained further in the chapter on the roles and responsibilities of district education authorities.

The following document explains the reasons and rationales for the proposed changes to the *Education Act*. The purpose of amending the *Education Act* is to ensure that we have a strong, forward-looking legislative framework. The legislation is being amended so that there are clear roles and responsibilities for everyone working in education.

These legislative changes are significant. Each of the following six chapters explains what the proposed change is in the *Education Act* and the reasons why these changes are necessary. The chapters include:

- 1. Fundamental Principles: Fostering Inuit Qaujimagatuqangit-grounded schools across the territory, honouring traditional knowledge, honouring the land and each other**
- 2. Bilingual Education and Language of Instruction: Establishing an improved framework for program delivery and resource development**
- 3. Inclusive Education: Ensuring that all students are provided opportunities to participate, engage, grow and learn**
- 4. DEA Roles and Responsibilities: Engaged Communities—Strengthening our Education System**
- 5. Bolstering French First Language Programming: Tous ensemble!**
- 6. Strengthening the Legislation: Clarity, accountability and filling in the gaps**

There are also many non-legislative tools that ensure an effective education system—the development of policies, procedures, curriculum, teaching resources and programming, for example. The department continues to make related improvements. However, these actions are not changed through legislative amendments, and so it is important to note that while legislative amendments might impact on those actions, they are not the focus of the changes.

The ideas in this document are proposals. Public consultation will help the department understand the opinions of individuals, organizations and communities about these proposed changes, which will in turn assist in the development of the legislation that will be studied, debated, amended and voted on by Members of the Legislative Assembly.

The goal of these public consultations and the amendments to the *Education Act* is to establish a collective vision for education and student development in Nunavut.

## CHAPTER 1

# Fundamental Principles

## **Fostering Inuit Qaujimajatuqangit-grounded schools across the territory, honouring traditional knowledge, honouring the land and each other**

Inuit Societal Values and Inuit Qaujimajatuqangit are the base and the building blocks of our education system. They guide the Department of Education, teachers, students and district education authorities (DEA) in everything they do. Creating Inuit Qaujimajatuqangit schools—schools that operate within the principles of Inuit Qaujimajatuqangit and celebrate Inuit Qaujimajatuqangit—is a priority of the government and there are a variety of ways to do this. It is important to note that policy-level direction, rather than high-level legislative provision, is often better suited for assuring specific and concrete application of Inuit Qaujimajatuqangit to programming in schools.

Currently Inuit Societal Values and Inuit Qaujimajatuqangit serve as the foundational principles of the legislative framework, and they will continue to do so in Part 1 of the amended *Education Act*. In addition to this powerful statement at the beginning of the legislation there will be new language establishing that the graduation of self-reliant and well-educated Nunavummiut is a central goal of our education system. The idea of 'well-educated' and 'self-reliant' includes the requirement that students understand and live the principles and concepts of Inuit Qaujimajatuqangit. These ideas are not separate, but closely connected. Inuit Qaujimajatuqangit can be and is already a part of academic study. However, understanding and applying Inuit Qaujimajatuqangit has unique features, and can be a different process than some academic studies. It involves making a human being, not just developing students.

Part 1 of the *Education Act* will continue to include the duty held by the Minister, district education authorities, and education staff, to ensure that the public education system incorporates and fosters Inuit Qaujimajatuqangit. This duty establishes accountability with respect to Inuit Qaujimajatuqangit, for the entire public education system.

Inuit Qaujimajatuqangit considerations will be a required aspect of DEA local programming, as it is a necessary part of ensuring the best interests and cultures of communities are represented. Further, DEAs will be required to report on Inuit Qaujimajatuqangit and Inuit Societal Values as it relates to Local Programs.

**Inuit Qaujimajatuqangit considerations will be a required aspect of DEA local programming, as it is a necessary part of ensuring the best interests and cultures of communities are represented.**

However, to address the concern of the Special Committee regarding the challenges of incorporating highly-variable and personal interpretations of Inuit Qaujimajatuqangit into strictly-interpreted administrative decisions, the proposal is to edit references to Inuit Qaujimajatuqangit to be more concise within the text of the legislation and to consolidate the related duties held by the Minister, education staff and DEAs within Part 1: Fundamental Principles, of the Act. This means there will be no references to Inuit Qaujimajatuqangit outside of Part 1 of the Act, with the exception of the section related to DEA Local Programming. This is to avoid inconsistencies in implementation, but also to avoid the appearance that Inuit Qaujimajatuqangit only pertains to some decisions, which is not the case: Inuit Qaujimajatuqangit and Inuit Societal Values are the foundation of everything we do in education.

With respect to the *Inuit Language Protection Act*, the government will continue to be required to fulfil the provisions of section 8(2), as they relate to the education program, in a manner that is consistent with Inuit Qaujimajatuqangit. However, this duty will be clarified. The government will also need to fulfill these provisions in a manner that is consistent with the effective delivery of the Education Program.

### **Infusing Inuit Societal Values in our Education System**

Inuit Societal Values will continue to be infused throughout the education system as a priority in policy and procedure development, as well as planning. In addition to recognizing it as a foundational principle in the legislation, there are many non-legislative ways that we can incorporate Inuit Societal Values in schools, including, but not limited to:

- Taking a holistic approach to Inuit Societal Values: communication, consultation, and integration—promoting accountability, consistency and openness.
- Including Inuit Societal Values in curricular outcomes; self-reliance and continuous improvement.
- Providing orientation kits that promote holistic, value-based approaches to Inuit Societal Values, as well as Inuit Societal Values education programs for school staff, DEAs and departmental staff.
- Including Inuit Qaujimajatuqangit and Inuit Societal Values in teacher-training at the Nunavut Teacher Education Program (NTEP).
- Ensuring that all program planning and resource development is guided by Inuit Societal Values.
- Creating student, parent and community engagement programs.
- Incorporating traditional Inuit songs, music and storytelling in schools.
- Ensuring that all schools have engaged Elders passing on traditional knowledge to students, and making the necessary time and space in the school calendar for the transfer of traditional knowledge.
- Building relationships and working with partners.
- Using the knowledge of the Elder Advisory Committee.

These actions will help the integration and awareness of Inuit Societal Values and Inuit Qaujimajatuqangit in our schools. The right policies will ensure that everyone working within the education system understands and meets the duty set out in Part 1 of the *Education Act* to incorporate and foster Inuit Societal Values. This duty in Part 1 holds the Minister, education staff and DEAs accountable for ensuring Inuit Societal Values and Inuit Qaujimajatuqangit is an integral and driving force in our education system.

### **DEA Local Programming, Inuit Qaujimajatuqangit and Inuit Societal Values**

DEAs play an important role in promoting Inuit Societal Values, local culture and language, as well as preserving Inuit Qaujimajatuqangit. This includes developing local programming that is community and student driven. This programming is an essential tool for ensuring that students learn and live the principles of Inuit Societal Values, and serves as an enhancement of the standardized ministerial curriculum. DEAs share the responsibility with education staff of creating schools based on Inuit Societal Values. They can do this by modelling Inuit Societal Values, through community engagement and inviting the participation of students, parents and Elders in the schools and DEA meetings.

### **Bilingual Education, Inuit Qaujimajatuqangit and Inuit Societal Values**

Bilingual education ensures the incorporation and fostering of Inuit Qaujimajatuqangit and Inuit Societal Values in our schools. Language and culture are closely linked. A deeper understanding of Inuit Qaujimajatuqangit and Inuit Societal Values is supported by an understanding of the Inuit language, therefore we must have robust bilingual programming to help students understand, develop and celebrate Inuit Qaujimajatuqangit and Inuit Societal Values, so that they can live this at school, at home and in their communities. The ways that the department will strengthen the delivery of bilingual education through the *Education Act* are explained in Chapter 2 of this document.

## CHAPTER 2

# Bilingual Education and Language of Instruction

## Establishing an improved framework for program delivery and resource development

The Government of Nunavut and the Department of Education are committed to bilingual education and to graduating students fluent in the Inuit language. It is the cornerstone of our education system and is a vital part of developing well-educated and self-sufficient high school graduates. Bilingual education will continue to be delivered in Nunavut; however, the delivery framework and the responsibility for how it is delivered will be modified by the proposed legislative amendments.

In 2008 there was great hope put into the establishment of the three models of bilingual education. However, despite the best intentions at the time, it has become clear that this system has led to significant problems and has actually prevented students from achieving the desired language outcomes. This has been recognized by the Special Committee, the OAG, Nunavut Tunngavik Incorporated, and the Department of Education, among others.

The current system of three different models creates significant inconsistencies between schools which prevents the delivery of a high-quality and consistent Education Program, and the proper assessment of student progress across the territory. In addition, a significant shortage of Inuktitut-speaking qualified teaching professionals has intensified these challenges, because (1) there are currently not enough Inuktitut-speaking teachers; and (2) it is not possible to properly allocate those Inuktitut-speaking teachers to communities, due to the varying models and the lack of standardization of instructional minutes and assigned language of instruction per grade and subject.

### **The following changes are proposed to Part 4 of the *Education Act*:**

- No longer having three different models of bilingual education and instead having a single, standardized, but flexible, framework that is informed by bilingual education models in other jurisdictions. By reducing the significant variation across communities that having three different models creates, this framework will better manage the shortage of Inuktitut-speaking teachers, and allow a more flexible delivery of bilingual education that ensures better student outcomes across the territory, and allows for proper progress assessment.

- This standardized framework would be the responsibility of the Minister, who would have the authority to direct the amount of instruction time required in each language for each grade and the authority to provide direction on which language of instruction would be used for each subject. By standardizing this, it will be possible to have staff certification regulations that would guide Inuit educators into specific areas of need, because it will be possible to know exactly how many teachers are required, in which communities, and for which grades/subjects. Ministerial directions will be based on both local demographics and the capacity of the department to deliver bilingual education, something that the current system fails to take into account.
- Provisions in the *Inuit Language Protection Act* with respect to the right of a parent to have their child receive Inuit language instruction will be amended to reflect that the right is to have the majority of instruction be in the Inuit language. This means that 50% or more of instruction must be in Inuktitut. At earlier grades and in some communities where there are particular circumstances, the percentage of courses, subjects, and grade levels will be higher. As more Inuktitut-speaking teachers are trained and enter the system, the higher the percentage of instruction time delivered in Inuktitut will be. It should be noted, that there will be continued flexibility to offer French as an additional language.

**The Government of Nunavut and the Department of Education are committed to bilingual education and to graduating students fluent in the Inuit language.**

**These changes will provide the following benefits:**

- Consistency in delivery and outcomes from community to community and region to region, while at the same time recognizing that there are currently significant differences in language needs and strengths between communities and regions.
- Accurate and effective evaluation of student progress.
- Streamlining of the development, adoption and adaptation of curriculum.
- Evidence-based decision-making with respect to instructional minutes.
- Improved flexibility and recruitment as the system evolves to address and resolve the shortage of Inuktitut-speaking teachers.
- Greater guidance for the development of new Inuktitut-speaking teachers and ongoing training, support and retention for current Inuktitut-speaking teachers.
- The continued development of Inuktitut teaching resources and tools is essential, and will become easier and more effective in the proposed bilingual framework.
- The proposed changes would create a system similar to the highly successful framework used by the Kativik School Board in Nunavik.

### **Local Control for Bilingual Education**

DEAs will still have an important role in advocating to the Minister with respect to bilingual education, although final decisions will rest with the Minister. DEAs will retain and be refocussed in their essential role in developing local programming. This programming enhances the standardized Education Program and can promote local culture and related local language needs, goals and dialectical interests. Giving the DEAs the role of protecting local or regional language interests will allow the department to focus on overall language progression and skills development, which will strengthen Inuktitut learning outcomes for all Nunavummiut.

## CHAPTER 3

# Inclusive Education

### Ensuring that all students are provided opportunities to participate, engage, grow and learn

Inclusive Education is a term that refers to ensuring access for all children to both the Education Program offered in the regular instructional settings with their peers, and the supports required to meet their individual learning needs. Inuit Qaujimajatuqangit perspectives—traditional Inuit laws, principles, values and worldview—form the basis for the Nunavut inclusion philosophy. Developing and implementing an Inuit Qaujimajatuqangit approach to inclusion, in combination with current knowledge and best practices regarding inclusion, is the foundation of fostering life-long learning and developing self-reliant graduates.

Students come to school with many different skills, abilities, interests and needs. Inclusive Education promotes the ability for teachers to make the appropriate accommodations to programs in order to meet the individual needs of students in their classrooms. In some cases, these accommodations are part of the regular Education Program. In some cases, a student may require accommodations that omit, change, or add learning objectives, which are beyond what is expected, but do not change the overall intent of the curriculum. In other cases, the student will require delivery of the Education Program in an alternate format which may require external support devices or services or may require an Individual Student Support Plan (ISSP).

#### **Proposed Changes to Part 6 of the *Education Act***

In the updated *Education Act* the responsibility of implementation of Inclusive Education provisions would be held by principals, and not local DEAs as it is in the current legislation. The principal will directly monitor teaching staff with respect to their roles and responsibilities. These responsibilities include the identification of the needs of students per the directions of the Minister. Classroom teachers, with the support of student support teachers, will develop the ISSP and the school team will oversee the development and approval. Education staff will now be fully responsible for ISSPs.

The Minister will have the authority to give directions for what is meant by “specialized services and assessments.” Defining and providing direction for these types of accommodations is an important step towards improving clarity

in the system. In order to bring better balance across the territory and help ensure that services are consistently and fairly offered, the Minister will also have the authority to provide clarification of what is reasonable and practical with respect to an ISSP. Decisions with respect to accommodating or individualizing supports and settings for students, as well as decisions with respect to specialized services or assessments for students, will rest with the Minister to ensure high-level accountability for these decisions.

Appeals of the decisions made by education staff in relation to ISSPs will continue to be possible. This appeals process will be administered by the department, but appeal decisions will be made by a neutral third party. DEAs will no longer bear the responsibility of organizing the administrative aspects of an appeal.

### **The goals of these proposed changes**

- Ensuring that parents and students understand the principles and methods of programming for student success, how it works and who is responsible for development and implementation—especially for ISSPs. This includes the goal of increasing and improving the quality of family engagement, and intentionally inviting and welcoming parents as the primary advocates for their children in this process. The engagement of parents in the education of their children is a shared responsibility, and should be respectful and facilitative of family choice and voice.
- Making the lines of accountability as well as responsibilities for Inclusive Education clearer for everyone involved and more practical.
- Putting the responsibility for development, approval and implementation clearly and conclusively in the hands of frontline education professionals. Establishing clear responsibilities and duties for teachers with respect to ISSPs.
- Improving school attendance, student achievement, risk management and to establish earlier and more efficient planning.
- Ensuring that the tools, resources and services that are available are clearly set out, fairly distributed, and that access to them is barrier-free.
- Improving the monitoring, collection and reporting of data, which will allow a better understanding of and response to student needs.
- Establishing an appeals process for which the department is able to provide the essential supports.
- Alleviating the responsibilities of already busy DEA members, and allowing DEAs to focus on other important actions and decisions. DEAs would remain involved as advocates for their community with respect to the overall goals of Inclusive Education, as well as promoters of and conduits for parental engagement and representation. This preserves an important aspect of local control.

There are a number of ways that we can ensure that Inclusive Education is robust and functioning well in our schools. Making changes to the legislation to better assign roles and responsibilities is an important first step. Implementation of these changes in the legislation will be made in concert with updated policies, programming and staffing initiatives.

# CHAPTER 4

# DEA Roles and Responsibilities

## Engaged Communities— Strengthening our Education System

District Education Authorities (DEAs) play an integral role in Nunavut's education system. The elected members of the DEAs have a significant number of responsibilities under the current legislation. Since 2008, it has been clear that many DEAs have struggled to meet the requirements expected of them in the legislation because of the depth and breadth of the responsibilities. This has been recognized by the DEAs themselves, the Coalition of Nunavut District Education Authorities (CNDEA), the OAG and the Special Committee. In response to the need for a rebalancing of DEA roles and responsibilities, the proposed legislative changes attempt to ease the overburdening of DEA members, in order to improve their capacity to make significant, positive contributions to the schools in their communities.

### *Local Programming*

The core of local control should come through DEA development and delivery of local programming. This programming should be student and community driven, to ensure that it is relevant to the interests and needs of students, and molded by the advice of parents and Elders. Local programming is the ideal way to preserve and promote local culture and especially local language interests, including dialect. DEA responsibility for local programming is already a part of the *Education Act*, however, to be truly impactful, DEA members need the time and capacity to effectively develop and consult on potential programs. Therefore the proposed changes are designed to alleviate administrative and accounting burdens, to allow for greater focus on local programming.

### **The following changes are proposed**

#### *Education and School Programs (Parts 3, 4, 5, 10)*

The Education Program, including curriculum, will remain the responsibility of the Minister. Further to this, the Minister will be given the authority to make final decisions for student registration and the establishment of the school calendar, as well as the authority to set instructional minutes and language of instruction for each grade and subject.

The definitions for Education Program and School Program will be clarified with respect to their relationship to each other as concepts. The roles and responsibilities of the Minister and DEAs with respect to both programs will be clarified, and responsibility for the School Program will be defined as a partnership between the Minister and the DEAs.

The Minister will be required to ensure that curricular outcomes, as well as teaching and learning resources, whether they be Nunavut developed or adapted, must be reviewed and, if required, modified to suit the needs of local students and in particular Inuit students and Inuit culture.

### *Inclusive Education (Part 6)*

The responsibility for implementation of Inclusive Education supports and services, including development and approval of Individual Student Support Plans (ISSPs), will be held by education specialists, and no longer by local DEAs. (See Chapter 3 for details.)

### *School Administration and DEA Oversight (Parts 3, 5, 7, 11, 12)*

DEAs will remain in a position to be able to give directions to a principal with respect to the principal's duties under the Act. However, this will be limited to the aspects of the administration and operation of the schools that fall outside of the Education Program.

The department will be given the authority to mandate that a DEA incorporate a departmental *Inuuqatigiitsiarniq* (discipline) and Attendance and Registration Policy, however only when a DEA does not already have a policy in place. With respect to registration, DEAs will no longer have the discretion to register students who are not entitled to register under section 2 of the *Education Act*. Registration of a student from outside their jurisdiction will require a DEA's recommendation and Ministerial approval.

Panels responsible for hiring/reappointing of principals/vice-principals will be administered by the department instead of the DEAs. However, if a DEA so requests, the Minister will be required to allow the DEA to appoint at least one member of each hiring panel for staff and the appointment panels for principals and vice-principals. The department will be required to consult with DEAs before dismissing a principal or vice-principal, however DEAs will no longer have the designated authority to provide a recommendation to dismiss a principal or vice-principal.

DEA members will now be required to have a valid Criminal Record Check (CRC), including a vulnerable sector check, no older than three months before being able to enter school property (previously three years).

An IQ report will be required for the DEA's local programming, however, there will no longer be a requirement for DEAs to prepare and submit a report on the carrying out of IQ duties of the principals and other education staff members in the schools.

The responsibility for funding early childhood education will be shifted to the department. In cases where early childhood programs are located at a school, this use of space will still be permitted. This is in keeping with positions taken by DEAs with respect to lessening the burden of administering and reporting on these funds.

**The overall rationales for the proposed amendments are as follows**

- Improved public understanding of the roles and responsibilities assigned in the Act.
- The creation of efficiencies stemming from clarity of roles and responsibilities.
- Rebalancing of the capacity needs of DEAs and improvements to efficiency and programming impact, through a reduction of administrative burdens. The intention is to increase the focus on the DEA role as the voice of community on matters of education. DEA provision of programs and services will serve to connect the school with community and support the protection and promotion of the Inuit language.
- Simplified training requirements for DEA members, resulting from the refocusing of their work and the streamlining of their roles and responsibilities.
- A clearer understanding of the roles and responsibilities of principals and teaching staff. The amendments will provide a clear division between the tasks of school staff and DEAs, eliminating the consequences of the current legislation where DEA tasks fall to education staff to complete due to lack of capacity.
- A refocused human resources system, where primary responsibility is clearly given to the department for hiring, supervising and assessing education staff.
- An improved bilingual education framework that will provide improvements to program delivery and student outcomes. This is further discussed in Chapter 2.
- Improvements to Inclusive Education and related assessments. Improved conditions for the development of ISSPs, by putting responsibilities for development and review in the hands of education specialists. This is further discussed in Chapter 3.

## **Moving forward together in partnership**

DEAs, as advocates, represent the best interests of their communities, providing essential feedback during public consultations on education initiatives. The new legislative framework will prioritize this role, freeing up DEAs to act as the voice of local concerns and stories of success.

Local control works best when DEAs are better able to do the important work of representing their communities and students, as well as developing enhancements to the Education and School Programs. By relieving them of unnecessary administrative burden, these changes will enable them to have a greater impact on the education system and the learning and well-being of students in their communities.

The realignment of roles will require strong and continuing communication between the department and DEAs. The department is committed to working with DEAs to strengthen their capacity in their communities. Further work will still need to be completed through non-legislative supports such as policies, procedures, and resources for DEAs. By focusing efforts, an opportunity will be created to streamline and improve resources for DEAs; to better allow them to fulfil their roles successfully in their communities particularly with respect to policy governance and public engagement.

## 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.

## CHAPTER 6

# Strengthening the Legislation

### **Clarity, accountability and filling in the gaps**

The following proposed changes were not addressed in Chapters 1-5 of this document, but are important aspects of the updated legislation.

#### **Coalition of Nunavut District Education Authorities (CNDEA)**

The CNDEA was created in 2008 in response to a call for more collective representation for the DEAs in the education system. The CNDEA has a number of roles and responsibilities assigned to them in the current Act. What is certain is that the CNDEA will continue to play a role in the updated legislation. However, this role should be modified and refocused to better reflect the strengths of the organization and the practical realities of education delivery. This means that lines of accountability must be clarified where possible and realigned to improve communication and advocacy. Further, the priorities of the Coalition must be restructured to ensure the maximum benefit for DEAs, as well as to have a focused, positive impact on the system overall. The parameters of the CNDEA's restructured role and the related responsibilities will be guided significantly by feedback received during public consultation. Redefining the roles and responsibilities of the CNDEA will establish an improved and more targeted impact on the delivery of education for the Coalition.

#### **Clarity in the *Education Act***

Definitions, as well as grammatical, typographical, syntactical and similar errors within the current Act, will be corrected where needed. Some provisions will be redrafted as required to provide for clarity and ease of use, and to remove ambiguities.

#### **Appointments/re-appointments of principals and vice-principals**

It is proposed that changes to the appointments or reappointments for principals and vice-principals be for a maximum five-year term, instead of the current three-year term. Appointments of principals and vice-principals who have not yet received certification, but who have undertaken to take specified steps to do so, per the exception set in section 112(3) of the Act, will also have a maximum five year term.

## **Programs of moral and spiritual instruction**

The new legislation will make it clearer that programs of moral and spiritual instruction are restricted from promoting or indoctrinating a particular religious viewpoint. Such programs will provide a historical perspective only. School staff and DEAs will also be restricted from promoting or indoctrinating a particular religious viewpoint outside programs of moral and spiritual instruction, including but not limited to in other classes, after school programming, on the land programming, local and community programming developed by DEAs, counselling by Innait Inuksiutilirijiit, during assemblies and during Parent-Teacher Association meetings. For clarity, the teaching and learning of Inuit Qaujimajatuqangit will not be prohibited by this provision.

# Glossary

## Terms and acronyms used in this document

### **Amendments**

Amendments are changes made to legislation (laws) to adjust the legal framework within which programs and services are delivered. Legislation sets out roles and responsibilities, accountabilities, and what actions or decisions are allowed or prohibited. In the education context, making amendments to legislation does not mean direct changes to curriculum, teaching resources, policies or procedures. Those types of changes, while equally important, are made separately to amendments to the legislation. All of these changes, legislative or not, are part of developing a high-quality education system.

### **Bilingual Education**

This refers to the delivery of the Ministerial curriculum using two languages of instruction, where the intent is for students to graduate with the ability to speak, read and write in both languages of instruction. The percentage of instruction in either language is set out in a framework and varies from grade to grade, and at the higher grades there is a variation between subjects.

### **CNDEA**

Coalition of Nunavut District Education Authorities. The Coalition acts as a representative body for the DEAs as a group. Its members are the chairs of each of the DEAs. It has a board with an elected chair and directors, as well as headquarters, with employed staff, in Iqaluit.

### **CSFN**

La Commission scolaire francophone du Nunavut is responsible for the delivery of French First language programming in Nunavut to the children of Francophone parents, as set out in the *Charter of Rights and Freedoms*.

### **Curriculum**

Curriculum refers only to the curricular outcomes expected of each student at a particular grade level. It is a framework for instruction based on teaching goals. It does not refer to the methods, tools and resources used to help students reach the goals/curricular outcomes.

## **Curricular Outcomes**

The points along the path (the curriculum) that determine what a student should know and be able to do, in each subject or skill, as they move through each year of the Education Program.

## **DEA(s)**

District Education Authority(ies). Organizations in each community of Nunavut, including Apex, that are made up of locally-elected members. DEAs hold a variety of responsibilities under the current *Education Act*.

## **Education Program**

The Education Program includes the Ministerial curriculum (curricular outcomes) from Kindergarten through Grade 12, as well as the tools, methods and resources used to achieve the curricular outcomes. It can be modified by local programs.

## **Education Staff**

Principal, vice-principal, teachers, student support teachers (SSTs), Ilinniavimmi Inuusilirijiit (school community counsellors), teaching assistants, teacher trainees. The term 'teaching staff' refers to only the principal, vice-principal, teachers and student support teachers. The term 'school staff' refers to all staff members at a school, including school secretaries and janitorial staff.

## **Inclusive Education**

A philosophy that ensures access for all children to both the Education Program offered in the regular instructional settings with their peers, and supports required to meet their individual learning needs.

## **Inuit Language/Inuktut**

Refers to Inuktitut (for the Qikiqtaaluk and Kivalliq regions) and Inuinnaqtun (for the Kitikmeot region).

## **Inuit Qaujimajatuqangit**

The foundational principles and concepts of traditional Inuit culture, knowledge and personal relationships. It is the knowledge that has been passed down inter-generationally by Inuit prior to European contact, applicable in current governance, and that can also be utilized in the evolution of governance in Nunavut. Inuit Qaujimajatuqangit forms the base and building blocks of the education system in Nunavut.

## **ISSP**

Individual Student Support Plan. This is the plan, developed by classroom teachers, with the support of a school's SST and in consultation with parents, that helps student's achieve their goals and to maximize their participation and success in the Education Program.

## **Inuit Societal Values**

The philosophical groundings of Inuit Qaujimajatuqangit, Inuit Societal Values include eight guiding principles:

1. *Inuuqatigiitsiarniq*—respecting others, relationships and caring for people;
2. *Tunnganarniq*—fostering good spirits by being open, welcoming and inclusive;
3. *Pijitsirniq*—serving and providing for family and/or community;
4. *Ajiiqatigiinni*—decision making through discussion and consensus;
5. *Avatimik Kamattiarniq*—environmental stewardship;
6. *Pilimmaksarniq/Pijariuqsarniq*—development of skills through observation, mentoring, practice, and effort;
7. *Piliriqatigiinni/Ikajuqtiinni*—working together for a common cause; and
8. *Qanuqtuurniq*—being innovative and resourceful.

These eight principles entail the basic qualities in life and encourage us to become self-reliant, lifelong learners and able human beings.

## **Minister**

"Minister" in this document always refers to the Minister of Education. However, it is important to note that although the responsibilities and authorities that are given to the Minister by the legislation are held ultimately by him/her, often the practical day-to-day responsibility is delegated by the Minister to a member of their staff at the Department of Education.

## **Language of Instruction**

The foundation of bilingual education, it is the language used in the classroom to teach and discuss a particular subject at a particular grade level, in order to deliver the Ministerial curriculum. In bilingual education the languages of instruction are the Inuit language and English. The goal of a bilingual education system is to graduate students fluent in both languages of instruction.

## **Local Program**

A program that is developed by DEAs. These community-driven, locally developed programs enhance the Ministerial curriculum. All local programs receive approval from the department to ensure compliance. Local programs often focus on local language and cultural interests, but can also relate to other subjects or skills that are of interest to the community or local students.

## **NTA**

Nunavut Teachers' Association. The professional organization that represents Kindergarten to Grade 12 educators in the public education system in Nunavut.

## **OAG**

Office of the Auditor General of Canada. Reviewed Nunavut's education system and the implementation of the *Education Act* in 2013.

**Part**

The *Education Act* is divided into 15 parts, with each part concerning an aspect of the legislation and the related provisions. This includes, for example, things like registration and attendance, inclusive education, student records, and language of instruction.

**Provision**

A section of the legislation. The provisions in the legislation are the content of the legislation and set out the required or prohibited actions. In the case of the *Education Act*, a provision often sets out a role or responsibility for the Minister, DEAs or the education staff.

**RSO**

Regional School Operations. Each of the three regions in Nunavut has an RSO. Each RSO has an Executive Director, who is supported by one or more superintendents of schools, as well as other staff. These teams work to support the schools in their respective regions. This includes, but is not limited to, support with respect to human resources and school operations.

**Self-reliant**

Self-reliant graduates are able human beings who are lifelong learners with the skills to adapt to a quickly-changing workforce.

**School Calendar**

The calendar that sets out the number of instructional hours in a school day, as well as the various dates in an academic year, including regular school days, non-instructional days, school improvement time and professional development days.

**Special Committee**

Refers to the Special Committee to Review the *Education Act*, a committee of elected Members of the Legislative Assembly who were responsible for carrying out a mandatory review of the *Education Act* and the Nunavut education system as a whole. The Special Committee tabled a report of their findings and recommendations on November 5, 2015.

**SST**

Student Support Teacher. An experienced teacher who is assigned the role of supporting classroom teachers in class and with the development of ISSPs. SSTs also provide specific supports to individual students as set out in an ISSP.

**Standardization**

Standardization ensures that the education received and the educational outcomes for all students are consistent across the territory. This allows adequate assessments of both student progress and teacher performance to be carried out. Standardization most impacts on the Education Program, which is driven by the Ministerial curriculum, and not on local programming developed by DEAs. Standardization can be increased across the system while still retaining significant local control.

