



Special Committee to Review the *Education Act*

Final Report

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George Hickes, MLA
Chair

Simeon Mikkungwak, MLA
Co-Chair

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Special Committee to Review the Education Act

Committee Members

George Hickes, Chair
Simeon Mikkungwak, Co-Chair
Pat Angnakak
Joe Savikataaq
Hon. Paul Quassa

Alternates

Alex Sammurtok
Isaac Shooyook
Hon. Jeannie Ugyuk

Committee Staff

Committee Clerk – Stephen Inuksuk
Committee Researchers – Karen Aglukark, Siobhan Moss

Background

Along with the majority of legislation used in Canada's newest territory, Nunavut's *Education Act* was inherited from the Northwest Territories upon division on April 1, 1999. Nunavut's education system, as adopted from the Northwest Territories, was delivered through a partnership between the Department of Education, three regional boards of education comprised of elected members with operational staff, and locally-elected District Education Authorities (DEAs) in each community.

In 2000, the Government of Nunavut introduced legislation dissolving the three regional school boards and the Department of Education assumed responsibility and oversight for schooling in all Nunavut communities with the continued involvement of the District Education Authorities. Bill 1, the Government of Nunavut's first proposed made-in-Nunavut education legislation, was introduced in 2002 but did not receive assent. The education system continued to be delivered by the Department of Education, through its three regional school operations divisions and in partnership with community-based, locally elected District Education Authorities.

From 2004 to 2007, the Government of Nunavut conducted extensive consultation activities for the development of new education legislation for the territory. During this time Nunavut's DEA Coalition was established as an advocacy group on behalf of individual District Education Authorities across Nunavut. On November 2, 2007, during the Second Legislative Assembly, the Government of Nunavut introduced Bill 21, *Education Act*, which received assent on September 18, 2008.

Nunavut's *Official Languages Act* and the *Inuit Language Protection Act* are made-in-Nunavut legislation that were introduced in June of 2007 and were also passed during the Second Legislative Assembly. The *Inuit Language Protection Act* received assent on the same day as the new *Education Act*. Sections 8, 9 and 10 of the *Inuit Language Protection Act* require the Government of Nunavut to provide Inuit Language instruction within Nunavut's education program as well as in programs for early childhood education and adult education.

Introduction

Nunavut's current *Education Act* received assent on September 18, 2008, and has come into force in stages. Section 202.1 of the legislation came into force on July 1, 2009 and states:

Review of Act

202.1. (1) Commencing in the third school year after this section comes into force or such earlier time after this section comes into force as the Legislative Assembly may direct and every five years thereafter, the Legislative Assembly or a committee of the Legislative Assembly shall review the provisions and operation of this Act.

Scope of review

(2) The review shall include an examination of the administration and implementation of this Act, the effectiveness of its provisions and the achievement of its objectives and may include recommendations for changes to this Act.

Although the Legislative Assembly's first statutory review of the *Education Act* could have commenced between July 1, 2012 and June 30, 2013, the Assembly delayed the commencement of the review to allow for the presentation of a number of reports that would inform the review process.

Section 126 of the *Education Act* requires the Minister to produce annual reports on the education system in Nunavut. Annual reports on the education system in Nunavut for the 2009-2010, 2010-2011 and 2011-2012 fiscal years were tabled by the Minister of Education in February and September of 2013.

In addition, the Auditor General of Canada's 2013 report to the Legislative Assembly of Nunavut on *Education in Nunavut* was tabled in the Assembly in November of 2013. The Standing Committee on Oversight of Government Operations and Public Accounts held its hearings on the Auditor General's report during the first week of April 2014.

This Special Committee was established in order to fulfill section 202.1 to review the provisions and operations of the *Education Act*. Pursuant to Rule 86 of the *Rules of the Legislative Assembly of Nunavut*, the Special Committee to Review the *Education Act* was established by a motion in the House on June 9, 2014. The Special Committee included four Regular Members and a Ministerial member, as has been the practice for previous Special Committees of the Assembly.

Members of the Special Committee were as follows:

Chair George Hickes, MLA for Iqaluit-Tasiluq;
Co-Chair Simeon Mikkungwak, MLA for Baker Lake;
Pat Angnakak, MLA for Iqaluit – Niaqunnguu;
Joe Savikataaq, MLA for Arviat-South; and
Hon. Paul Quassa, MLA for Aggu and Minister of Education.

Overview of Review Process and Committee Activities

Following its establishment, the Special Committee began the review process immediately and began inviting key stakeholders, organizations and members of the public to provide written submissions on Nunavut's *Education Act* to the Committee. On June 18, 2014, letters of invitation were sent out to key entities such as the Department of Education, Nunavut Tunngavik Inc., Nunavut Teachers' Association, individual District Education Authorities (DEAs), Coalition of Nunavut DEAs, Commission Scolaire Francophone du Nunavut, and the Languages Commissioner of Nunavut.

In June of 2014, the Special Committee released a number of public service announcements to invite members of the public to make written submissions to the Committee on Nunavut's *Education Act*. These announcements were also broadcast on radio and television, advertised in the print media and distributed to communities through the constituency offices of all Members of the Legislative Assembly of Nunavut.

In early October 2014, letters of invitation and public service announcement were again distributed to remind organizations and the public to provide written submissions on Nunavut's education legislation. While the Special Committee requested that submissions be provided to the Committee on or prior to October 31, 2014, the Committee continued to accept submissions throughout its review process.

During the review process, the Special Committee conducted a literature review regarding the development of education legislation in Nunavut, with a primary focus on the *Education Act* itself and its attendant eleven regulations. The Special Committee also conducted in-depth studies of a number of relevant documents including the Office of the Auditor General's *2013 Report on Education in Nunavut*, the Department of Education's annual reports for the 2009-2010, 2010-2011 and 2011-2012 fiscal years, and Nunavut Tunngavik's 2010-2011 Annual Report on *The State of Inuit Culture and Society – Children and Youth*, as well as other reports and studies relating to the history and development of Nunavut's education system.

The Special Committee was very pleased to receive a significant number of written submissions with respect to Nunavut's *Education Act*. The Special Committee was impressed with the level of thought and consideration that went into each submission. Submissions were received from the following individuals:

Margaret Joyce	Molly McLure	Jody Hagerty
Tim Hoyt	Gail Du Guid	Oana Spinu
Donna Pagon	Madeleine Cole	Bernadette Dean
Maren Vsetula	Sonny Porter	Robby Qammaniq
Ryan Malone	Frank Pearce	Jeannie Arreak-
Elisapee Flaherty	George Haydn	Kudlualik
Adam Fisher	Jim Kreuger	and Lisa Ipeelie.
John Wilson		

An additional three individual submissions were provided under condition of anonymity.

Written submissions were received from the following District Education Authorities:

Repulse Bay	Baker Lake
Apex	Kimmirut
Iqaluit	Pond Inlet
Gjoa Haven	Kugluktuk

Written submissions were received from the following key stakeholders:

- Commission scolaire francophone du Nunavut
- Coalition of Nunavut DEAs
- Department of Education
- Nunavut Tunngavik Inc.
- Nunavut Teachers' Association
- Languages Commissioner of Nunavut
- Commission scolaire francophone du Nunavut

The Special Committee was committed to conducting consultations across Nunavut. Based on its review of the legislation, the relevant literature and issues raised in the written submissions that were received, in October of 2014 the Special Committee developed a series of focus questions to guide and facilitate its community consultation meetings.

In April and May of 2015, the Special Committee held public consultation meetings in the communities of Baker Lake, Kugluktuk, Pond Inlet and Iqaluit. In total, approximately 150 members of the public participated in the Special Committee's public consultations.

The Special Committee met with representatives from the District Education Authority in each of the communities that it visited and invited representatives from all those District Education Authorities which had provided written submissions to meet with the Committee to discuss their comments and views. The Special Committee would like to acknowledge the high level of commitment and engagement demonstrated by the community members who serve on Nunavut's local District Education Authorities.

The Special Committee held in-depth meetings with all three Regional School Operations (RSO) divisions of the Department of Education. Discussions were candid, comprehensive and addressed many aspects of delivering and administering an educational program across Nunavut's communities. Committee Members were extremely impressed with the level of commitment, dedication and awareness demonstrated by RSO staff. The Special Committee would like to acknowledge the important contributions made by RSO Executive Directors Trudy Pettigrew, Jonathan Bird and Bill Cooper and their teams.

From May 13 to 14, 2015, the Special Committee held formal hearings in the Chamber of the Legislative Assembly to examine and analyse, in detail, specific issues that were raised in the written submissions that had been received by the Committee.

Given the limits of its schedule and resources, the Special Committee selected witnesses from amongst the individuals and organizations which had provided written submissions to appear before the committee in its formal hearings. Witnesses were chosen to provide a broad range of views, to represent various sectors of Nunavut's society and to explore different perspectives on Nunavut's education system. Witnesses who appeared before the Special Committee included former students, parents, educators and administrators.

The proceedings of the hearings were broadcast on radio and televisions across the territory and were open to the public to attend. Witnesses to the formal hearings provided presentations on their respective submissions to the Special Committee, answered questions, and engaged in open dialogue with members of the Committee. Transcripts from the hearings are available on the Legislative Assembly's website.

The following individuals appeared as witnesses during the Special Committee's formal hearings:

Ms. Margaret Joyce;
Mr. John Wilson;
Mr. Robby Qammaniq; and
Mr. Adam Fisher.

Representatives from the following entities also appeared as witnesses during the Special Committee's formal hearings:

Department of Education;
Nunavut Tunngavik Inc.;
Nunavut Teachers' Association; and
Coalition of Nunavut DEAs.

While the Special Committee did engage with many sectors of Nunavut society, from members of the public to key stakeholders involved in the delivery of Nunavut's education system, it was noted that the Committee could have benefitted from the opportunity to seek specific input from students, in particular the first cohort of students who had received their education under the system established by Nunavut's new *Education Act*, which saw its first implementation activities begin in 2009.

Recommendation #1:

The Special Committee recommends that future reviews and consultations on the *Education Act* seek specific input from Nunavut students and address their insights on how they feel Nunavut's education system has supported or failed them in achieving their educational goals.

As previously noted in this report, the Special Committee took the opportunity to scrutinize, in detail, the Department of Education's annual reports for the 2009-2010, 2010-11 and 2011-2012 fiscal years. These documents provide an extensive overview of the Department's activities relating to the Nunavut's school system. The annual reports include information on curriculum and resource development, bilingual education initiatives, details on expenditures and statistics related to student enrolment, attendance and graduation. The annual reports also provide summaries of activities relating to student assessment, student records, staff development and coordination with District Education Authorities and the commission scolaire francophone du Nunavut.

Committee Members noted, however, that the annual reports did not address the apparent and ongoing gaps in the implementation of the legislation especially in those areas related to the government's capacity to deliver bilingual education and effectively measure and monitor the delivery of inclusive education.

Recommendation #2:

The Special Committee recommends that the Minister of Education's annual reports, as required under section 126 (1) of the current *Education Act*, include specific and comprehensive information on the department's progress to administer and implement the *Education Act*.

The 2013 Report of the Auditor General of Canada on *Education in Nunavut* was tabled in the Legislative Assembly on November 19, 2013. The Legislative Assembly's Standing Committee on Oversight of Government Operations and Public Accounts held hearings on the Auditor General's Report in April of 2014. Representatives from the Department of Education appeared as witnesses during these hearings and provided a considerable level of information in addition to the information provided in the annual reports and provided further insight relating to the delivery of Nunavut's education system. At that time, the Department of Education also provided copies of its five-year work plan, which outlined its short-term, medium-term and long-term objectives to address issues raised in the Auditor General's report. Many of the thematic issues identified in the Auditor General's report resurfaced during the course of the Special Committee's review. The Special Committee noted that an updated version of the department's work plan could have provided additional insight into the Department of Education's progress or lack of progress towards implementing certain aspects of Nunavut's *Education Act*.

Recommendation #3:

The Special Committee recommends that the Minister of Education table in the Legislative Assembly an update on the Department of Education's "Education Act Implementation Work Plan," which was developed to address the observations and recommendations in the 2013 Report of the Auditor General of Canada on *Education in Nunavut*, on an annual basis.

Key Thematic Issues

The Special Committee's review of Nunavut's *Education Act* addressed broad and specific issues, as well as concerns and suggestions that were raised in written submissions, public consultations, and during focused discussions with individuals and entities involved in Nunavut's education system. Noting that the legislation has been in force for less than a decade, Members of the Standing Committee thoroughly considered all input to identify key factors that are currently impacting the administration and implementation of the *Education Act*, the effectiveness of its provisions and the achievement of its objectives.

This report reflects the Special Committee's commitment to delivering candid and realistic observations that have been formed through its review of Nunavut's *Education Act*. The Standing Committee recognizes the significant efforts, levels of dedication and contributions that are made at all levels of Nunavut's education system. The Standing Committee also notes that Nunavummiut have differing expectations of the territory's education system.

The following key thematic issues were identified over the course of the Special Committee's review:

- The Overall Goal of Nunavut's educational system;
- Inuit Qaujimagatuqangit;
- Language of Instruction;
- Access to Education;
- Inclusive Education; and
- Administration and Governance

The Special Committee wishes to emphasize that the delivery of an education system is too important to be driven primarily by political idealism. The Standing Committee is of the view that the objectives of an education system must be practical, realistic and attainable. Despite tremendous effort and dedication, as well as significant investments of time, money and resources, it has become apparent that the delivery of Nunavut's education system under the current *Education Act* has fallen short of a number of its objectives. In many respects, the potential for the success of Nunavut's education system has been weakened by an overly ambitious agenda that was, to some extent, entrenched within the legislation itself. It is important to acknowledge that changes must be made to the provisions of the current legislation with a view to improving and standardizing the delivery of Nunavut's education system.

Goals of Nunavut's education system

A number of contributions to the Special Committee's review process expressed the need for a defined, overall goal or vision statement for Nunavut's education system. For example, the Special Committee reviewed suggestions to revise the legislation's preamble to include references to historic events related to the delivery of education in the North that may have had negative social impacts and to recognize the hardships that Inuit may have suffered as a result. The Standing Committee also reviewed suggestions to revise the legislation's introductory sections to include more clear and explicit definitions of such concepts as "high-quality education", and to explicitly articulate such goals as producing individuals who can act with wisdom, who are able human beings, or who are literate.

It is important to note that the Standing Committee received various contributions during its review process that reflect deeply-held and contrasting ideological views of Nunavummiut. Some contributors indicated that they envision an education system in Nunavut that provides students with a strong academic foundation, while other contributors indicated that they envision an education system that focuses on reinforcing Inuit societal values, including language, culture and history. A number of contributors maintained the position that the objective of Nunavut's education system should be to promote and support local community control, while other contributors maintained the position that the education system should be delivered in a consistent manner, from community to community, across Nunavut.

One contributor noted that a clearly established envisioned goal must be developed for Nunavut's education system before any changes can be made to the process of delivering this system. It was pointed out that the *Education Act*, as it is currently written, places a heavy emphasis on the preservation of language and culture as a central value. It was also argued that student achievement should be the single most critical value of education in Nunavut. This issue was elaborated on further by another contributor who maintained the position that the standard for achievement of Nunavut's education system should be to ensure that any child graduating from any community should be able to make the transition into post-secondary education, and to enable graduates to take on professional and leadership positions within the territory.

The need for consistency within the educational system was echoed by many contributors across Nunavut. The Special Committee noted that the Department of Education has undertaken a number of recent initiatives with respect to standardization in the delivery of programming and most recently in such areas as standardizing the Inuit language writing system to be taught in Nunavut schools. The Special Committee fully supports the concept of focusing resources and effort into the standardized delivery of programs with a view to setting and reaching consistent program delivery for all students across the territory.

Recommendation #4:

The Special Committee recommends that Nunavut's education system and its legislation focus on providing and implementing a consistent, standardized program and curriculum across all regions and communities of Nunavut, to prepare youth from early childhood education through High School graduation for further levels of education and future employment.

Inuit Qaujimajatuqangit

There is no question that Inuit Qaujimajatuqangit is a valid and compelling force within Nunavut's government and that the delivery of related programs and activities affect the daily lives of Nunavummiut. A significant number of participants in the Special Committee's review process voiced strong opinions in support of Inuit Qaujimajatuqangit as being the source of the guiding principles for Nunavut's education system.

At the same time, however, the Special Committee heard a number of comments and concerns regarding the difficulties inherent in trying to enforce the implementation of Inuit Qaujimajatuqangit. To date, Inuit Qaujimajatuqangit in the government is a broadly interpreted and conceptual approach which is difficult to incorporate into legislation and implement in daily operations. It was noted that formal legislation has its roots in western culture and often takes on a highly-defined and prescriptive structure. A number of contributors argued that the effectiveness of the legislation was compromised by attempts to integrate Inuit Qaujimajatuqangit within specific sections of the *Education Act*. It was pointed out that requiring the incorporation of Inuit Qaujimajatuqangit within specific legislative contexts in the *Education Act* without clear and precise definitions, activities, or measurements to assess the success of that implementation was impractical and ineffective. The Special Committee concurred fully with this point.

Recommendation #5:

The Special Committee recommends that specific references to the incorporation of Inuit Qaujimajatuqangit in Nunavut's education system within the *Education Act* be removed from the legislation.

The Special Committee supports the position that the principles and concepts of Inuit Qaujimajatuqangit provide a critical context for the administration and delivery of Nunavut's education system. The Special Committee recognizes the ongoing efforts of the Department of Education in this area.

The Standing Committee noted that Inuit Societal Values, including language, culture and history, could be addressed as distinct subjects within Nunavut's curriculum. It was suggested that activities incorporating Inuit Qaujimajatuqangit into the curriculum should be accompanied by specific definitions, activities and programs which can be assessed and measured with respect to their effectiveness in reflecting and promoting Inuit societal values and culture.

The Special Committee noted that involving Elders within the education system is currently a requirement under section 102 of the legislation. It was felt that the role of Elders could be significantly enhanced and expanded with a renewed focus on providing core subjects within the curriculum that are based on Inuit Qaujimajatuqangit and Inuit Societal Values.

Recommendation #6:

The Special Committee recommends that Inuit Qaujimajatuqangit be incorporated as core program or curriculum subjects within Nunavut's education system at all school levels.

Access to Education

Nunavut's *Education Act* provides that citizens between the ages of 5 and 21 are entitled to attend a school and have access to the educational program in a regular instructional setting. The Special Committee heard a number of concerns with respect to the needs of younger Nunavummiut as well as considerations with respect to older students.

Early Childhood Education

Many contributors spoke passionately about the importance of early childhood education and its role in preparing children for success in the school system. It has been well-established that early childhood is a critical phase that can determine the quality of health, well-being, learning and behaviour of individuals later on in life. In particular, the period from infancy until what is currently school-age is the most intensive period for language development. A number of contributors further stressed the need for high quality daycare and its role in enabling parents to return to their studies or to the workforce. While the government has committed to including daycare facilities in any newly-built educational infrastructure, the lack of daycare spaces remains a critical issue across many Nunavut communities.

Currently, section 17 of the *Education Act* requires District Education Authorities to provide early childhood education programs that promote fluency in the Inuit language and knowledge of Inuit culture. It was noted that in the five years since the *Education Act* has been coming into force, this requirement has still not been fulfilled in many of Nunavut's communities due to a number of factors.

A number of contributors also noted that kindergarten programs across the territory are currently delivered on a half-day basis and proposed that full-day Kindergarten be considered in addition to ensuring that an integrated kindergarten curriculum or program is provided for within the legislation. The Special Committee agreed that early childhood education is an important aspect of educational success.

Recommendation #7:

The Special Committee recommends that the *Education Act* be amended to require that the Minister provide the necessary resources and training to ensure early childhood education programs are made available and provided in every Nunavut community.

Recommendation #8:

The Special Committee further recommends that the Department of Education explore options to develop full-day kindergarten, taking into consideration space availability, costs of programming and resources and the impact of increasing the number of instructional hours at the kindergarten level.

Adult Education

Some contributors raised concerns regarding the inclusion of adult education in the legislation, specifically with respect to sections 2, 18 and 32 of the *Education Act*. It was noted that there are a number of alternative learning opportunities for adults outside of the school system, such as adult basic education courses, the Mature High School Graduation option or the PASS program offered through Nunavut Arctic College. Concerns were raised with respect to the practicability of enforcing registration and attendance for older students in Nunavut's education system. For example, section 30 of the *Act* requires a student less than 18 years of age to be registered with a school. Some contributors were of the opinion that enforcing the registration requirement after a student reaches the age of 16 could be problematic. Other contributors focused on the merits and potential problems associated with permitting adult students over the age of 21 to participate in school-based programming. The Special Committee was of the view that this topic should be given further consideration.

Attendance and Registration

Consistency in policy areas was identified as a necessary focus within the legislation. Standardized approaches to such issues as attendance, registration and discipline across all schools would ensure that all students in Nunavut had the same responsibilities and obligations regardless of the community in which they lived. The Special Committee recognizes that attendance is a major issue across the territory. Committee Members agreed that this topic needs to be addressed in a comprehensive manner across the territory by evaluating initiatives that are successful and identifying those which are not effective. Providing incentives for good attendance and academic success rather than punishments for the low-attenders was viewed by the Special Committee as a potential avenue for future discussion.

Language of Instruction

The importance of protecting and promoting the Inuit language across Nunavut was reflected in the significant number of comments and opinions that were brought forward to the Committee concerning the language of instruction provisions in the *Education Act*. The range of views and opinions expressed by contributors to the Special Committee's review process with respect to language of instruction and approaches to bilingual education spanned a broad spectrum.

It must be recognized that Nunavut's *Inuit Language Protection Act* also establishes requirements for Inuit language instruction within Nunavut's education program.

Inuit Language instruction

8. (1) Every parent whose child is enrolled in the education program in Nunavut, including a child for whom an individual student support plan exists or is being developed, has the right to have his or her child receive Inuit Language instruction.

While the provisions of the *Inuit Language Protection Act* must be taken into account, the Special Committee stresses that the implementation of such cross-legislative requirements must also accommodate the overall objectives of the *Education Act* itself.

Currently, the *Language of Instruction Regulations* of the *Education Act* establish three distinct models of bilingual language instruction. The selection of which model to adopt for each education district falls to the District Education Authority although the choice is often driven by demographic factors and concerns regarding language loss and language retention within each community. Given the limited number of bilingual educators in any given community, the Special Committee recognizes that delivering three different education models across the territory becomes complex and difficult to manage. This, in turn, compromises the success of the education system as a whole. Having a single language of instruction model would enable the Department of Education to place greater emphasis on determining and providing adequate resources, materials and curriculum that can be effectively delivered in all of Nunavut's schools and may allow the department to allocate the necessary time to address the need for qualified bilingual educators.

As was previously noted in this report, the Department of Education has undertaken a number of initiatives to standardize its program delivery. Most recently, the department initiated a phased project to standardize the Inuit language writing system to be taught in Nunavut schools. This approach is mirrored by the initiative currently being undertaken the national organization, Inuit Tapiriit Kanatami, to standardize the writing system for the Inuit language across all Inuit regions in Canada.

The Special Committee supports the Department of Education's commitment to standardization and consistency in the delivery of Nunavut's education system.

Recommendation #9:

The Special Committee recommends that the legislation be amended to ensure that Nunavut's education system delivers bilingual education according to a single, standardized model for all schools across the territory.

Many contributors argued passionately for the preservation and promotion of community and regional dialects. The Special Committee acknowledges the importance of recognizing and supporting unique dialectal variation at the community level. The Standing Committee noted that resources and opportunities must be available for the development and acquisition of learning materials, as well as language programs that may be prepared and delivered in the various dialects represented across Nunavut and at the discretion of each educational district.

Some participants expressed the desire for language of instruction models to be expanded to support multi-lingual education with English, Inuktitut and French programming. The Special Committee notes that while section 26 of the *Education Act* does provide for languages to be taught in addition to the selected languages of instruction, more support and resources may be required in this area.

Recommendation #10:

The Special Committee further recommends that accommodations be made within the legislation to enable District Education Authorities to request and receive necessary resources and support to the deliver additional language programs that take into account regional, community or dialectal interests and also allow for the delivery of multi-lingual education including the Inuit language, French and English.

The Special Committee recognizes that section 28 of the *Education Act* establishes a timeline for the delivery of bilingual education, with the final deadline for this provision to be implemented at all grade levels in the 2019-2020 school year. Many contributors acknowledged that the targeted dates for meeting these provisions are unrealistic and unattainable. The Special Committee referred to the Auditor General's *2013 Report on Education in Nunavut* which made a number of clear and straightforward observations regarding the Department of Education's ability to deliver bilingual programming with its focus on the lack of bilingual educators at that time and in the foreseeable future. Key stakeholders noted in their submissions that achieving the goals and objectives laid out in the legislation and its regulations for the delivery of bilingual education was highly unlikely given the department's current lack of capacity in this area.

It was not clear to the Special Committee how the 2019-2020 deadline for the delivery of bilingual education across all grades was initially determined. The timeframe did not appear to be based on any specific data or on any specific analysis of the time it would take to ensure that an adequate number of qualified bilingual educators and resources would be in place to fully deliver the bilingual language program established within Nunavut's education system.

The Auditor General's 2013 report discussed the need for the Department of Education to determine the number of bilingual teachers that are needed for Nunavut to meet the bilingual education requirements of the current legislation. While the Department of Education's March 2014 Work Plan included commitments to analyzing available data and reviewing staffing plans with a view to determining the number of bilingual teachers needed to meet bilingual language requirements, the department has yet to make its results of this review available. Meanwhile, it is apparent that the current deadline is unattainable.

Recommendation #11:

The Special Committee recommends that the deadlines for the implementation of language of instruction requirements that are currently included in the legislation be revised and amended or deleted at the earliest opportunity.

Recommendation #12:

Given the limited capacity to deliver bilingual education in Nunavut's schools, the Special Committee further recommends that the Government of Nunavut renew its efforts to promote, recruit and retain teachers and educators trained to deliver a bilingual education in the Inuit language and English.

Inclusive Education

A number of submissions and comments reviewed by the Special Committee addressed concerns regarding social promotion, which relates to students who are passed or 'promoted' from grade to grade with their peers without having mastered the required competencies at each grade and without having a learning plan in place which supports their individual academic needs and growth.

Part 6 of Nunavut's *Education Act* establishes inclusive education within the school system. Under the inclusive education mandate students are entitled to receive an education program which is modified to their specific learning needs and which adjusts the expectations of their achievements under the curriculum as they progress according to their individual capacities. This approach is intended to enable students to remain in classes with students of their own age group while allowing them to advance continuously from kindergarten to Grade 12 at their own individual rate of learning.

The Special Committee did not hear any arguments against inclusive education. Indeed the intent of this approach seemed well supported by educators and educational administrators.

However, as pointed out by several contributors, the lack of resources, specialized training and support staff as well as specialists to provide professional assessments and advice on how to develop modifications and accommodations for individual students has led to many students not receiving the supports they need while continuing to pass from grade to grade. Ineffective implementation of inclusive education leads to social promotion.

Applying inclusive education means that differentiated instruction must be provided within each classroom to ensure that the learning style and abilities of each student in the class are accommodated. This puts a tremendous burden on teachers, especially in cases where educators have not received specific training in this area.

Services from professionals including educational psychologists, behavioural specialists and mental health workers that have the specific training and resources to work with youth are very limited. Many such professional services are often only accessible outside of the territory and by medical referral or through short-term contracts by visiting specialists.

The lack of training, tools, resources and professional supports to implement inclusive education impacts the successful delivery of Nunavut's educational system. The Special Committee notes that student attendance must also be considered within the context of inclusive education. In the interest of ensuring the most effective and efficient use of resources, Committee Members were of the view that the lack of academic achievement on the part of non-attendance should not be addressed through the means of individual student support plans. For non-attenders who are being re-integrated into the education system, alternative options for remediation, retention and promotion must be considered.

Recommendation #13:

The Special Committee recommends that Part 6 of the *Education Act*, Inclusive Education, be amended to clarify, in detail, the conditions under which a student may be entitled to receive a student support program, the provisions that must be included in a student support program, the professional services that will be made available for the development of student support programs and the process for determining and implementing amendments to student support programs.

Administration and Governance

Nunavut's *Education Act* establishes a series of partnerships between the Ministry, school administrators, school staff, students and parents, district education authorities and the commission scolaire francophone du Nunavut. Throughout the Special Committee's review it became clear that the distribution of roles and responsibilities between these various partners is problematic and, in many circumstances, dysfunctional or unbalanced.

The Special Committee received submissions and comments from contributors and the public during its review process that addressed the role of regional School Boards under previous education legislation. While suggestions were brought forward to reinstate such entities, the Special Committee acknowledges that the current *Education Act* would need significant amendment to accommodate such a change.

District Education Authorities

With the introduction of the *Education Act* in 2008, it was anticipated by many that local decision-making in schools would reflect the unique character of the communities in which they were based. A number of contributors to the Special Committee's review process expressed their expectation that the implementation of the *Education Act*, would involve an increase in the level of community authority and control of the school program albeit with safeguards at the departmental level.

Under the *Education Act*, locally-elected District Education Authorities were given many new duties and responsibilities related to the operation and delivery of the school program in their communities. Several contributors raised concerns regarding DEA authority in such areas as school staffing, school programming and inclusive education. Some contributors stressed that other partners within the education system, such as the Ministry, school administrators or educators themselves, were better situated, having more appropriate levels of expertise and direct lines of accountability, to provide direction and make decisions in these areas. In addition, the power of DEAs to each establish different school calendars makes it difficult for Regional School Operations to accommodate different school year start and end dates.

Many contributors commented that DEA representatives often did not have the training, skills, abilities or expertise to undertake the duties assigned to them under the legislation. It was noted that in many cases principals would take on the added burden of assisting DEAs in completing certain tasks.

The need for additional training, resources, and increased staff support for DEAs was raised several times throughout the course of the Standing Committee's review. Some DEA representatives expressed a desire to enhance their role and authority at the community level. In contrast, several submissions included strong arguments for limiting or reducing the level of control and decision-making authority delegated to DEAs.

The Special Committee recognized that the legislated emphasis on local control of education and the widely varying abilities of DEAs to exercise that control has created inequalities in the delivery of education across Nunavut's communities. As a result, Nunavut's education system is not being delivered consistently across the territory.

The Special Committee is of the view that steps must be taken to re-establish consistency across all communities. While some DEAs are able to meet the expectations established in the legislation, it has become apparent that the majority are not. The Special Committee agrees that the legislation should be revised to ensure that the roles and responsibilities of District Education Authorities can be adequately met across all communities in a consistent manner.

Recommendation #14:

The Special Committee recommends that the Minister undertake a comprehensive review of the current roles and responsibilities of Nunavut's district education authorities and make amendments to the legislation which will establish a standardized set of duties and responsibilities for all district education authorities that reflects their common capacity to meet the mandated obligations.

Recommendation #15:

The Special Committee further recommends that the Minister put a greater emphasis on communicating the roles and responsibilities of district education authorities, school administrators, and regional school operations to each respective entity.

Commission scolaire francophone du Nunavut (CSFN)

At the time of the Special Committee's review, the operations and management of the CSFN were in some disarray. The Special Committee received limited input with respect to the role of the CSFN as established under the legislation. Some concerns were raised with respect to the status of staff, the expectations of parents, and the distribution of authorities in the area of French minority language education. Participants also expressed the need for a clear process by which minority-language rights holders are recognized and identified with respect to such activities as voting for CSFN members under the *Local Authorities Elections Act*.

While the Special Committee fully appreciates that compliance with the *Canadian Charter of Rights and Freedoms* must be taken into account when considering any amendments to the legislation in this area, it was clear to Members that revisions are necessary to clarify roles, responsibilities, rights and accountabilities with respect to French language minority rights to education in Nunavut.

Recommendation #16:

The Special Committee recommends that the legislation be amended to clarify and strengthen the relationship and distribution of responsibilities between the Minister, the Department of Education and the CSFN.

Recommendation #17:

The Special Committee recommends that the rights and obligations of minority language rights-holders with respect to minority language education in Nunavut be clarified within the legislation.

Recommendation #18:

The Special Committee further recommends that the legislation be amended to provide greater clarity and accountability with respect to the status of education staff under the CSFN.

It was also apparent that there are significant disparities between the roles and responsibilities assigned to the CSFN as compared to those assigned to District Education Authorities. The Special Committee is of the view that there needs to be more consistency in the roles of entities governing education across Nunavut to ensure equal rights to education for all Nunavut residents.

Recommendation #19:

The Special Committee recommends that the legislation be amended to ensure that the Minister of Education's authority with respect to educational programming in Nunavut's schools is consistent across Nunavut.

DEA Coalition

As Nunavut's new education legislation was being developed, the DEA Coalition established itself as an advocacy group for District Education Authorities which, in the absence of regional School boards, had lost an avenue to voice and share concerns or best practices. The role of the DEA Coalition was acknowledged under Nunavut's *Education Act* which establishes it as a legislated entity. The Special Committee noted throughout the course of its review that the role of the DEA Coalition was little understood. The role of the DEA Coalition with respect to the delivery of education across Nunavut needs to be re-defined.

Recommendation #20:

The Special Committee recommends that the legislation be amended to re-define the role and responsibilities of the DEA Coalition and to ensure that it has a clear mandate and that the lines of accountability between the Ministry and the District Education Authorities are clearly expressed.

Concluding Comments and Observations

The future of Nunavut relies in large part on the successful administration and implementation of its education system. To achieve the objectives of the *Education Act* will require the collaborative efforts of all Nunavummiut and a shared understanding of the roles and responsibilities of all partners in the education process.

Recommendation #21:

The Special Committee recommends that the Department of Education work closely with other agencies, such as the Departments of Health and Family Services, Nunavut Housing Corporation, Nunavut's Child and Youth Advocate and others, to address key social factors that are affecting the successful delivery of education across Nunavut.

Recommendation #22:

The Special Committee recommends that the lines of accountability and reporting structures between the Minister, departmental headquarters, regional school operations divisions, district education authorities, the commission scolaire francophone du Nunavut, school staff, as well as principals and teachers, parents and students be clearly articulated and well publicized.

The Special Committee's review process covered many areas, both broad and specific. The Special Committee greatly appreciates the time, interest and effort made by the many contributors and participants throughout the review process.

The intent of this report is to provide a strategic direction to the government for improving the administration and implementation of the legislation. The Special Committee strongly encourages the Department of Education to continue with initiatives that will standardize and strengthen the delivery of education across Nunavut. A number of the report's recommendations suggest amendments to the *Education Act* and the Members of the Special Committee look forward to participating in the review of amending legislation brought forward by the Government of Nunavut as soon as possible and during their term of office.

Recommendation #23:

The Special Committee recommends that proposed amendments to the *Education Act*, especially with respect to sections on Language of Instruction, Inclusive Education, and the roles and responsibilities of District Education Authorities and related regulations be introduced within the term of the Fourth Legislative Assembly of Nunavut.