Standing Committee on Legislation Review of Bill 25, An Act to Amend the Education **Act and the Inuit Language Protection Act Iqaluit, Nunavut** November 27, 2019

Members Present:

Tony Akoak

Pat Angnakak

Joelie Kaernerk

Mila Kamingoak

Pauloosie Keyootak

Adam Lightstone

John Main, Chair

Margaret Nakashuk

David Qamaniq

Emiliano Qirngnuq

Paul Quassa

Allan Rumbolt

Cathy Towtongie, Co-Chair

Staff Members:

Alex Baldwin

Stephen Innuksuk

Interpreters:

Lisa Ipeelee

Andrew Dialla

Attima Hadlari

Allan Maghagak

Philip Paneak

Blandina Tulugarjuk

Witnesses:

Doug Workman, President, Igaluit District **Education Authority**

Karliin Aariak, Acting Languages

Commissioner

Jane Bates, Representative for Children and

Youth

>>Committee commenced at 9:01

Chairman (Mr. Main)(interpretation): Good morning. Our hearing as the Standing

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Committee on Legislation will now proceed and we are reviewing Bill 25. This is our third day. We are probably tired of discussing Bill 25 as Members. We will be meeting again tomorrow.

Yesterday when we had the Iqaluit District Education Authority in front of us, we got into the questions and there were still questions from Members.

I'm sorry, I forgot something. Can you say the opening prayer, please, Mr. Qirngnuq. Thank you.

>>Prayer

Chairman (interpretation): Thank you, Mr. Qirngnuq. I'm sorry I forgot the first item.

We got into the questions yesterday. We will continue with the questions as there are still Members with questions. Welcome, Minister and your officials. First will be Mr. Lightstone.

Mr. Lightstone: Thank you, Mr. Chairman. Good morning. I would like to thank the Iqaluit District Education Authority for making their submission to the Assembly as well as presenting before us here today.

What I found really interesting during their opening comments was the brief history of education in Nunavut dating back to the 1980s up until our current date. My first question is for the Minister and I would like to ask for his thoughts on the progression of education in Nunavut since the 1980s, as well as he mentioned digression of authority at the community level. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Minister Joanasie, good morning. Minister Joanasie. ^∿ᲡՎՐ⊂Ს. ^ናdታ»\™ 25 ▷ናቴ▷৴ናቴ°ኄጋ∆ንጚጭጋናኒጭጋJና b∩L≯▷Վ∩Jና. ፭ናቴJ H▷⊂ C∆L b∩Lσ⊴ናГ∪ናС.

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Hon. David Joanasie: Thank you, Mr. Chairman. Good morning, everyone.

I was just as intrigued as the Member about hearing the different perspectives from the IDEA on education history, the background information. It has been a long road to reach this point in time and I think everybody has their own educational histories, background, and experiences that they can contribute. We know things have changed and we know things we do want to try to improve upon the past. This is something that we are here to debate on Bill 25.

Of course there are some bad cases of educational experiences that we're not really talking about in this context, such as the residential schools, but that's kind of the backdrop that we want to reverse our cultural and linguistic policies around education. This is something that we will continue to try to address.

I can keep going on and on, but I think I'll just leave it at that for now. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Lightstone.

Mr. Lightstone: Thank you, Mr. Chairman. Just to follow up on that question, over the last 30 years our communities have appeared to lose their level of autonomy and authority over their schools over several different phases. Today there have been many DEAs and other organizations that have expressed their concerns that Bill 25 would further reduce the authority of our DEAs. I would like to ask the Minister if he would be able to respond to that. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Again, I mean we are here to hear from the Iqaluit DEA and the

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Minister is in the House regularly, and we do have the entirety of Thursday morning to pose questions to the Minister. Mr. Lightstone, do you want to rephrase your question? Go ahead, Mr. Lightstone.

Mr. Lightstone: Thank you, Mr. Chairman. I will redirect my question to the Iqaluit DEA. As I just mentioned, it appears that over the last 30 years our communities have lost a substantial amount of authority and autonomy over our schools. To date we're hearing further concerns that Bill 25 will further diminish the responsibilities and authority at the community level. I would like to ask the Iqaluit DEA about their specific concerns in this regard. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Thank you for being specific with your question. Mr. Workman.

Mr. Workman: Thank you, Mr. Chairman. I thank the Member for the question. I'm going to delve into a very sensitive topic. It's certainly something that is present and it is prevalent throughout different levels of government, but certainly what we notice and what we see in government and the Government of Nunavut.

Over the last, I think, 10 to 15 years, and you can make an argument on when it actually occurred, but it happened during the life of the Government of Nunavut, where the bureaucrats have a lot of power. Not many Inuit are in those positions. It's about power and control, and that's what we're looking at in Bill 25. It's about centralizing decision-making and ensuring the bureaucrats, who are not accountable... . Everyone in this room is accountable. We were elected to our positions. We are accountable.

Chairman: Excuse me, Mr. Workman. It's a small note, but in this House we're not

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allowed to point the finger. It applies to Committee Members as well. You can use your hands, if you want to point like this.

>>Laughter

It's a small intricacy of the legislature that Members have had to learn and yes, absolutely. Please continue and as much as possible, if you can be specific, specifically respond to Mr. Lightstone's questioning in terms of specific responsibilities that Bill 25, as proposed, would take away from district education authorities. Mr. Workman.

Mr. Workman: Thank you, Mr. Chairman. I think I was mentioning that in Bill 25 there are many authorities that we are being stripped of, taken away from, for example, language of instruction, like our participation in inclusive education, like the calendars. I can go on. There is Bill 37, which still has many of its content in Bill 25. They're taking away our authorities to actually run our schools.

Like I mentioned, we are all accountable to our constituents. Bureaucrats within the department are not accountable, but they seek power and control of us and how things are run, without concrete strategies in place other than us to trust them to do the right thing. Well, we've had 20 years of the Government of Nunavut and it is work and we have not seen very much in the way of real production, real creation, and real work emanating from this department. We ask that that be considered. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) I'm interested in this whole calendar issue because it keeps coming up. The Iqaluit DEA, you did mention it specifically in your submission and you said that DEAs should have absolute control over the development of their school calendars.

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Minister, you have proposed a compromise where each region would have a choice of three calendars. Coming from the Iqaluit DEA's perspective, why can't the DEAs have absolute control over their calendar? I'm interested in understanding the logic behind that shift away from that. Minister Joanasie.

Hon. David Joanasie: Thank you, Mr. Chairman. Yes, what we're proposing is to, to some level, standardizing the school calendar across the territory. If we look outside the jurisdiction, almost every other jurisdiction has probably one day where school starts. We're not proposing that whatsoever. What we're proposing is having three options per region and that would allow the DEAs to still control those, whichever option that they so choose from.

This is also in relation to planning around teacher orientation and professional development in the school calendar, as well as exams for high school students at the end of the school year. We know that sometimes some schools are out way in advance of when the exams are supposed to be taking place. There's much time loss in between when school is out and when that actual exam takes place. We want to further keep those in mind and allow students to retain as much information right up until exams take place. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Lightstone.

Mr. Lightstone: Thank you, Mr. Chairman. I've got three more topics to discuss; regulations, school space needs determination, as well as inclusive education.

My next topic will be on the regulations. Yesterday the Iqaluit DEA made their comments about the issues surrounding regulation development and how since the **ϲΔና/Ͻ°** (Ͻʹ៶λΛΟις): ፕժታ°αΓ[†], Δ[†]/«ΡΟΓ[†]. Λ°[†][†]

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passing of the 2008 *Education Act* that there are still some outstanding regulations to be produced.

Before I pose my questions to the Minister I was just wondering if the Iqaluit DEA would just restate their concerns over regulation development. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Workman.

Mr. Workman: Thank you, Mr. Chairman. I thank the Member for the question. When it comes to regulations a lot of the administrative ones were dealt quite quickly.

With the Department of Education we had a group of stakeholders that would meet on a regular basis from 2009 through the spring of 2013, but there were some specific policies that we looked at, or I looked at as being significant, and that was rewording of what it meant to be a teacher.

They changed the definition to the 2000 Act what a teacher meant. Before, in the 2000-2008 period of time with the *Education Act* the definition of a teacher was someone who taught in the school; I'm paraphrasing, and who had qualifications to be such.

What they did was they expanded that term and what I was nervous about was who were they looking at expanding what a teacher could be because certification was a question mark that they would look at through the regulation process.

My concern was this: was an incident that I discovered in my travels as NEU President, President of the Nunavut Employees Union, I went to Rankin Inlet and I found that the custodians were teaching in the classroom, and they were not being compensated as such and I thought that was a bit unusual that that

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In fact, I went to other schools in Kivalliq and I found the same thing, that there were NEU staff, who were not program staff, good people with incredible knowledge, but they weren't being compensated for being teachers. So I imposed that question with the assistant deputy minister of the time and asked him "what is your intention with certification?

Does that mean you are going to certify anyone in the school system that could be deemed a teacher?" And, he gave me a nod which scared the heck out of me, so I look forward to the education staff regulations and it hasn't changed.

That's the one that I was looking on how they were going to fashion it and in the meantime we have, as you know and as we've discussed throughout these hearings, is that we now have a shortage of Inuit and Inuktut-speaking teachers.

So who are and who aren't. I mean they're all questions that I wanted to address. So two years ago, as a member of the Coalition of the Nunavut DEAs executive, I attended a meeting with the executive director, Nikki Eegeesiak, at the time and we shared our concerns because they were looking at eliminating some of the positions that were currently operated.

They didn't get into much more than that. Some of the specialist positions and as teaching but that was it. They didn't talk about the school community counsellor position if they needed to be certified. They didn't talk about student support assistants, so we weren't sure where they were going with it, but never the less, we shared our concerns and we haven't heard anything back since.

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There is about, I believe, six or seven different regulations that have yet to be addressed. That's from the 2008 Act and we're looking at, this is 11 years going on 12 years. To me there isn't a focus, so those are my concerns. Thank you.

Chairman (interpretation): Thank you. (interpretation ends) Minister Joanasie with regard to the development of regulations following the fundamental rewrite of the *Education Act* back in 2008. Minister Joanasie.

Hon. David Joanasie: Thank you, Mr. Chairman. We have full intentions of spending some time and effort on regulations. It's kind of been to a standstill since the *Education Act* review had started many years ago. The intent is that the reservations would be based a large part on the contents of Bill 25. That's as far as we can share at this moment.

We have full intentions of engaging our stakeholders and consulting with them once we start the process of reviewing regulations. We have four specific ones, educator certification, planning and reporting, homeschooling, and student records regulations that we need to deal with once this legislative process has taken place. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Lightstone.

Mr. Lightstone: Thank you, Mr. Chairman. My next question is for the Minister. With regard to Bill 25, a lot of the clauses do make references to regulations. It appears that the DEAs are allowed to maintain a certain amount of authority as long as they abide by the regulations that are set out by the department, for example, the school calendars. The DEAs will be able to select

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from three calendars, but that will be decided upon in the regulations imposed by the Minister. I would like to ask the Minister if there will be any sort of involvement by stakeholders in the development of these regulations. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Minister Joanasie.

Hon. David Joanasie: Thank you, Mr. Chairman. Yes, I just stated that we would engage stakeholders once this legislative process has completed, and then we need to deal with the regulations. That's the intention. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) I believe one of our colleagues uses the term "ilulikulungit" when referring to the regulations. Mr. Lightstone.

Mr. Lightstone: Thank you, Mr. Chairman. I'll move on to my next topic and that's in the DEA's submission there was a section on school space needs determination in which the DEA notes a concern with clause 79 of Bill 25, which proposes to amend Section 81 of the *Education Act* with respect to the allocation of classroom space. My question to the Iqaluit DEA is: in your view, what specific changes to the proposed amendment would ensure that protections are in place for students of district education authorities which may be affected by the implementation of this section of the Act? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Workman.

Mr. Workman: Thank you, Mr. Chairman. I thank the Member for the question. This exercise was given to us about I think it was two years ago, where what the department officials did is they took a grid and they just

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applied it to our school blueprint plan and they didn't take into consideration the equipment or the actual usability of the school space.

For example, at Inuksuk High School they have shop. They have extensive shop programs where there's a lot of equipment in the room. What they did was they took their overlay and they put it on the map and they did not discount the fact that we had capital equipment like power saws, jigsaws, and Leighs that were in the room. They still counted it as a space within the school that X number of students could actually be in. The little

office that is in the shop was counted as a possible teaching space for three students. It was very small. I think you went to Inuksuk High School and probably noticed one of the shop offices, Mr. Lightstone, and you'll know what I mean. It's not much bigger than a closet. We found that obviously the cafeteria is a space where we use it as open study, but we also use it for other things as well.

They were suggesting that at Inuksuk High School we are only using approximately 70 percent of the capacity. It has changed in the last few years because we have higher numbers of students in classes. In fact the library is not a library more per se, it's a real classroom, and we have 40 students. Much of what Mr. Fanjoy had mentioned about class sizes is true in our schools. They didn't take into consideration what the actual spaces were used, they just used a very mathematical, very structured way of looking at things and identifying how many students are currently in the room and how much space was available, when it wasn't really available because of capital equipment that was in it. Another example is the gymnasium. The gymnasium, even though it's a large room, isn't made for a classroom of many, many students. It's there for a program purpose just

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like the shops are and you have to take those kinds of situations into consideration, and they appeared not to be. Thank you.

Chairman: *Ma'na*. Mr. Lightstone, please continue and keep in mind that we have limited time left. You're done? OK. *Ma'na*. Mr. Qirngnuq.

Mr. Qirngnuq (interpretation): Thank you, Mr. Chairman. I would like to welcome the Iqaluit District Education Authority. When you were being questioned yesterday you responded by saying, and it's also written here in your opening comments, that in the past, beginning in 1985, you seem to have knowledge of the education system since that time. There is a reference to early childhood education teachers. Ever since that time, and up to today, how old is that system now; the early childhood education? Thank you.

Chairperson (Ms. Towtongie) (interpretation): Thank you, Member Qirngnuq. Mr. Workman.

Mr. Workman: Thank you, Madam Speaker. Sorry, Madam Chairperson.

>>Laughter

We have always had, as far as I can recall, in the school system, and I taught in Pond Inlet in 1978, I remember though you're right. It was during the Baffin Divisional Board days that we were encouraged in the school system to have spaces for early childhood education. I know there was a vibrant program at the college in those days. I don't know if that program is still going but there seemed to be a real sense of support for daycares, even daycares within the school. I know when I was in Cape Dorset the daycare started in a room in school. Thank you, Madam Chairperson.

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Chairperson: Thank you, Mr. Workman. (interpretation) Member Qirngnuq.

Mr. Qirngnuq (interpretation): Thank you, Madam Chairperson. I would like to ask the Minister about children today. Are they more difficult these days in the beginning of the school year than they used to be in the past? I hope you understand my question. Thank you, Madam Chairperson.

Chairperson (interpretation): Thank you, Member Qirngnuq. We will get back to the Minister.

Hon. David Joanasie (interpretation): Thank you, Madam Chairperson. We heard yesterday from the coalition president's presentation and I can say we believe that...we rely on them for certain things in the education system and we accommodate each other on what we do. Thank you, Madam Chairperson.

Chairperson (interpretation): Thank you, Minister Joanasie. Mr. Qirngnuq, I'm going back to you.

Mr. Qirngnuq (interpretation): Thank you, Madam Chairperson. I would like to ask a question to the Iqaluit District Education Authority. In the last paragraph on page 3, the very last part, it states that Bill 25 should "die on the order paper." However, yesterday the Iqaluit District Education Authority's words were that it would be better if we just keep the old Act. Did I understand what was said correctly? Can the DEA explain that further? Madam Chairperson, that's my question. Thank you.

Chairperson (interpretation): Thank you, Member Qirngnuq. Let's go back to Mr. Workman.

Mr. Workman: Thank you, Madam Chairperson. I thank the Member for the

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question. The *Education Act* that made Royal Assent in 2008 has not fully been enacted. It's not finished. We talked about regulations. The regulations aren't complete, but the full Act has never been fully implemented.

For example, in a previous Act, in the Act of 2000 to 2008, the Minister had the responsibility of developing and implementing standards of education. When the Act was being looked at for modification, they removed the words "standards of education" and they put the words "high quality of education." At that time I spoke to the Minister of the day, Minister Picco, and asked him, "Are you eliminating standards of education within the education system in Nunavut?" His reply was, and I recall, "No, no, quality means more than just standards. We're going to ensure it all."

Well, since 2008 there doesn't appear to be an implementation or a development of standards of education throughout our school system, and that's a major piece. Yesterday Mr. Rumbolt asked questions of Mr. Fanjoy regarding student progression. Well, we don't have standards of education grade by grade. We don't. Students are socially passed. They stay with their peer group. The teachers are left from year to year to provide programs for catch-up.

Oftentimes we have students who reach grade 10 and are met with real standards from Alberta and they can't be met. That's why we have lots of dropouts in grade 10. Grades 10 and 11 are a place where I see so much frustration of students being caught. Yes, we do have some successes, but we could have had more successes of our Inuit students through that period of time.

We do not have standards within our school system. Thank you, Madam Chairperson.

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ΑΡΟΎΡΔΑ[®]ΦΖΥΡ[®]ΟΔς Ċρ٩Α ULDAPUCC PUPDQCUALCC **Chairperson**: Thank you, Mr. Workman. (interpretation) We will proceed. MLA David Qamaniq.

Mr. Qamaniq (interpretation): Thank you, Madam Chairperson. I will speak in English. (interpretation ends) On page 2 of your submission you addressed the proposed changes to Bill 25 which expand and clarify the role and responsibility of the Coalition of Nunavut District Education Authorities.

Can you provide further clarification on why you feel this initiative will put more administrative pressure on the District Education Authorities? Thank you, Madam Chairperson.

Chairperson (interpretation): Thank you, MLA Mr. Qamaniq. Mr. Workman.

Mr. Workman: Thank you, Madam Chairperson. I thank the Member for the question. The Coalition of Nunavut DEAs has two staff members right now and we have a board, which I am a member of and Mr. Ameralik who was here yesterday, he had been a past member of the board.

We have lots of energy, we have a vision of what would like to see happen and we would like to see more resources given to the coalition so that we can do our work.

The current proposal and I know in Bill 25 changed from initial legislative proposal, but it still remains where the expectation for the Coalition of Nunavut DEAs is to do the training, the training, of the DEAs with four positions.

We have had many meetings with the Department of Education, we've explained to them numerous times that it will take...to do the job effectively, as effective as the way it was in the 80s, 90s, we need many more than

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four positions.

To do the job effectively we need the support of the school principal. We no longer have the support of the adult educator. That position has moved onward, but we are going to need a lot of community visits and there needs to be a lot more than four.

We suggested, if we had ten positions, that would get the work done because certainly we are going to need to look at training our DEA members in policy, governance. It's not easy to read or try to develop policy. You really need someone special. That's a specialized field and we need training at the local level for us to be able to talk coherently to the department when those situations arise.

For example, regulations where the Minister suggested "we'll engage in stakeholders." Well, we want to be able to come as stakeholders, representatives of our communities, and be able to work intelligibly and coherently with the knowledge and skills about policy and regulation development.

Right now we rely on contractors, but we need all of our members to be well educated and well developed in that area. Thank you, Madam Chairperson.

Chairperson: Thank you, Doug Workman. Before I go back to Member Qamaniq (interpretation) I would like to hear from the Minister and as it is stated, it's changing the roles and I would like to hear from what the Minister of Education thinks about this, as to the answer that was just responded. Mr. Minister.

Hon. David Joanasie (interpretation): Thank you, Madam Chairperson. Yes, we had said that four positions would be required and that training is definitely essential, so that the community education councils will know

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what their roles are more effectively.

What we are thinking about is that those would be the key people to initiate that development. As for the Coalition of Nunavut DEAs, we provide them with \$665,000 annually, but as they are a society on their own, they are also able to seek third-party funding. I'd like to clarify that, that is in their favour. It could be from governments or other organizations. I would like that clarified. Thank you, Madam Chairperson.

Chairperson (interpretation): Thank you, Minister Joanasie. I will go back to Mr. Qamaniq.

Mr. Qamaniq (interpretation): Thank you, Madam Chairperson. I have another question but I don't if it's been asked already, so please let me know. I will speak in English. (interpretation ends) Section 107 of the *Education Act* currently provides that the district education authority has the power to recommend the appointment or reappointment of principal or vice-principal of a school under its jurisdiction.

It has been suggested that as an employee of the Department of Education, the contract for principals and vice-principals should be administered by the government. What is your position on this, on which entity should be responsible for the appointment, reappointment or dismissal of a principal or vice-principal? Thank you, Madam Chairperson.

Chairperson (interpretation): Thank you, Mr. Qamaniq. Mr. Workman.

Mr. Workman: Thank you, Madam Chairperson and I thank the Member for the question. We think it should remain as is. We work with the school principals on a day-today basis. That doesn't mean everyday I'm at
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We work with them on a closely knit basis. When it's come time actually do the extension of their terms, I have always sought out advice from Qikiqtani School Operations.

Now back in 2016, there was a communication protocol developed by the Department of Education. So I was advised that I could not ask for that advice, comments from the superintendent of schools, or from the executive director. I had to go through the department to ask for permission to speak with them on that regard.

I felt offended that I would have to ask permission for anything when it is in regard to the supervision of our schools and our school administrators. I argued with the ADM that there was no such issue or content in this Act that would suggest otherwise.

Through time, we have done our own evaluation and assessment of our school principals. There have been in Iqaluit principals that have not been extended for their term. They got positions in other communities. They had good traits, but for us it was not a good match. And frankly, that's the key; the DEAs have, on a regular basis, met with their principals. They do work with them. I know the principals, like I suggested in my opening remarks, are often at odds with what direction they get from the department versus the DEAs, but in most cases, if there is honesty, openness, willingness on the parties, they can stay as long as they can. We have principals in Iqaluit that have been there for quite some time.

It works. It's in the Act. Of course there is an

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opportunity for the department or the Minister to get involved if the recommendation from the DEA is to terminate or not extend the term, they can be involved, but that is something that they would have to take up. In our case, we've made the recommendations and it's always been honoured. I think that is the way it should be.

If you're doing a good job as a school principal and you're being, again, open and honest and working and trying to incorporate the IQ principles in the school and having a good program, you can stay as long as you want. That's what I've heard from all of our DEA members through the coalition in time. So I think it should remain the same.

We're accountable. Like I mentioned earlier, all of us DEA members are accountable to our constituents. The Department of Education bureaucrats are not accountable to anyone. That's my comment. Thank you. And thank you for the question. Thank you Madam Chairperson.

Chairperson: Thank you, Mr. Workman. (interpretation) I'll go back to Mr. Qamaniq.

Mr. Qamaniq (interpretation): Thank you. My final question is short and brief. I'll speak in English. (interpretation ends) Do you have any specific suggestions for specific amendments to the current *Education Act* that you could provide to the Committee for our consideration? Thank you, Madam Chairperson.

Chairperson (interpretation): Thank you, Member Qamaniq. Mr. Workman.

Mr. Workman: I think for us, like what we said in our opening remarks, we really see the Coalition of Nunavut DEA's submission as being the amending of Section 13 of the Act. 13.1 is a real valuable possibility that could

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amend the Act so that Inuktitut is given the respect. You hear words all the time 'respect,' but it is real respect for the language in the school system. Yes, it gives DEAs authorities and it retains them, but more than anything else, Inuktitut becomes on par with what the Francophone already have. They have many more resources than what the DEAs have to invoke their responsibilities and authorities.

For me, that's the one amendment. I think the rest of the *Education Act* can remain same because of the theme I've been talking about. Education authority members across Nunavut are accountable to their constituents, and the Department of Education bureaucrats are not, but at least with 13.1 Inuktut gets the respect and appreciation that it so richly deserves. Thank you, Madam Chairperson.

Chairperson (interpretation): Thank you, Mr. Workman. We'll proceed. Member Quassa.

Mr. Quassa (interpretation): Thank you, Madam Chairperson. Welcome. I'll speak in English. I don't have a lot of questions. Though I did hear a bit, I would like to reiterate a couple of the questions that I heard and ask about them again.

(interpretation ends) At the bottom of page 2 of your submission, I know you've noted that the DEAs should have absolute control over the development of their school calendars. Earlier today we were talking and you mentioned you need a standardized system and I know the Minister has being using the term "standardizing" a lot of the things that we use in our schools.

Bill 25 proposes to establish three different school calendars for each of the three regions across Nunavut, and I know you mentioned a bit about that, and it further proposes that the DEAs select one of the three calendars for their region by such a date. Just a little while

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Chairperson (interpretation): Thank you, Member Quassa. Let's go back to Mr. Workman.

Mr. Workman: Thank you, Madam Chairperson. I thank the Member for the question. What do I mean by absolute control? A couple of years we had already set our school calendar in place and unbeknownst to us, around Christmastime, I think it was Christmastime of 2017, our principals got a letter from the then Assistant Deputy Minister imposing dates that would change our school year.

We weren't sought out what we thought as DEA members. We always set the dates. We already set the dates in the previous year. It goes through the Minister. We understand that the Minister can alter the school year; it's in the Act, but not a bureaucrat. I thought it disrespectful that we would have to learn from the school principals in the January and we had about two weeks to make those modifications.

The department had a couple of reasons for doing so, but we weren't consulted, we were not told, we weren't given a phone call, and we weren't given an email. We had to find out from a school principal that this is what's expected of us. I was not happy with that because we had already shared through community consultations ourselves about what the school year would be. That's what I mean about absolute control.

I understand that the Minister was cc'd on the letter. He was not. If he was cc'd on an email,

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I would have presumed that he was the one who was directing the situation. It didn't happen. I felt disenfranchised. I felt disrespected. I felt that members were disrespected and our community was disrespected. I found out in other regions in the territory the same thing happened. After a great deal of consultation with our board, we agreed with them, but I felt incensed that this was not acceptable.

As far as the school calendars are concerned, this has never been a real issue from the DEAs. None of the DEAs have issues with school calendars. They have their own school calendars. They have been doing it for as long as I have been up north. There has never been an issue raised at the DEA level. It's the department and the bureaucrats coming up with an idea and something I cannot accept. Thank you, Madam Chairperson.

Chairperson: Thank you, Mr. Workman. (interpretation) Let's go back to Member Quassa.

Mr. Quassa (interpretation): Thank you, Madam Chairperson. (interpretation ends) You mentioned earlier that between 2001 and 2008, I believe that was an old NWT Act or adopted from the NWT, and you mentioned about the standard of education, that you believed in a standardized educational system.

Just on my previous question, I believe the Minister is trying to standardize a system on school calendars. I don't know if you answered the question that I had. Do you feel that

this approach does not provide enough flexibility for each DEA? Does it not do that with this proposed amendment? (interpretation) Thank you, Madam Chairperson. I think I'm repeating myself.

Chairperson (interpretation): Thank you,

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MLA Quassa. Going back to Mr. Workman.

Mr. Workman: Thank you, Madam Chairperson. I thank the Member for the question. When I talked about standards of education, I'm not talking about calendars. I'm talking about grades; programs in our schools.

I'm talking about that a grade 5 student in Igloolik is the same grade 5 level in Iqaluit or in Cambridge Bay. That's what I'm talking about. That's the high quality of education.

When it comes to other aspects of the Act, I'm not talking about standardizing because it's not been mentioned at the grassroots; it's not mentioned at the DEAs. If the DEAs had concerns about standardizing calendars like the department thinks, then we would know about it through the coalition.

So the issues that they've raised are their issues, their concerns, not at the DEA level, but again, I repeat and I apologize for repeating, the standards that I spoke about is within school program, the grade levels. Thank you, Madam Chairperson and thank you, Mr. Quassa.

Chairperson: Thank you, Mr. Workman. (interpretation) Going back to Mr. Quassa.

Mr. Quassa (interpretation): Thank you, Madam Chairperson. (interpretation ends) At the bottom of page 2 of your submission you note that legislation change would not be required to make meaningful change in the classroom, and you provide a number of suggestions to achieve this.

Can you elaborate more fully on each of the three suggestions and why you feel their implementation would increase the number of educators in the classroom? (interpretation) Thank you, Madam Chairperson.

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Chairperson (interpretation): Thank you, MLA Quassa. Going back to Mr. Workman.

Mr. Workman: Madam Chairperson, may I ask a question of clarification of Mr. Quassa? Is it the bottom of page 2 where it says, "...special specific areas of concern?" Okay. Thank you, Madam Chairperson. I thank the Member for the question.

I think, one of the challenges we have, and I think people have been talking quite a bit about it, is about the loss of language, the loss of Inuktut, and trying to reenergize it in our school system.

When preparing the submission I spoke to our DEAs about the way it was. That's why we went through the historical process, and I recall to everybody and I'm sorry I'm going down memory lane, but I think it's a valuable path to go for a moment or so.

When I went to Pond Inlet as a young *Qallunaaq* teacher in 1978 we had eight *Qallunaat* teachers on staff. We had more Inuit on staff than the *Qallunaat* staff. We had a position called a classroom assistant where they were Inuit who were very proficient in their language of Inuktitut and from K-6 we had at least one, we had one classroom assistant in the classroom at all times.

I was teaching grades 4 and 5. I had a classroom assistant in my class. She was skilled, she had classroom management skills. I learned more from her than she learned from me. Through the 80s we had those positions and they were positions that went on to become Inuit teachers in the classroom assistant position.

I said in my opening remarks those positions left in the 90s to save money, I guess. That was the Department of Education, but what a great loss that we had.

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For us, in the last few years when I was the NEU president, I used to travel to the schools and I noticed the great difference that took place in the '90s from where it was in the '70s and '80s. There were [fewer and fewer] Inuit on staff in all the schools, except for a couple of schools, and it made a difference in the dynamic of the lessons taught, the environment that was in the school.

That's what I think, if there was a real investment from the Government of Nunavut Department of Education or the Government of Nunavut for such to keep the language, you have to spend money. You need to be able to do that. Invest it. It needs to have taken place a long time ago and that's what I'm looking at when I see more, hopefully, Inuit in the classroom working and supporting student achievement. Thank you, Madam Chairperson. I thank the Member for the question.

Chairperson: Thank you, Mr. Workman. In the interest of time, try to shorten your answers and be specific. We like memory lane, but we're dealing with Bill 25. Going on, (interpretation) Member Aarluk Main.

Mr. Main (interpretation): Thank you, Madam Chairperson. (interpretation ends) On page 2 of your submission under bullet 4, you mention specifically, "Downloading of Department of Education Responsibilities to the Coalition of DEAs." It goes on to say "downloading" and it says, "This downloading of responsibilities is irresponsible, puts more administrative pressure on DEAs, and will not improve student outcomes or experiences in the classroom."

I wonder if you can explain to me the difference between downloading responsibilities and giving more power at the **Δ⁶/«Σ^{C56}** (Ͻ^ϳλληͿ^C): ^cdϧ^cα μ^c, μ^c »Δ^cμ^c. Lσυσ⁶⁶ηΙ^C, Δ^cω⁶ LΔ^c.

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Specifically, how do you determine what is "downloading" and what is giving away power or putting power at the local level? (interpretation) Thank you, Madam Chairperson.

Chairperson (interpretation): Thank you, Member. Let's go back to Doug Workman.

Mr. Workman: Thank you, Madam Chairperson. I thank the Member for the question. I will try to be brief, maybe.

When we use those words, it's to have an impact. Since 2000 there has been less attention given to DEAs at the local level. Training is essential in many different aspects. Right now I think there are four DEA development officer positions across the three regions. In fact the second position out of Qikiqtani School Operations in Pond Inlet is rarely filled. We don't get the advice and the constant contact that you really need to have for DEAs.

DEA members have been going through a high turnover every term. People get frustrated, they move on, and then we're retraining people, but the only focus that the department has is on financial training. It doesn't talk about governance. It doesn't talk about policy development. It doesn't talk about the other aspects within the Act that are as important as financials. A lot of the DEAs don't do their own finances. They contract that work out, yet that's the only training that

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appears to be given by the department.

Downloading a failure of the department to have continuous support for DEAs, we see that as "downloading" because we understand that there's a lot more work involved than just simply doing financials. There's a lot of work to be done and we will need staff to do so. So downloading or giving away something that's failed within the Department of Education, and with very little resources that's why we used the word downloading. So you can make an argument that well, they are sharing, but I will tell you with four positions, we are not going to be able an effective jobs of training on an ongoing basis. It's minimal, that's why I used the word downloading. Thank you Madam Chairperson, and I thank the Member.

Chairperson: Thank you Mr. Workman. (interpretation) Back to Mr. Main.

Mr. Main (interpretation): Thank you, Madam Chairperson. (interpretation ends) So just to follow up on that; it was mentioned earlier, and the witness just mentioned that there is not enough positions being allocated for this training responsibility, so if the number of positions allocated through the bill were increased, say to 10, I believe which was mentioned before or the Coalition mentioned 9 to 12 staff; if it was significantly increased through this bill, would the proposed arrangements be acceptable from the Iqaluit DEA's point of view? (interpretation) Thank you, Madam Chairperson.

Chairperson (interpretation): Thank you Mr. Main. Mr. Workman.

Mr. Workman: Thank you, Madam Chairperson and I thank the Member for the suggestion. I know from our discussions at the coalition executive level that is feasible. I know that providing that what's mentioned in

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the current Bill 25, if we were to get 9 to 12, I chose 10 because that was the number I kept using, but yeah if it was 10 positions, it is workable. That would be workable if that was to change because we would able to offer the support necessary at the grassroots level for the DEAs who are...we have had a big turnover this time in the election process. So we're going to need much more training. If the Minister is true to his word when it comes to engagement for stakeholders when it comes to the development of regulations, we are going that. Thank you, Madam Chairperson.

Chairperson (interpretation): Thank you Mr. Workman. Back to Mr. Main.

Mr. Main (interpretation): Thank you, Madam Chairperson. (interpretation ends) I just have two more questions. I'm almost done here. The DEA's submission mentions the Coalition of DEAs, and Mr. Workman mentioned the Coalition of DEAs. I believe he is involved with the Coalition of DEAs, and Nunavut Tunngavik Incorporated is also involved in the Coalition of DEAs, and if you look at this submissions that we received regard to this bill, I guess my question is: can you explain the overlap and/or any coordination efforts with regard to Bill 25 between specifically the Iqaluit DEA, the Coalition of DEAs and any other parties? I am interested in understanding whether there was a co-ordinated campaign with regard to Bill 25, or is this just an organic agreement that came about on this bill? (interpretation) Thank you, Madam Chairperson.

Chairperson (interpretation): Thank you, Mr. Main. Mr. Workman.

Mr. Workman: Thank you, Madam Chairperson and I thank the Member for the question. On the Coalition of Nunavut DEA's executive, we have board members from the different regions in the territory. I am viceϽΡΥΡL¹Ե¹CΡΠՎΔ°ΦΡΠϤ¹Եቴ*ϽͿʹ CL°Φ C««°Ⴑ¹L° Ⴑ≪៤๒ժ°σ°. Ϥ·Ͱͻ Ϸ«°Ⴑ°CϷʹͼ Ϸ«°϶°Γ⁰ԵͻϤʹͼ<°, Ϸ«°϶° ϽϚʹ·υ°ΓϷϧͻϤʹͼ<°, Ͱϳͻ Ϸ«°϶ʹ·ὑʹͼͻΠϽ· Δ΄ΛΓͰϷͰΛͺϤʹͼͿͺ ΠϲϓͰͰ϶ϧ Ϥ·Ͱͻ <ʹΦΡΠΓͰϷς Ⴑ≪ͰϷϲϒϹ ϽϚʹͿϹʹͼͿͰʹʹͼϗͼ, Δϲϒ«ϷϹʹͼ.

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Papatsie. We also have CSFN, they have a representative on the board and we've been doing quite a bit of discussion all the way through community consultations whether it was with Bill 37 and most recently from 2018 until yesterday.

So we are always in communication. We want to bring forward our thoughts and our ideas. The DEA in Iqaluit, we have our own ideas and we wanted to have...and they were shared at our DEA level.

We shared it with the coalition and obviously NTI, and they shared their submission with us as well, but for us we all have appeared to be in agreement and we arrived at the same place after much discussion.

So if you want to use the organic, I would agree with that. Is it a coordinated approach? I don't really think that, but you could make an argument for it because I am on the executive of the coalition.

Nevertheless, I am only one voice, one vote and most people...I encourage the discussion from the board and I was pleasantly surprised that what I was thinking was being stated in those meetings.

I try not to overstate my position. I try to be quiet about that and listen, and I was pleasantly surprised that we were all thinking similarly. So I would agree with you on the organic production of the documents that you see before you. Thank you, Madam Chairperson.

Chairperson: Thank you, Mr. Workman.

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Mr. Main (interpretation): Thank you, Madam Chairperson. (interpretation ends) My final question is about accountability and the Iqaluit DEA, the chair mentioned that, several times, I believe, that bureaucrats are not accountable.

Accountability is very important for all parties. I'll use Kugluktuk as an example where the community felt the DEA was not accountable to the community and the DEA made a very unpopular decision in that particular example.

So ways to ensure accountability, whether it is bureaucrats or whether it's DEAs, I believe are important. The question is for the Minister. When we come to a blanket statement like "bureaucrats are not accountable", what's the Minister's response to that? Is that indeed the situation with the Department of Education bureaucrats? Are they running wild within the territory?

I want to better understand the accountability framework within the department, specifically in terms of how the department's bureaucrats deal with district education authorities. That's my final question. (interpretation) Thank you, Madam Chairperson.

Chairperson (interpretation): Thank you, Mr. Main. Going back to Minister Joanasie.

Hon. David Joanasie: Thank you, [Madam Chairperson.] I thank the Member for his question. I've got to say whether you're elected or not, you're accountable for the job that you do. I think that is the basic way that you could put it.

The Government of Nunavut has us as elected officials, we have the cabinet, and then the

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This is where the bureaucrats in this case, my deputy, my assistant deputy, and all staff on the organizational chart, they report up the chain so this is where accountability comes.

In addition to that, I'm here as a Minister representing the department and I provide annual reports on what our department is doing on our initiatives in our schools.

On top of that, I think we try to show, as best we can our accountability and the structures that are in place to allow for that. Thank you, Madame Chairperson.

Chairperson (interpretation): Thank you, Minister. As our Chair, it has been an ongoing concern about bureaucrats making the decisions and lobbying the Minister to agree with their suggestions.

Sometimes a letter is addressed to a bureaucrat instead of the Minister. How does that happen? Who is the main person who is responsible and who is accountable? Thank you, Minister.

Hon. David Joanasie (interpretation): Thank you, Madam Chairperson. Under the Department of Education... I will never have a true understanding of the organization, we have directors and a chain of command where there is a reporting process in between and myself, I can delegate staff with certain responsibilities and duties. I can do that to any one of the employees under the Department of Education be it verbal or written, if it's a written request, either directly to the district education authorities.

We all have to understand that it's from the Government of Nunavut, and even if the letter

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is not directed to me, it would have the same authority as if it came from myself because I have directed that particular person to do that task. Thank you, Madam Chairperson.

Chairperson (interpretation): Thank you. I have no other names of my list. I would like to ask Mr. Workman, very briefly for closing comments, and then we will conclude the Iqaluit DEA. Thank you.

Mr. Workman: Thank you, Madam Chairperson. I'd like to defer the closing remarks to my abled colleague, Okalik Eegeesiak.

Chairperson (interpretation): Thank you. Please proceed, Ms. Eegeesiak.

Ms. Eegeesiak (interpretation): Thank you, Members, Madam Chairperson, and Mr. Minister. I would like to thank Doug Workman as the Chair of the Iqaluit Education Authority. It's very important to appear before the committee. It's a very important task, being on the authority.

We oppose Bill 25, the proposed *Education Act* because it is taking away our powers at the community level. (interpretation ends) In our closing remarks we remind you that our graduation rates have remained well below Canadian standards.

Just to use a couple of statistics as examples, from 1999-2003, the graduation rate was always less than 35 percent. Fast forward to today, from 2013 to the current, graduation rate has remained below 45 percent.

During the last 20 years that this Department of Education has had its mandate, the graduation rates have not improved.

Bill 25 is based on Bill 37. Both bills are proposed by the Department of Education to

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increase their stronghold. We ask you to question if this is what your constituents voted you for.

Here I would like to recognize our MLA, Adam Lightstone, who I know and I have heard that he comes to district education authority meetings quite regularly, if not every meeting. That's the collaboration and communication we want with MLAs.

You have heard many more submissions calling for the rejection of Bill 25. NTI, the coalition, Gjoa Haven, and Igaluit have all asked for that. The Coalition of Nunavut DEAs recommended to you that a new part be added to the Education Act rather than tweaking Bill 25. We recommend inserting Part 13.1 from the Coalition of Nunavut DEAs' submission. We believe that inserting Part 13.1 will unify our education system and will result in increasing focus on student achievement, increasing collaboration, and making sure that communities are heard as they deserve to be. In short, we want the coalition to have the same authority as the CSFN.

(interpretation) I used to work for the Department of Education. While you're talking about education, it is great to hear that we all have the same concerns. Yesterday there were some questions and in the reply, IQ was in the preamble. If it's in the preamble, it's good. However, it has to be used as the foundation. Using your language, Madam Chairperson, our culture has to be in the contents. It has to be in the "entrails" of it, to use that as an analogy.

When there were divisional boards of education, parents used to be involved and parents wanted to be kept informed. It's not really like that these days. We need to give the communities more authority for education.

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(interpretation ends) I would like to highlight again when the Minister said that we can't please everybody. None of us can please everybody, but if we scrap this bill, a lot of people will be happier.

Let's find a way of empowering and reempowering the communities so that we have more successful students and we have a better graduation rate. We expect our children and grandchildren to be ambitious. Let us walk the talk. Let's have a better collaboration and better communication so that all the communities are more successful. (interpretation) I'll end there.

Chairperson (interpretation): Thank you, Iqaluit District Education Authority. Thank you, Doug Workman. Thank you, Okalik Eegeesiak.

>>Applause

I was able to work with you for a bit, Okalik. We will take a short break for 10 minutes. I'll give the Chair back as I'm just the Co-Chair. (interpretation ends) Ten-minute break.

>>Committee recessed at 10:24 and resumed at 10:41

Chairman (Mr. Main)(interpretation): The Standing Committee on Legislation is now back as we're dealing with Bill 25. Acting Languages Commissioner of Nunavut, Ms. Aariak, welcome, as well as your officials. I'm sure you have comments to make, so you can now begin, Ms. Aariak.

Ms. Aariak (interpretation): Thank you for giving me this opportunity, Mr. Chairman. I will first introduce the officials who are here with me. This person is Lenise Hayes, our Legal Counsel, and Thorsten Lantine, our Director of the Office of the Languages Commissioner.

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I would first like to thank you and say "good morning" to you, the Members of the Standing Committee on Legislation. I also thank you for your warm welcome.

It is my pleasure to appear before you to present the Office of the Languages Commissioner's submission on Bill 25, *An Act to Amend the Education Act and the Inuit Language Protection Act*.

In our September 12, 2019 submission on Bill 25 to the Standing Committee on Legislation, we have focused primarily on the constitutional law and indigenous rights arguments. Through Bill 25, the Government of Nunavut proposes to significantly delay even further the implementation of Inuit language instruction. The government invokes the "lack of Inuktut-speaking teachers" as one of the reasons for imposing the delay, although a number of years have already passed since Section 8 of the *Inuit Language Protection Act* came into force.

In its 2013 review the *Education Act*, the report from the Auditor General of Canada recognized that the *Education Act* was enacted to address the increased use of English in

homes and the corresponding decline of Inuit language fluency. The Auditor General's report also highlighted inadequate implementation and management of the Act, failure to meet the *Education Act's* bilingual goals and failure to properly monitor and measure its implementation.

Section 35 of the Constitution recognizes and affirms the existing aboriginal and treaty rights of the indigenous peoples of Canada. The Supreme Court of Canada recognizes that the contents of these rights must be directed at fulfilling the purposes of Section 35. The court stated that to be an indigenous right, an

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activity must be part of a practice, a custom, or tradition that is integral to the distinctive culture of the indigenous group claiming the right. Inuit language is clearly an element of practices, customs, and traditions integral to distinctive Inuit culture.

(interpretation ends) The preamble to the Official Languages Act, or OLA, contain similar wording but adds that the Inuit have an inherent right to the use of the Inuit language in full equality with the other official languages of Nunavut; English and French. The United Nations has declared 2019 as the international year of Indigenous languages that aims to raise awareness of the consequences of the endangerment of indigenous languages across the world, to establish a link language, development, peace, and reconciliation.

The Government of Canada enacted the Indigenous Languages Act on June 21 this year, showing its intention to support the reclamation, revitalization, and strengthening of indigenous languages in Canada, in which it explicitly recognized that the rights of indigenous peoples recognized and affirmed by Section 35 of the Constitution Act, 1982 include rights related to indigenous languages. This is also in keeping with the United Nations Declaration on the Rights of Indigenous People, which explicitly sets out rights and corresponding obligations relating indigenous languages including the right of indigenous peoples to transmit their languages to future generations.

The Government of Nunavut has itself affirmed this right in its submission to the United Nations to the Office of the High Commissioner of Human Rights in a study on the role of languages and culture in the promotion and protection of the rights and identity of indigenous people.

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In addition, the Government of Nunavut acknowledged that the Inuit language constitutes the banner under which the indigenous people of Nunavut exercise their rights under Article 5 and Article 13 of UNDRIP.

The proposed amendments delaying the implementation of Inuit language instruction would appear to be contrary to this position.

These statements serve to acknowledge and reinforce the already existing Inuit language rights and corresponding obligations on the Government of Nunavut. More importantly, they signal the intention of the Government of Nunavut to safeguard and nurture these linguistic rights. Section 8 of the *Inuit Language Protection Act* therefore merely classifies the right to receive Inuit language instruction and the obligations that already exist.

In addition, UNDRIP also sets out the rights and obligations in the area of education. Read as a whole, these UNDRIP provisions ground the argument that language is the clearest expression of culture, that the right to use, transmit and develop indigenous languages is an inherent indigenous right and that governments have an obligation to ensure the survival, sustainability and enhancement of indigenous languages.

Similar assertions can be found in Article 4 of the Convention on the Rights of the Child where it provides that state parties "Must undertake measures to implement the linguistic and cultural rights of children to the maximum extent of their available resources."

In short, the Inuit of Nunavut enjoy an inherent indigenous right to use the Inuit language, protected under Section 35 of the Constitution, including the right to Inuit

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language instruction, which does not depend on Section 8 of ILPA.

These linguistic rights cannot simply be revoked, restricted or postponed by a legislative amendment. Therefore the provisions of Bill 25 that aim to delay the full and comprehensive implementation of Inuit language instruction go against the very foundations of the inherent indigenous language rights of Inuit. The delayed phased implementation of Inuit language instruction proposed by Bill 25 will conceivably deny generations of Inuit the exercise of their language rights.

The recent Statistics Canada report by Jean-François Lepage and Stéphanie Langlois, with the collaboration of Martin Turcotte, released in July 2019, highlighted the significant decline in the use of the Inuit language in homes and elsewhere in society. In fact, the role of schooling is evident as fewer children identify Inuktut as their mother tongue after Grade 3, which is particularly alarming given the finding that the Inuit language is used less and less as the primary language at home.

(interpretation) In Doucet-Boudreau v Nova Scotia (Minister of Education), the Supreme Court of Canada upheld an order that required provincial authorities to use their best efforts to provide school facilities and programs for the linguistic minority by specific dates.

(interpretation ends) The court explained delays in the implementation of language rights must not be tolerated because it can create a situation in which where there are no minority language speakers left to invoke such rights.

The situation in Nunavut is similar to the urgent context that the Supreme Court of Canada described in Doucet-Boudreau by

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<u>α</u>_αΔρ^αα⁶Λ'ċ Ċ^αα αΔ\ΡΠ'6⁶)⁶ 75 Δ_ασ Λ'αγ⁶\⁶ 25 Οσγ⁶L' Ċ⁶α Δ_ΔΔ' delaying further the implementation of Inuit language instruction, the Government of Nunavut will find itself in the position where there are even fewer Inuktut-speaking teachers. Of particular concern or rather in previous submissions, we raised certain administrative law principles which we feel continue to support our concerns around the lawmaking process, and of particular concern, the Department of Education has concentrated exclusively on those provisions of the *Inuit Language Protection Act* that deal with Inuit language education rights.

(interpretation) However, the ILPA's preamble speaks to Inuit language instruction and the goal of nurturing the Inuit culture which finds its roots in survival in language. The manner in which this revision was conducted, therefore risks leading to inconsistencies and conflicts within the *Inuit Language Protection Act* itself. Further, this Act must be read in conjunction with the *Official Languages Act* to understand the overarching purpose of these laws and ensure that any revisions ensure those purposes can be achieved.

Under ILPA, the Languages Commissioner is responsible for safeguarding the rights, status and privileges of the Inuit language. In order to carry out this daunting task, the Languages Commissioner is authorized to take any necessary action and measures that are authorized by the Act. These actions and measures include receiving concerns, conducting investigations and recommending measures. Likewise, the Minister of Languages has the important functions under ILPA. Most notably, the Minister must develop programs and policies aimed at promoting the use and development of the Inuit language, Inuit language vitality, proficiency, and learning and overall ensuring that there is widespread integration of Inuit language in all aspects of Nunavut society.

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Also under ILPA, a common overarching theme grounds the respective roles of the Minister of Languages and the Languages Commissioner, and that's to safeguard and promote the Inuit language in order to ensure its vitality, sustainability, transmission, and use. These purposes cannot simply be retracted by the revision of the Act as proposed by the Department of Education.

Section 43 of ILPA requires that a review of the Act be carried out in conjunction with a review of the *Official Languages Act*. In fact OLA governs the review of ILPA. Along with any review of ILPA, it is necessary to review the status of the Inuit Uqausinginnik Taiguusiliuqtiit.

Even though Members of the Legislative Assembly might enjoy the power to propose bills aimed at amending legislation, when dealing with quasi-constitutional statutes like ILPA, this power should be exercised with great caution and in a comprehensive manner. The proposed amendments of Bill 25 to Section 8 are at cross purposes to the goals of ILPA in that they are not aimed at enhancing the use and viability of the Inuit language. It is also arguably contrary to the duties on the Minister of Languages and the Languages Commissioner when dealing with the declining use of the Inuit language in homes, at work, and in the community.

Section 8 describes the language rights of the Inuit of Nunavut and certain obligations on the Government of Nunavut with respect to education programs, but it does not create those rights. By proposing to suspend the application of Section 8, Bill 25 may give the government false comfort that it still has time

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and reduce the sense of urgency that until recently the impending July 19, 2019 deadline for implementing comprehensive Inuit language instruction instilled.

Finally, language rights are inherent indigenous rights and any change to these rights should be preceded by significant public consultation focused simply on the issue of Inuit language education rather than the broader *Education Act* amendments.

Thomas Berger, the Conciliator, noted that the failure to have Inuktut as the language of education through grade 12 had damaging effects on the students, which amounted to an "institutional rejection" of their culture and reinforced the "colonial message of inferiority." The only remedy, in his opinion, was the implementation of "a bilingual [education] system that works."

(interpretation) For me, this means having a clear monitoring and implementation plan and the ability to measure outcomes. We agree the foundation of language starts at home, but in order for the Inuit language to thrive, it must be supported by the government, especially through an education system that empowers Inuit language growth. Let's not forget that the students of today are tomorrow's teachers, tomorrow's public servants and tomorrow's professionals. Without a strong Inuit language foundation, provided through the schools, they will not be able to function and work in the Inuit language.

Inuit language is inseparable and an inherent part of the Inuit identity, of the practices, customs and traditions that are integral to distinctive Inuit culture.

Thank you for the opportunity to appear in front of you today. I am now open for questions.

Chairman (interpretation): Thank you,

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Commissioner. Ms. Towtongie.

Ms. Towtongie (interpretation): Thank you, Mr. Chairman. I want to thank the Languages Commissioner. The bill identifies that parents have the inherent right to allow their children to learn in English, French, or Inuktitut accordingly under the Constitution, particularly in French or English, but right now what we're looking at are proposed amendments to the *Education Act*. The rights holders to have their children receive instruction in the French language under the current *Education Act*, the Minister ensures that the French minority language rights are upheld.

Clause 74 of Bill 25 proposes that the Minister may allow an individual who is not the child of the rights holder to register within a school and be taught in a school under the jurisdiction of the Commission scolaire francophone du Nunavut. If the rights holder agrees, an Inuk child can attend the French school. This has been amended. Do you support this amendment? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Commissioner.

Ms. Aariak (interpretation): Thank you. I can't answer that question because we deal with the language rights and we have to be fair to all languages, either English, French, or Inuktitut. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Towtongie.

Ms. Towtongie (interpretation): This will be my last question. Thank you, Languages Commissioner. On page 2 of your submission you note that Bill 25 provides for the possibility to have Inuit language instruction in schools under the Commission scolaire

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francophone du Nunavut. Can you confirm that you are in support of clause 75 of Bill 25 as set out in proposed revisions to Section 8 of the *Education Act?* (interpretation) Thank you, Mr. Chairman. That is my last question.

Chairman (interpretation): Thank you, Commissioner.

Ms. Aariak (interpretation): Thank you, Mr. Chairman. I think that question can be posed to the Minister, because the Minister can clarify. I think that's under his responsibility, if I understand the question properly. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) I believe that Ms. Towtongie is trying to understand your office's position with regard to specific clause the bill. She is referring to clause 75, which to put it in laymen's terms as I understand it and I could be mistaken, it would require Inuit language instruction within the francophone school system in Nunavut. So when it comes to rights and language rights, and if you're not in a position to confirm whether your office is in support or you're not in support, that is also an answer that could be given, but Ms. Towtongie was asking for a specific response on that clause. Ms. Towtongie.

Ms. Towtongie (interpretation): I'll try and clarify it. Thank you, Mr. Chairman. Bill 25 gives the Minister the authority as a Minster that after researching it. An Inuk child if they want them to be in the French school they can be enrolled in the French school in French or Inuktitut and that was not the case before clause 75 of the bill. Are you happy with it? Are you in support of it? What's your position on it? Maybe if I can clarify it that way, Mr. Chairman. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) In order to be fair with

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With regard to clause 74 and clause 75, which pertain to the francophone school governance in Nunavut, does your office have a position on those two specific clauses? Commissioner.

Ms. Aariak (interpretation): Thank you, Mr. Chairman. Clause 75 in Bill 25, Inuit language can be taught in the French school and the French school can identify that because they make their own decisions. They can decide on what courses in Inuktitut they want to teach. Yes I'm happy to hear if Inuktitut is going to be taught anywhere. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. We shall proceed. Mr. Qamaniq.

Mr. Qamaniq (interpretation): Thank you, Mr. Chairman. Apologies. Yes, I'm aware that you were recently appointed to your position. Was your office involved with the drafting of this bill? That's my first question and I'll have another one. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Commissioner.

Ms. Aariak (interpretation): Thank you, Mr. Chairman. As I stated earlier, because of the *Inuit Language Protection Act*, when the bill was being drafted, they should have collaborated with us as it directly affects that Act, if it was going to be changed.

However, NTI, Nunavut Coalition of DEAs, the Nunavut Teachers Association were all given the opportunity to present and I appreciate it, but we were not involved in the **Δ⁶/ペ▷C⁶⁶**: L'α, Γ¹C ¹6Lσ¹⁶.

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process. This has been our only opportunity.

Our office staff were not involved in the drafting of the bill and I can point out, I think it was in 2015 when they began the review of the *Education Act*. The *Education Act* affects the *Inuit Language Protection Act*. Did you think about that? It seems to have been an afterthought with that other Act. Our office was not involved in that conversation. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Qamaniq.

Mr. Qamaniq (interpretation): Thank you, Mr. Chairman. I would like to ask a question on page 3 of your submission, you note the proposed schedule they are facing in the implementation of Inuit language provisions under clause 43 of Bill 25. Can you clarify whether you feel that the schedule proposed is an achievable timeline with respect to the application of Inuit language provisions within Nunavut's education system? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Commissioner.

Ms. Aariak (interpretation): Thank you, Mr. Chairman. Thank you for the question. Can you clarify your question? Are you asking if we agree with the delay of the implementation? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Qamaniq.

Mr. Qamaniq (interpretation): Thank you, Mr. Chairman. Maybe if I speak English. (interpretation ends) On page 3 of your submission you noted that the proposed schedule for the phasing in and implementation of Inuit language provisions under clause 43 of Bill 25.

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Can you clarify whether you feel that the schedule proposes an achievable timeline with respect to the application of Inuit language provisions within Nunavut's education system? (interpretation) Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Commissioner.

Ms. Aariak (interpretation): I apologize. Can you hear me now? Thank you. We do not agree with the proposed delay of the Inuit language instruction. The Inuit language identifies the rights in Nunavut and in all of Canada and it reaches outside of Canada and the rights cannot be taken away. We do not agree with the delay. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) I'll just add to Mr. Qamaniq's question. His question was whether the schedule proposes an achievable timeline. So if your office doesn't support the proposed timeline, does your office have suggestions for alternatives because the 2019 deadline has already passed, so I'm assuming that the deadline cannot be set in the past? It was to be at some point in the future between now and 2039.

Does your office have specific suggestions as for alternative achievable timelines? Commissioner.

Ms. Aariak (interpretation): Thank you, Mr. Chairman. We all know that the Department of Education wanted to delay because of the lack of teachers. However, we are not aware of what is available for curriculum materials in the schools.

(interpretation ends) We don't have a clear idea of what the resources are that they have

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'βCAC ACCBCAC hand. (interpretation) I believe I answered your question. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you, Commissioner. We have tried to understand it ourselves in the Legislative Assembly as we need to be fully informed and the Minister has informed us what the reasons are and what has to be done.

(interpretation ends) If it's okay, Mr. Qamaniq, I'm just going to go to the Minister. Minister (interpretation) regarding the implementation they keep referring to 2039. What does it entail and how did you set the deadlines on the implementation of language of instruction? What were the reasons? Minister Joanasie.

Hon. David Joanasie (interpretation): Thank you, Mr. Chairman. (interpretation ends) Just in terms of the amount of work that will be required to make these resources available and the training of Inuktut-speaking teachers is going to take time and many other resources; financial and otherwise. Taking those into account, we have scheduled out a plan where language arts in Inuktitut as well as English is mapped out by different years and different grade levels and each strand of the curriculum that has been developed to date in Nunavut continually has to be made available in Inuktitut. This encompasses curriculum development assessment tools, resources, as well as training for using those materials.

In our experience, it takes 2 to 3 years to develop one specific piece of curriculum and 1 to 2 years for assessment tools. So 5 to 10 years to develop resources as well as terminology for one year of training. So this per subject area, so we've tried to map it out as best we can, the resources that would be required and the efforts that need to be made in the submission that we have provided on

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Monday to the Standing Committee. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) And just to confirm that document that you are referring to, I have it here in front of me, *Inuktut Language Arts Language of Instruction Implementation*, I have seen copies out in the foyer. Just to confirm, that's a public document available to any stakeholder that would like to look at it. Minister Joanasie.

Hon. David Joanasie: Thank you, Mr. Chairman. Yes, when we provided it to the Committee, we understand that it became a public document. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Qamaniq.

Mr. Qamaniq (interpretation): Thank you, Mr. Chairman. I would like to move on to another subject. On the second page in your opening comments, I think it's going to be a little harder as it is under the Nunavut government's mandate. Could you explain what they have overlooked after you explained what it means to you? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Commissioner Aariak.

Ms. Aariak (interpretation): Thank you Mr. Chairman. On page 10 did you say? I didn't understand your question. Could you elaborate further? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Qamaniq.

Mr. Qamaniq (interpretation): Thank you, Mr. Chairman. Again, in English. (interpretation ends) In the second paragraph on page 10 of your submission, you state

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further, "It might also make it more difficult for an Auditor General to describe specific ways in which the Government of Nunavut is falling short in its obligations."

Can you elaborate further on what you mean by this statement? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Thank you for the clarification. Commissioner Aariak.

Ms. Aariak (interpretation): Thank you, Mr. Chairman. It's on Subsection 8-2, if there's a need to change that subsection, the Inuit are still going to have a rights which can't be taken away. They already have a language right which is recognized. If there is a change in that clause that I referred to, I would suggest reviewing the whole bill and not just Subsection 8-2. Inuit in Nunavut cannot be removed of their rights. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Qamaniq.

Mr. Qamaniq (interpretation): Thank you, Mr. Chairman. I have comments, but I would like to give my colleagues opportunities to ask their questions, and because you are not going to understand me in Inuktitut I will just talk in English and this will be the last one.

(interpretation ends) It has been suggested that early childhood education should be provided universally across all Nunavut communities. In your view and with respect to the requirements under Section 9 of the *Inuit Language Protection Act* do you feel that a universal early childhood education program would be better achieved within the revised *Education Act* or with a revised *Childcare Act*? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you.

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Ms. Aariak (interpretation): Thank you, Mr. Chairman. The Office of the Languages Commissioner has a requirement to deal with language issues and that's exactly what we did when we reviewed the bill. If I can respond further, Mr. Chairman, with regard to another question that was brought up earlier by the Member and in regard to delaying the passage of this bill, if there is no teaching of Inuktitut in the schools those students are going to be the instructors of tomorrow. They can be taught Inuktitut right now in the schools without delaying the passage of this bill while we can still use the Inuktitut language. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Qamaniq.

Mr. Qamaniq (interpretation): My last question. We went into the school system focused and we were taught only in English and Inuktitut was about half an hour or 45 minutes and also learning how to write orthography.

If we read Inuktitut at the home it would better preserve the Inuktitut language and not only be taught in the school. Looking at the languages, do you have discussions with the college, with the schools, and so on, if they are teaching Inuktitut or any of the official languages? That's my last question. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Commissioner.

Ms. Aariak (interpretation): Thank you, Mr. Chairman. As I said earlier, we do agree that our language has to start at the home and have a solid foundation at the home, but as in walking it has to balance and work closely with the home and the school in order to

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strengthen our language.

Upon graduation they would have to be proficient in both Inuktitut and English or Inuinnaqtun, and the graduate would be strengthened because this individual would be bilingual.

People who know their mother tongue, can enter the Arctic College to further strengthen the usage of a language. I hope I responded to your question. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Continuing on. Mr. Kaernerk.

Mr. Kaernerk (interpretation): Thank you, Mr. Chairman. Welcome Commissioner. I would like to begin with the letter that you wrote to the Standing Committee. Reading it, it focuses more on the Act and Inuit customs. There seems to be an argument there. Could you elaborate further? Looking at the Act, how beneficial would this bill be to all of Nunavut? That's my first question. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Commissioner.

Ms. Aariak (interpretation): Thank you and thank you for the question, Member Kaernerk. Before this bill was introduced, they focused mostly on the amendments and at that stage of Bill 25 it seemed the *Inuit Language Protection Act* in clause 8 Section 8 should not be amended because Inuit have the right already.

Even if the Act is changed, Inuit already have a language right because it's nationally recognized. There are also the aboriginal languages which they consider important and they are identified in Section 35 of the Constitution. We have the right even outside of Canada. Thank you, Mr. Chairman.

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Mr. Kaernerk (interpretation): Thank you, Mr. Chairman. Our culture will never be changed even by the government. Our ancestors were over ruled, but they had traditional laws about working together and collaborating. There is 8.2 and *Inuit Qaujimajatuqangit* and if you don't want to see the changes, would the bill be amended and would you support it as the Commissioner of Languages. Would you support the amendments? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Commissioner.

Ms. Aariak (interpretation): Thank you, Mr. Chairman. If I understood and because I want to respond to your question, the *Inuit Language Protection Act* and if 8.2 should be amended. You asked if we would then support the passage of Bill 25. Was that your question? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Kaernerk, can you confirm if that was your question? Mr. Kaernerk.

Mr. Kaernerk (interpretation): Yes, that was my question. Thank you.

Chairman (interpretation): Thank you. Commissioner.

Ms. Aariak (interpretation): Thank you, Mr. Chairman. We don't want the *Inuit Language Protection Act* changed. If there was going to be an amendment to the roles and responsibilities identified in the Act, the Languages Commissioner should have been involved if they are going to make any amendments to the *Inuit Language Protection*

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Act.

I don't think it should be changed or touched, but if there is going to be a review of the Act, we would like our office to be included in the process. If they are going to be reviewing the *Official Languages Act*, and it does identify that if there is going a review of these two Acts, they should be reviewed side by side. Those two Acts should be reviewed together. We don't want to change just one clause. If there is going to be a review of any of the languages Acts, our office should be involved and just focus on languages. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) I am just trying to get clarity here. The changes proposing under Bill 25 to the Inuit Language Protection Act are not major. It's not an overhaul of the Inuit Languages Protection Act. Neither is this bill an overhaul of the Education Act and so. specifically with the clause 123 of the bill, Bill 25, which makes the changes to the *Inuit* Language Protection Act, what specific part of that clause does your office object to? Is it those three words that are being added and bilingual education; there are three words that are being added, or is the part of the clause where it changes the schedule for phased in implementation. Commissioner.

Ms. Aariak (interpretation): Thank you, Mr. Chairman. I just stated that (interpretation ends) if the legislation is going to be changed, why not look at it in the lens of language. Take a look at the legislation as a whole and not just meddle with a small part of the legislation of the Act, the *Inuit Language Protection Act*. If there are going to be changes anyway, why not do the whole review of the Act itself, specifically focusing on language. (interpretation) I hope that answers the question or if I understood the question. Thank you, Mr. Chairman.

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ΗΦΔ' (ጋጎትበJና): የdታ°ሲቮካ, Δካፖペኮርናካ ላካLጋ ር°ሲ bበLት'ጋ የdታ°ሲቮካ. ርካዕላ የbPት\ናካፖLሆናበJ **Chairman** (interpretation): Thank you, Chair....

>>Laughter

Thank you, commissioner. Mr. Kaernerk, I'm sorry. I would like to direct this to the Minister to get more information. Minister, the commissioner just said that this bill is trying to change a little part of the Act. Why have you introduced the bill like that? (interpretation ends) If you can respond to the commissioner's remarks, Minister Joanasie.

Hon. David Joanasie (interpretation): Thank you, Mr. Chairman. The two Acts, the *Education Act* and the *Inuit Language Protection Act*, are connected together. Under Section 8 when it comes to education, we would like it to be clearer that we are working on bilingual education. We want the Inuit language to remain in the school, as well as English and French. We would like it better outlined in both Acts about that. That's why it's written that way, Mr. Chairman. Thank you.

Chairman (interpretation): Thank you. Mr. Kaernerk.

Mr. Kaernerk (interpretation): Thank you, Mr. Chairman. My colleague from Tununiq, we had to speak in English too and when we had to speak English in school and spoke our language when we got home, I believe my colleague when he said that yes, we speak English in school and at home I used to be told by my mother, "Don't speak so much English. You're home now." I believe in advising your children like that. It is our culture. It's our language and we're proud of it.

I would like to ask in English. (interpretation ends) What specific actions do you feel

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should be taken into consideration when determining the timelines for the phasing in and application of Inuit language provisions of the legislation? (interpretation) Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Commissioner.

Ms. Aariak (interpretation): Thank you, Mr. Chairman. Wait, let me shut this off.

Thank you, Mr. Chairman. We don't support the delaying of the implementation. I completely understand that in our home, our language has to be our foundation. Children attend school from 8:30 and we finish work around 5:00, and then there's other work that needs to be done at night. My son plays hockey and is involved in other activities. We spend a very short amount of time at home with him. Because of that and while they're in school, they should be able to be taught their language.

If we don't consider our language very important or if we don't learn it, then who will we

having as teachers? I hope I answered the question correctly. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Are you done? Thank you. Ms. Towtongie.

Ms. Towtongie (interpretation): Thank you, Mr. Chairman for recognizing me again. I have a very short question. I would like to use this as an example, to compare it to a jurisdiction in Canada; in Quebec they have a law and *Education Act*, and then there is the French language Act, and in Canada they have laws and the Constitution for people who speak French. If they are the minority speaking French then the federal government can release funds so that the French people can learn in French, and for English, if they

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can speak English and they are a minority under the Canadian constitution, they can release funds so they can be taught in their language.

It is not that way for indigenous languages. Although it has been recognized now, they don't provide funding from the Canadian government for that. My question is: the Office of the Languages Commissioner, when it comes to education and curriculum, and the review of Bill 25, did you compare it with the way they deal with language and education in Quebec? That's my final question. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Commissioner.

Ms. Aariak (interpretation): Thank you, Mr. Chairman. I can say from my own knowledge, French language rights are considered very important. They can make very strong laws like that. It is even affecting us today. We know that they are very proud of their rights. (interpretation ends) The French language legislation had a lot to do with the strengthening of the French language. It took people to be proud of their language rights.

I just want to get to an example that I put out in my opening statements earlier. In the Doucet-Boudreau v Nova Scotia, it was through the Supreme Court of Canada that a group of parents took to court the province of Nova Scotia because they wanted their children to ensure that they go to school in the language of their choice. In this particular case it happens to be in French.

As the court explained, delays in the implementation of language rights must not be tolerated. This is by the Supreme Court, because it can create a situation in which there are no minority language speakers left to invoke such rights.

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(interpretation) People who speak in French began by being proud of their language and it was added into the education system, from my understanding. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Towtongie.

Ms. Towtongie (interpretation): So with French and English, they are recognized as minority rights in the Constitution of Canada. Indigenous peoples' languages are not recognized in that way because there are more people in people who speak. We are the majority.

Are you saying as Languages Commissioner that the Inuit language be recognized as a minority language and be protected properly like that? What are you views on that matter? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Commissioner.

Ms. Aariak (interpretation): Thank you, Mr. Chairman. Isn't it already recognized in the Canadian Constitution? It's in the constitution. I believe indigenous languages are already recognized. We already have rights to our language. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Towtongie.

Ms. Towtongie (interpretation): It is recognized, but in the regulations when Canada is designating official languages, they don't consider indigenous languages. Anywhere in Canada, if French people are in minority, then under the constitution they can be provided funds, and if they are an English speaking minority, they can be provided funding under minority rights. It's just these

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Even though, we are the minority we have to designate ourselves as a minority. So what are you saying? Are you saying you would like to change the Inuit language in Nunavut to change to treat it like a minority right? I would like that to be explained better because minority means fewer people that can speak that language is now able to be invoked by the French people and the English people, but it can't be invoked by the Inuit language speaking people. That is what I am saying. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Commissioner.

Ms. Aariak (interpretation): Thank you, Mr. Chairman. (interpretation ends) As I mentioned earlier, that Doucet-Boudreau case versus Nova Scotia. The Supreme Court of Canada upheld an order that required provincial authorities, the provincial government to use their best efforts to provide school facilities and programs for the linguistic minority, whether it's Inuktut or French. (interpretation) Mr. Chairman, our legal advisor will add to that. Thank you.

Chairman (interpretation): Thank you. Ms. Hayes.

Ms. Hayes: Thank you, Mr. Chairman and Madam Member. So we have drawn a number of parallels from case law across Canada on language education rights. These parallels help us to understand the underlying principles grounding education rights.

The first thing to understand is that while the

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Charter protects minority language education rights with respect to the official languages of Canada, the charter also recognizes indigenous languages in the sense that there is an aboriginal right to your language. This right is protected under Section 35. In addition with the Nunavut Land Claims Agreement, you have a treaty right and that would further reaffirmed in the preamble to the ILPA.

With this being said, first of all, we can see that there is an overarching and very strong protection of your culture and your linguistic rights because language is the utmost expression of culture. It is the way you maintain your culture. To attach this to funding then, that's where we go to the case law and how the courts have applied minority language education rights across Canada, and also frequently we look at how Quebec deals language rights when assisting the office in a number of questions that they have to deal with because there is no similar legislation.

It is very difficult to find laws that uphold and protect your linguistic rights in the way that Nunavut does, and Quebec is one of those jurisdictions. So when we look at the case law, the principles that we pull from it are that delaying because you say you don't have the resources or there isn't sufficient demand, the courts don't accept that very often up to a certain point. Then you have to put your money where your mouth is and find a way to show everyone that you're going to make those efforts to achieve your obligation.

In this case providing Inuit language education is set out in a quasi-constitutional Act which is the ILPA. Simply delaying is not the answer as we saw in Doucet. The underlying principal in Doucet is when you say you don't have the resources you have to make efforts to make available those resources, whether it's in terms of teachers,

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whether it's in terms of curricula, you have to finds ways to make your resources work in order that you'd achieve and that you satisfy your obligation. That general obligation is not clear what it is because prior to attempts to change Section 8, it was a positive right which is how rights are normally expressed was every parent has the right to have their child receive Inuit language instruction.

It did not say three hours a day, four hours a week; it just says Inuit language instruction. How that was delivered was then up to the Minister of Education. I would say that the court is clear when there's a right, and in this case it's a right that attaches to a constitutionally protected right as an aboriginal right language, then you must make efforts to make available resources to satisfy those rights when they are invoked. Thank you very much, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) And thank you for elaborating that, and that I think a lot of what the discussion has been around is Committee Members and witnesses are trying to understand what the Department of Education is doing and this recent document that they provided us projects over the next 19 years that the total estimated cost of curriculum implementation, language of instruction, is approximately \$232 million over the next 19 years. That works out to about \$12.2 million per year and that doesn't include teacher's salaries. So, if we include teacher's salaries that would be substantially higher. So we're talking in the hundreds of millions of dollars.

This is an important discussion and I'm going to propose that we continue it after our lunch break. Ms. Towtongie if that's alright for you? (interpretation) We will have a break and we'll come back at 1:30 and we will continue our questioning to the Languages Commissioner. Have a good lunch, we'll see

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>>Committee recessed at12:04 and resumed at 13:30

Take 63 starts here.

>>Committee resumed at 13:41

Chairman (interpretation): Good day, my colleagues. Minister and your officials, Languages Commissioner and your officials, welcome. The hearing of the Standing Committee on Legislation on Bill 25 will resume.

Ms. Towtongie, I know you still have questions, but before you begin, (interpretation ends) just a question to the legal counsel for the Languages Commissioner. Can you please clarify your status, whether you're licensed to practise in Nunavut or whether you have a special appearance certificate? Ms. Hayes.

Ms. Hayes: Thank you, Mr. Chairman. I am not licensed to practise in Nunavut. I am here as an expert in indigenous issues and language, and I am a lawyer. I am licensed as a lawyer. I practise generally in Quebec. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Thank you for the clarification and that we can have that on the record. (interpretation) Moving on. Ms. Towtongie.

Ms. Towtongie (interpretation): Thank you, Mr. Chairman. I want to clarify an example about Inuit women who are experts in sewing and Inuit men who are experts in carving. Let's say they make a piece of ivory and they turn it around and then they already have a notion of what they're going to carve, and then it comes to life when it's being carved.

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When we think about Canada and we look at Quebec and they have a law themselves in Quebec and it protects English language rights and they are able to speak in English. Also in Quebec the French language rights are protected. It's also the case in Nunavut. The majority of the population in Nunavut are Inuit.

Although the research sometimes sways to the idea that we are losing our language or we will at some point, French also has a language right within Nunavut and it's recognized that their language, even though they are a minority within the population in Nunavut, with the minority language rights, they are protected and able to get the services accordingly.

In Quebec and as far as the education and protection, implementing their language rights to assert them through education, my thinking is that those who speak Inuktut, should we be considered as a minority language? What has been researched to consider this idea, this notion? It's already happening in Quebec. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Commissioner.

Ms. Aariak (interpretation): Thank you, Mr. Chairman. In Nunavut we have protection under the Language Acts and it's written in the Language Acts. To say it in English, (interpretation ends) *Inuit Language Protection Act*, (interpretation) we are protected under that and we shouldn't touch that because our language is already protected under that Act.

As for the federal government, to have that recognition and recognizing that the French have a right, those Inuit outside the territory would not be able to use the idea that is being

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presented. I want this lawyer to explain it further. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Hayes.

Ms. Hayes: Thank you, Mr. Chairman. Thank you, Member, for the question. The idea of the protection of the French language as a minority language or the English language as a minority language is found in the Constitution of Canada. The indigenous languages are not protected in the same way. However, they are recognized as aboriginal rights under Section 35 because they attach to a distinctive element of an indigenous group or society.

Inuit who would go down to Ottawa, for example, would not necessarily benefit from the protections that are offered to the French language or the English language depending on where you're living in the same way. Does that make sense? It would not be considered a minority language for the purposes of constitutional protection or charter protection. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Towtongie.

Ms. Towtongie: My final question, Mr. Chairman. Going back to the executive summary of the Languages Commissioner, you're telling us, generally speaking, the legislature enjoys broad powers to make law or change it. I would like you to elaborate on this specifically by proposing that. Are you proposing that Inuit language speakers be granted the same rights? Are you suggesting that Inuit language speakers also be considered a language minority in Nunavut? I want an elaboration on how you see that legislated. Will we have the broad powers to make law or change it? I want to see the response from the Office of the Languages

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Chairman (interpretation): Thank you. Commissioner.

Ms. Aariak (interpretation): Thank you, Mr. Chairman. As for the protection of Inuit language rights under the *Inuit Language Protection Act*, if we are looking at it under the education system and how we use it, the right is already explained within the Act. It can't be changed and it's there to protect the Inuit language rights. If it's in a review... I want you to see the Act itself to look at it from a Language Protection Act but not as the *Education Act*; as an Act on its own.

As for how to protect a language, the language is not like a section or subsection within the proposed Act. We're not asking for changes to the way the words are written within the *Inuit Language Protection Act*. We're not asking you to amend that. What we can do is have engagement. If we're going to review the *Inuit Language Protection Act* we will have to work closely together and on the *Official Languages Act* to review that. Is there going to be a review?

We all have to look at it holistically together and any time there's going to be a review of language, the Inuit Language Authority will also have to have to be included. If I could say it is also written out clearly within the Act how we're supposed to proceed to protect the languages and the Commissioner has to be involved anytime there's going to be a bill or proposed change to a bill that affects the languages of the territory. It is there to protect the language and that's why it's called the *Inuit Language Protection Act*.

It's there because it's to protect Inuit and the Inuit languages. I hope I responded to your question, Mr. Chairman. Thank you.

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Chairman (interpretation): Yes, you answered the question. (interpretation ends) Minister, I wonder if you can just confirm for the Committee that the changes that you're proposing to the *Inuit Languages Protection* Act aren't intended to be statutory review of the entire Act. That's my understanding. There is a statutory requirement for the protection Act to be reviewed and that at the same time the Official Languages Act would be reviewed, which is what the Commissioner was referring to. That process is not what has happened leading into Bill 25. It's my understanding that the bits that you're trying to change are only the ones tied to education. Can you confirm that? Minister Joanasie.

Hon. David Joanasie: Thank you, Mr. Chairman. Yes, we are only proposing to change one piece of the *Inuit Language Protection Act* as it pertains to the *Education Act*. You are correct in that the statutory requirement to review the *Inuit Language Protection Act* and the *Official Languages Act* is something that the Culture and Heritage department would take charge of. So this is something that we need to work towards, Mr. Chairman. Thank you.

Chairman (interpretation): Thank you. (interpretation ends) And I guess we could always ask questions to the Minister of Languages or the Minister of Culture and Heritage if he was here today. Too bad he's not.

>>Laughter

(interpretation) Let us proceed. Mr. Quassa.

Mr. Quassa (interpretation): Thank you, Mr. Chairman. Welcome. I will be speaking English, Mr. Chairman.

(interpretation ends) In your November 27,

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2019 letter or submission, it's very clear that, I don't know how many pages, I think most of the pages are specifically talking about the language issue. It focuses primarily on the constitutional law and indigenous rights. You do imply that the Government of Canada proposes to significantly delay the implementation of Inuit language of instruction.

In your opinion, do you feel that the department is breaking the *Inuit Language Protection Act*? That's my first question. (interpretation) Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Commissioner Aariak.

Ms. Aariak (interpretation): Thank you. I will respond to the question first. What's being reviewed or proposed for change in the *Inuit Language Protection Act* is 8.2. That is the only one they propose to change. It doesn't necessarily need to be changed. Even if there is a little change, the preamble in the *Education Act* already states we cannot pick and choose legislation by saying this part is good, or take it out and change it.

If we're going to change an Act on language rights, the Act has to be reviewed as a whole. 8.2 pertains to the *Education Act* but the Act was enacted. Legislation always has a preamble as to why the legislation is necessary. In the preamble of the *Inuit Language Protection Act* states education pertains to our language. Even if you change 8.2, you have to review the whole piece of legislation. That is a brief explanation. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Can you explain what you just said in the context of Ms. Towtongie's question, which was referring to page 10 of your submission? It says

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"Generally speaking, the legislature enjoys broad powers to make law or change it. Interfering with that prerogative is difficult and does not offer the Office of the Languages Commissioner a strong response to the proposed amendment."

Can you please explain that in the context of your response just now? I'm referring to the third paragraph on page 10 of your written submission to the Committee. Commissioner Aariak.

Ms. Aariak (interpretation): Thank you, Mr. Chairman. I'll read it first.

Can you hear me now? Thank you, Mr. Chairman. The way it is written, I'll speak English.

(interpretation ends) "Generally speaking, the legislature enjoys broad powers to make law or change it. Interfering with that prerogative is difficult and does not offer the Office of the Languages Commissioner a strong response to the proposed amendment."

(interpretation) When it is laid out in legislation, the Office of the Languages Commissioner needs to be a part of the discussion. As I stated earlier, the Special Committee on the Review of the *Education Act*; it is written in the *Hansard* of April 1, 2015 that when the *Education Act* was being reviewed, our language is tied to that. When you were reviewing the *Education Act*, no. The *Inuit Language Protection Act* was added on at a later date. If an Act is going to be reviewed, if we're dealing with language right, we have to review our rights. I hope that responded to your question. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Minister Kusugak. Welcome to the House. You're usually on my right. You look good Δ የታረ የ Δ የ

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I know, as Minister, he is welcome to this House.

Let us proceed. Mr. Quassa, you wanted to ask another question. Go ahead, Mr. Quassa.

Mr. Quassa (interpretation): Thank you, Mr. Chairman. As I said earlier, your submission has more to do with languages. The bill does not only deal with languages. You've probably reviewed the whole thing. What is your position on the way Bill 25 is written? Are you okay with the rest of the bill? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Commissioner Aariak.

Ms. Aariak (interpretation): To add onto that, we were not a part of the discussion as we are not a part of the review. We never really gave it a thought because we were not involved from the start. It states in the Act that the Languages Commissioner should be dealing with Inuit language rights in order to protect them. Also, to push or urge Inuit language rights. If they are broken or misused, I am available to hear concerns. That being the case, we looked to see if the *Inuit Language Protection Act* is affected, and that is our concern.

Inuit rights cannot be diminished or extinguished. We already have rights and we will keep our rights. 8.2 doesn't necessarily need to be changed. Thank you, Mr. Chairman. If I responded to you.

Chairman (interpretation): Thank you. Mr. Ouassa.

Mr. Quassa (interpretation): Thank you, Mr.

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Chairman. Thank you for that response. With Bill 25, when it comes to language, it will have to be improved as time goes by to 2039. There are different phases leading up to that date. What is your position on language? Is it breaking the Act that you are talking about? There are certain milestones that have to be achieved with regard to grades and the provisions of the bill. What is your position? Is it breaking the *Inuit Language Protection* Act? Is it going to have deadlines and only be finished by 2039? That seems so be the case, that's why I'm asking; is it going to be breaking the Act? I would like to know from the Languages Commissioner. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you, Mr. Quassa. We talked about that this morning. To his question, Commissioner.

Ms. Aariak (interpretation): Thank you, Mr. Chairman and thank you for your question, I'll respond again.

This morning I made my opening remarks. The status of Inuit language was studied. It is being lost and on the historical facts that I talked about when it was being said that Inuit language speakers have decreased in numbers in both Inuinnaqtun and Inuktitut.

I can use Thomas Berger as an example. No not that one. My apologies.

In the study it was identified that Inuinnaqtun is in a dangerous position. Inuktitut is heading towards being endangered too. This was not written yesterday it was not identified yesterday. We have known for a long time that our language is being used less and less. It was the language being lost and they delayed the use of the language in schools.

What are we waiting for? Are we going to start only after we lose our language? When

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elders had a meeting on *Inuit*Qaujimajatuqangit they were here in Iqaluit recently, I was able to hear from the elder and I appreciate that because I learned from them. It was an elder that said that it's trying to be delayed, it's just waiting for the elders to die off (interpretation ends) The delay in the date is just waiting for the elders to pass.

(interpretation) As I just stated, today students in the schools should be learning their language. Yes I agree that we have to make our language important at home. It also needs to be protected in the schools, they have rights. We are losing our language and we know that and notice that. The fact that we're trying to wait, are we trying to lose the language?

The foundation for students today is their language. They would make good teachers they are our future teachers our present students. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Ms. Aariak, can you maybe clarify that statement you just made. That was very strong wording that you used in terms of waiting for people to pass away.

Can you clarify that those are not your words; that you're quoting someone that you had been in a meeting with? Ms. Aariak.

Ms. Arreak: (Interpretation) Thank you, Mr. Chairman. Maybe in English? I was at a meeting regarding *Inuit Qaujimajatuqangit*...

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Mr. Quassa (interpretation): Whether it has been asked or not, on page 7 you made a submission and it states in English, (interpretation ends) "the right to the use of Inuit language including the right to Inuit

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language instruction is an inherent right and it does not depend on Section 8 of the *Inuit Language Protection Act*."

(interpretation) As it is worded as such and while we are trying to produce a Nunavut-made *Education Act*, but it states here that it's an inherent right, it's already there. I would like further clarification on Section 8 of the *Inuit Language Protection Act*.

Could you elaborate further on what you mean that there is, it does not depend on Section 8 of the *Inuit Language Protection Act* because it is an inherent right. Thank you, Mr. Chairman. That's my final question. Thank you.

Chairman (interpretation): Thank you, Mr. Quassa. To the question, Commissioner Aariak.

Ms. Aariak (interpretation): Thank you, Mr. Chairman. This morning I made some comments about some laws in other jurisdictions. For example, the federal government recognizes and protects the rights of indigenous languages and it's protected under the constitution, the United Nations, also indicated that indigenous peoples have a right and that they have to be recognized (interpretation ends) by state parties as in our jurisdiction.

(interpretation) We already have a right that is inherent through the *Inuit Language Protection Act*. We already have an inherent right. We are given this certain amount of rights and then we will add some more from this date to that date, in between that date, those dates. Maybe it's better in English, I would like to refer this to our legal advisor if she would like to supplement my comments. Thank you, Mr. Chairman. If you would allow us.

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Ms. Hayes: Thank you, Mr. Chairman. So I think as well what we are looking at here when we look at that phrase that was mentioned by the honourable Member, that the right to Inuit language, the use of the Inuit language and the Inuit language instruction is an inherent right does not only depend on Section 8 is because we find reference to that in the preamble of the ILPA.

The ILPA is very strong in what it sways about this that the use of the Inuit languages is a right. This attaches then to the treaty, which then attached to Section 35 of the *Constitution Act*. If we look at the preamble to the ILPA, and I am just pulling it up so that we can look at it very quickly...Thank you. It says:

"Considering the importance of the Inuit Language as a cultural inheritance. Then if we go to paragraph B,

- a) as the fundamental medium of personal and cultural expression...
- b) its importance to the development of the dynamic of strong individuals, communities and institutions in Nunavut that are required to advance the purposes of reconciliation...
- c) "(d) to support the meaningful engagement of Inuit Language speakers
- d) in all levels of governance and in socio-economic development...
- e) (e) as a foundation necessary to a sustainable...as a people

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'bLơ'⁶: 'd৮°௳广, ᠘ᠳ᠙᠙ᡤ. CL७d⊲ ₫ჼ₽₽₼ჼСРペჼႠჃႫႯჼႶჼጔቦ Ċ₺ᲥᲥ ГႻჽርዖ‹ ∆ჼ₽₽᠘ᢣჼ₽Ⴖჼቦ°Ⴃჼ ᡟዎႣჼႢͿና <ናႭႮႶႣჼ of distinct cultural and linguistic identity within Canada;"

Further on, the next paragraph it talks about:

"a) a language of education, in a system that in both its design and effect strives to equip Inuit children to enter adult life as world citizens having a rich knowledge of the Inuit Language and full ability to participate in the day-to-day life..."

The preamble goes on to tie itself to the Nunavut Land Claims Agreement, which then makes it a treaty right which has constitutional status and does not depend solely on the writings of Section 8. Thank you, Mr. Chairman. I hope that responds to the question.

Chairman (interpretation): Thank you. Are you done, Mr. Quassa? Okay. Moving on. Ms. Kamingoak.

Ms. Kamingoak: Thank you, Mr. Chairman. Welcome to the Commissioner and her colleagues. With respect to Innuinaqtun and the state it is in, does the Languages Commissioner feel that the *Education Act* or Bill 25 provides enough support to revitalize Innuinaqtun in our education system? Thank you, Mr. Chairman.

Chairman: Koana. Commissioner Aariak.

Ms. Aariak (interpretation): Thank you, Mr. Chairman, and I would like to thank you for your question and thank you for welcoming me. We know that over the years there are fewer proficient Innuinaqtun speakers and that is why we have to work harder to strengthen the Innuinaqtun language. I'll read this in English. (interpretation ends) "As a result, Innuinaqtun is now considered definitely endangered and Inuktitut is now as classified as vulnerable."

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Chairman (interpretation): Thank you. Ms. Kamingoak.

Ms. Kamingoak: Thank you, Mr. Chairman. I agree; we need to work harder to revitalize Inuinnaqtun at a much faster pace now. Has your office brought forward any specific recommendations to the department on this situation with respect to ensuring that Inuinnaqtun is properly being revitalized, delivered adequately in our schools? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Commissioner Aariak.

Ms. Aariak (interpretation): Thank you, Mr. Chairman. We have reviewed the proposed changes as you were reviewing the changes to the *Inuit Language Protection Act*.

They agreed as to how the changes would be made but we were not involved when they were making the changes as they were setting up the bill. There was not included in the discussions. For example; (interpretation ends) we made a submission, just like the other presenters that came before you; Nunavut Tunngavik Incorporated, Coalition of Nunavut DEAs, the teachers association, Iqaluit District Education Authority and others, the ones you had invited.

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We could not have meaningful input into the changes if we weren't properly involved. (interpretation) Does that make sense? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) I mean, with all due respect, Commissioner, the Committee in terms of our role, we are involving you and your staff in this process. The legislation as its written now is not written in stone. It's written on paper and this Committee and this group has the ability to suggest amendments to the bill, to suggest deletions. We can't fundamentally rewrite the bill, we can't go beyond the scope of the bill, but Ms. Kamingoak's question was regarding specific recommendations to the bill as its written now

We understand that you weren't involved in the drafting of the legislation and neither were the Regular Members in this House. I'd like to point that out for the record. We are not involved in...consulted in terms of the drafting of the legislation. The right of the government is the right to govern, and that's how I understand it.

So, in terms of her question and specific recommendations to Bill 25 as it is written, Commissioner Aariak.

Ms. Aariak (interpretation): Thank you, Mr. Chairman. In the Act it states that the Commissioner's rights and responsibilities are there for languages. It's about languages and education, if we were asked, but with languages we have rights or authorities over language. The Act outlines our responsibilities, our office's responsibilities, so the Department of Education knows that. They know what they're supposed to be doing. They know the responsibilities.

My responsibilities have been outlined in

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Chairman (interpretation): Thank you. Ms. Hayes.

Ms. Hayes: I think what I understand from the Commissioner is that no specific recommendations were ever prepared for the Bill 25 or 37, specifically. The Office of the Languages Commissioner reviews specifically those areas that were within the purview of the responsibilities of the Commissioner and that was the issues that go to the language rights, as opposed to how education should be delivered in Nunavut. I hope that answers the question Mr. Chairman.

Chairman (interpretation): Thank you (interpretation ends) Thank you for elaborating. (interpretation) The last person I would like to recognize for the second time, Mr. Qamaniq.

Mr. Qamaniq (interpretation): Thank you, Mr. Chairman for recognizing me again. I'll speak in English and the Inuktitut.

(interpretation ends) In your opening statement, maybe under the fifth paragraph, it states that...and most of the comments from the Office of the Languages Commissioner refers to Section 35 of constitutional law, I suppose, and recognizes and affirms the existing aboriginal and treaty rights of the indigenous people of Canada.

The Supreme Court of Canada has stated that the contents of these rights must be directed at fulfilling the purpose of Section 35. The court states that to be an indigenous right, an activity must be part of the practice, custom or tradition that is integral to the distinctive **Δ৽/«ኦር።** (ጋኒት/)(): Δ΄,) P/Δ ⁶ / ປ⁶, ປ⁶ L ΔΛ⁶ d \(\) P ປ⁶ - C ⁶ \(\) L \(\) A \(\) P/ d \(\)

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culture of indigenous groups claiming the right. The Inuit language is clearly an elemental practice, customs, and traditions integral to Inuit culture.

(interpretation) As Inuit, our language is changing. An elder 80 or 70 year old, and a 19 year old person talking to each other, I can't understand them anymore. I can't understand elders anymore when they speak traditionally and we who are younger, the way we speak Inuktitut is different than the way a 70 or 80 year old speaks. As Inuit, we believe our laws about counselling and court and hunting, things like that.

Some of them need to be learned and some of them can only be learned by going out and doing it. To try and teach them in a classroom is useless and Inuit ways of counselling and laws about wildlife and justice, we are not using them because we are following the federal government's laws. They have not been recognized by the federal government. If we try to use them to teach people there is really no strength to them because they have not been recognized by the federal government, the Inuit way of counselling, Inuit way of justice and Inuit way of handling animals.

Also, their dictionaries; I know of only one dictionary and it's in Inuktitut. Regarding Inuit terminology, there is a group that puts out terminology, but we haven't seen anything coming out of that group. There is not much curriculum coming out of the Department of Education. All of this has to be planned by the Education Minister's department. Can they be produced?

With the three regions; Baffin, Kivalliq and Kitikmeot, we need to have people producing curriculum for all three regions and I think that would help protect the languages when there is really nothing available where Inuit

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teachers can just order teaching materials. We heard teachers go through great difficulty trying to create curriculum and teach too. I would like to know how you feel about the reference to 2039 and that the planning will take place at a later date as they are working on the curriculum. Would you like Bill 25 to be passed? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Commissioner Aariak.

Ms. Aariak (interpretation): Thank you, Mr. Chairman. Thank you for that question. In 2008, the *Inuit Language Protection Act* was passed by the Legislative Assembly. The date stated was July 1, 2019. This is in the Act. It is part of the Act. Starting July 1, 2009 kindergarten to grade 3 would be able to be taught in Inuktitut and in July 1, 2019 it would be implemented for the older students up to grade 12. 11 years have passed and today in schools they are able to be taught using Inuktitut up to grade 3. Maybe if I ask this question, how? If there had been a plan up to today. I hope that I answered your question. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Qamaniq.

Mr. Qamaniq (interpretation): Thank you, Mr. Chairman. Since these will be put together by the Minister's staff, as they will put in the regulations, the Minister stated that the regulations will be put together and 2039 is the target date. I was asking: can you support Bill 25? After the regulations, can you approve of Bill 25 with the expectation that the regulations will be worked on at a later date? Thank you.

Chairman (interpretation): Commissioner Aariak

Ms. Aariak (interpretation): Thank you, Mr.

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Chairman. No. Thank you.

Chairman (interpretation): Thank you. Are you done? I would like to explain the letter we received from the Office of the Language Commissioner. It does not say don't approve of Bill 25. The Commissioner is pointing out things that there is something wrong with them, but there is no reference saying it should not be passed, it's impossible to amend, if I understand it correctly, Commissioner.

Lastly, (interpretation ends) I have a question here. I am going to refer to page 2 of your submission and then I'll refer to page 3 of your comments, and it's around administrative law principles, okay? In the introduction to your submission it says, "Administrative law principles no longer offer a strong basis for challenging the lawmaking process." Okay? That seems clear enough, okay, and then on page 3 of your opening comments you bring up administrative law principles and this is the fourth paragraph. It says, "In previous submissions we raised certain administrative law principles which we feel continue to support our concerns around the lawmaking process."

I'm just looking for clarification in terms of which is it. Do administrative law principles offer a basis for challenging the lawmaking process or do they not? I'm obviously not an expert in this area; I'm just interested in it because these two documents don't seem to match up. Commissioner Aariak.

Ms. Aariak (interpretation): Thank you, Mr. Chairman. There's also a need to know what (interpretation ends) administrative law *amma* constitutional law is. Administrative law, (interpretation) we always want to be clear on what the specific language, so it would be nice to know what the language....

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Under the Canadian laws, when we review or look at that, there are words that are around that particular area in terms of when you say the Languages Commissioner is responsible for, when we look at that review, so it sort ties around which jurisdiction it would be on or which law you're looking at as to what should be changed or not when that's being proposed under new legislation.

When you look at Bill 25, when we're reviewing this, it's almost like we have to be looking at it from a Canadian view in terms of the Constitution and we still don't want changes. We still don't want change to the Language Protection Act nevertheless because you don't want to take a section of any law and to try to carry it over with another law.

I want to ask my lawyer friend here if you can allow her to speak again. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Hayes.

Ms. Hayes: Thank you, Mr. Chairman. Thank you, Member, for the question. For the administrative law principles, it's conceded that yes, the Legislative Assembly has all the powers and prerogatives to enact laws, amend laws, and repeal laws. No law is set in stone, as you mentioned, and that is correct. In fact one of the beautiful things about laws is you can change them to respond to the needs of society.

When we look, though, from an administrative law principle, we look at things such as statutory interpretation principles. In this case when we're purporting to suggest amending a specific provision in a certain way, one of the concerns is that amendment, particularly when it's not an amendment that's proposed by the department or the Minister or in this case the office that has the

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responsibility of that law, is the proposed amendment consistent with the underlying or overarching purpose of the law? In this case when we look at the purposes of the *Inuit Language Protection Act*, it's very clear what those purposes are. It's set out very clearly in the preamble.

So when we bring in concepts such as bilingual education, that is probably undermining that purpose in the sense that the *Inuit Language Protection Act* is there to protect the Inuit language and guarantee rights to Inuit language instruction. It is not there to guarantee rights to English and French language instruction; it's specifically for Inuit language.

So from that perspective as administrative law that brings in some concerns that when it comes time to interpret the law and for people to understand what their obligations are and what their rights are, it will be very difficult because on one hand we're putting forward some very broad statements and offering a positive right to receive Inuit language instruction, but then on the other hand we're denying it for certain age categories.

Rights are always expressed as positive and broad as statements. We don't say to somebody "you have the right to a lawyer, but only for five minutes." We say you have "the right to a lawyer." You wear that right with you wherever you go. When you interact with the state in a certain situation, and in this case if the police were to stop you then you have the right to invoke your right to a lawyer.

In this case it's a broad statement; every parent has the right to have their child receive Inuit language instruction, but then we put some restrictions on it. It could be "well if you have blue eyes, then no you can't, but if you have green eyes you can." In this case they've put age categories, so up to grade 3

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you get to have Inuit language instruction, but after that you don't. So this also creates some inconsistency about how people can exercise their right. From an administrative law perspective, we want to avoid inconsistencies and incoherencies in laws.

Also, there are policy considerations that go with it. Generally speaking when a provision of an Act is going to be amended, government will often involve the different departments that have an interest in that and they will involve them from the very beginning so that they can help design an appropriate or suitable response, rather than at the end when it's all done. It makes sure that when we go forward, that the proposed amendment remains consistent and coherent with the rest of the law and with the other laws like OLA that interact with ILPA.

I hope that responds to your question, Mr. Chairman. Thank you very much.

Chairman: Yes it does. Thank you. That was supposed to be my last question, but I just need a further clarification here in terms of what the position of the Office of the Language Commissioner is on clause 123 of the bill, which proposes to add in the words "and bilingual education." So it proposes to add that into the *Inuit Language Protection Act* and it was mentioned specifically just now. So is the office's position that this clause should not be accepted, specifically on that clause 123? Ms. Hayes.

Ms. Hayes: Mr. Chairman, we have had discussions about this clause with the office and we do feel that the inclusion of "bilingual" in the Section 8 of ILPA would actually be inconsistent with the overarching purpose which I said as before in the preamble is to protect, enhance, support and promote the use of the Inuit language and its transmission. It is not concerned with other

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So including "bilingual" in the education provisions of ILPA then would probably not be in line with that preamble, the overarching object of ILPA, but also with other parts of ILPA that deals specifically and exclusively with the Inuit language. I hope that responds to your question, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) It does somewhat, and I think I'll turn it to the Commissioner in terms of that same question. With regard to clause 123, what is your office's position, and if you don't have a position on that specific clause, that is fine. I'm just looking for a clarification. Commissioner Aariak.

Ms. Aariak (interpretation): Thank you, Mr. Chairman. In the proposed law in the preamble regarding the Inuit language and education, it will be incorporated into the *Education Act*, and if that is to change, it will be different in the two laws. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. I have no further names on my list. (interpretation ends) I am going to give you two minutes for closing comments, and I will tell you right now, that two minutes is a hard deadline and the reason for that is that have had other witnesses provide long and rambling closing comments, and frankly, not a lot of substance. So I'm just clarifying that for you. Closing comments, Commissioner Aariak.

Ms. Aariak (interpretation): Thank you for the opportunity and the invitation. It seems apparent that our language is something that we all want to protect. If we did not want to protect it, there would not be a lot of people here. I can see just from this room everyone feels that language is important. Thank you Lbdb) of Achthe of a a & cit,

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However, for those who are out there listening, I know they also cherish their language dearly. We all have a right to exercise our ability to speak in our language. Thank you also to my officials who are here today. All of you who are here in the room, thank you for this opportunity. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Thank you for your written submission. (interpretation) Thank you for being here today. We thank you and we also say "*Ma'na Qujannamiik*, *Koana*", all of us. Have a good day.

(interpretation ends) The Committee will now take a short break while we get the next witnesses in place. We'll be hearing from the Representative for Children and Youth next. 15-minute break. (interpretation) Thank you.

Committee recessed at14:54and resumed at 15:17

Chairman (interpretation): The Standing Committee on Legislation is now back for the review of Bill 25. We have another invited guest. (interpretation ends) Welcome to the House, Representative for Children and Youth, our new representative or relatively new, Jane Bates. (interpretation) Welcome to the Chamber, as well as your officials. You may now proceed with your opening comments and introduce your officials. Ms. Bates.

Ms. Bates: Thank you, Mr. Chairman, and good afternoon. My name is Jane Bates and I have been the Representative for Children and Youth since July 22, 2019. Joining me today are Lynn Matte, Director of Child and Youth

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Advocacy Services, and Katie Didham, one of our office's senior systemic investigator/researchers. I am pleased to appear before you today to speak about the recommendations that our office has put forward about revising the *Education Act* in Bill 25.

Educating young people is about passing on skills and knowledge from one generation to the next. A young person's education happens in many places: in the home, in the community, and in the classroom. I think everyone here today can agree that education in its many forms is essential to the development of young people as functioning citizens that grow up to support themselves, their family, and their community.

The Representative for Children and Youth's office is an independent office of the Legislative Assembly of Nunavut. While it is the responsibility of the Government of Nunavut to provide the best services possible to all Nunavummiut, it is the responsibility of the Representative for Children and Youth's office to make sure Government of Nunavut services for young people are the best they can be for the children, youth, and families who rely on them. Our office provides feedback on legislation, policies, programs, and services for young people, which is why I am appearing before you here today.

We would like to acknowledge that we support the Office of the Languages Commissioner's submission on the proposed amendments to the *Inuit Language Protection Act*. Regarding the *Education Act*, our submission has nine recommendations. Each recommendation was made with the best interests of young Nunavummiut and the future of Nunavut as a whole in mind. Many of our recommendations stemmed from the *United Nations Convention on the Rights of the Child*, which details all of the rights of

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young people. Rights are things children and youth should have like access to safe drinking water and nutritious food or things they should be able to do like go to school and receive instruction in their own language so that children, youth, and their families have what they need to make good choices for their lives.

The United Nations Convention on the Rights of the Child is a legally binding international agreement that Canada signed almost 20 years ago. When Canada signed it, Canada promised to make sure that every young person and their families across the country, including Nunavut, would have access to all of the things mentioned in the United Nations Convention on the Rights of the Child.

One of the services mentioned in the *United Nations Convention on the Rights of the Child* is a child's right to education. A young person's education is so important that it is actually two of their rights: first, all young people have the right to good quality education and should be encouraged to go to school to the highest level they can; and secondly, a young person's education should help them develop their talents and abilities. It should also help them learn to live peacefully, protect the environment, and respect other people.

The *United Nations Convention on the Rights* of the Child is so important for all young people that our first recommendation was to have it included in the *Education Act*, and we were pleased to see that it was added to the preamble by Bill 25.

Four of the recommendations made in our submission were made in support of a young person's right to give their opinion with the hope being that through discussion, consensus, and collaboration, we can make the best decision together.

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It has been more than 20 years since I attended school. I can try to imagine, but I don't truly know exactly what it is like to be a student today, with computers, iPhones, social media, and cyber bullying. Since I don't know, I think the best thing to do is to ask someone who does, someone who has firsthand experience, which is why asking our young people for their opinion is so important. This does not mean that young people get to make the decisions; it just means that we the adults should ask for their opinion and listen to their ideas so we can make the best decisions on their behalf. Overall I encourage the Committee to give consideration to any input received from young Nunavummiut as this legislation, the Education Act, will have the greatest impact on them.

With this in mind, recommendation 2 speaks to asking for input from students past and present in order to develop legislation, policies, and procedures that will work best for the students who use the education system.

Further, recommendation 3 suggests that students who are to be suspended or expelled should be involved in the discussion about it, even students under 16 years of age. Not only is this an opportunity for the young person to take responsibility for their actions; it gives them a chance to participate in the process to understand the consequences of their actions and learn from it.

Recommendation 4 suggests that student representatives elected to district education authorities be given voting privileges, and we are pleased to see that this recommendation has been filled with the proposed amendments.

Recommendation 5 encourages the development of early childhood education

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programs across the territory. In communities where the district education authority does not provide early childhood programs, the Department of Education would be responsible to do so. This recommendation further supports a child's right to education.

Recommendation 6 prioritizes the need to recruit young Inuit into the teaching profession to assist the department in reaching its obligations under Article 23 of the *Nunavut Agreement*, as well as support the department's ability to train, hire, and retain Inuit language speaking educators. Providing classroom instruction in the Inuit language would support a child's right to practise their own culture and language. Further delay of recruiting Inuit-speaking teachers risks the loss of the Inuit language.

Recommendation 7 encourages the Department of Education to define some words used within the Education Act to avoid confusion because what something means to one person might be different than what it means to another. For example, we recommended that the concept of "inclusive education" be defined. For the Representative for Children and Youth's office, "inclusive education" means that schools should be welcoming of all young people and the way something is taught should be based on the learner's abilities. We also recommended that "school supports" be defined and in doing so, young people and their families should be made aware of what school supports are available and how to access them.

In recommendation 8 we encourage the Department of Education to recognize and support mature minors in the *Education Act*. A mature minor is a person under the age of 19 that has the maturity and understanding to make decisions on their own behalf. From time to time, young people need to be able to consent to decisions themselves. In Bill 36,

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the *Mental Health Act*, mature minors are able to consent for themselves when decisions about their health care need to be made without the help of a parent or guardian. Further, all legislation for the territory should align; if the Department of Health recognizes mature minors so should the Department of Education.

Our final recommendation, recommendation 9, encourages the Department of Education to make sure that at least one component of the orientation and mentoring program for teachers be completed before they even start working, with a requirement to complete the program within the first year. This recommendation shortens the current timeline from two years to one, ensuring new teachers are as prepared and knowledgeable as they can be as quickly as possible.

Over the past several years staff at the Representative for Children and Youth's office have had the honour of working with hundreds of young people and their families from across the territory, including working on 80 concerns related to the Department of Education. It is important to our office to acknowledge them and recognize the courage they have demonstrated by reaching out to us, seeking support, and trusting us with their stories.

Mr. Chairman, I bring these recommendations forward in the spirit of working together for a common cause and decision-making through discussion and consensus. I welcome the Committee's questions. Thank you.

Chairman (interpretation): Thank you. (interpretation ends) Thank you. I'll just remind Committee Members as well as the witnesses to please be conscious of the need for interpretation and our interpreters are excellent, but particularly when we're discussing wordy things like the United

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Nations and the Convention on the Rights of the Child, just to be conscious of that, please. Thank you. (interpretation) Are there any questions from the Members? Ms. Towtongie.

Ms. Towtongie (interpretation): Thank you, Mr. Chairman. Page 3 of your submission defines "minor students" and "mature minors." As a regular individual and my fellow Inuit, we have rights with our children. Even when they're adults or even if they are parents, they're always our children, but if we enter something that we did not set up, they are called adults when they reach the age of 19. This is a real barrier to parents.

I'll speak English. (interpretation ends) The prevailing authority that exists in the Inuit mind out there is that our children are dependent upon us throughout their lifetime regardless of age, and we clash with the institutionalized authorities when they put an age limit. You will often see parents saying, "That's my child." When Inuit children reach a certain age, according to the parents, even if they're married or not, we're still involved.

Can you clarify what you mean by these concepts, minor students and mature minors, and explain why they are important within the context of Nunavut's education system? My final question. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Bates.

Ms. Bates: Thank you, Mr. Chairman. Thank you to the Member for the question. In health care a mature minor is a child or youth who is younger than the age of majority, which in Nunavut is 19 years of age, who meets certain criteria. For example, they're able to understand the medical treatment being offered, understand the possible consequences, and are fully able to give their fully informed and voluntary consent to health

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96-Γι Δሮቴላቴንሮሲል፣ ለፕሬታፕር,

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ሲኒኦበሮቴ 92-Γ ለቴፖኦንት ጋበቴ

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providers. A mature minor allows a child or youth to make health care decisions for themselves and similarly, in the *Education Act*, they would be able to do the same.

We know that in Australia the concept of mature minors, they have incorporated mature minors into their education system. Again, there may be circumstances where a parent or guardian may not be actively available and that should not be a barrier to a mature minor being able to consent to engage in the education system, i.e. register if need be.

I trust that answers the question. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) I believe you did answer the question because she has no further questions. (interpretation) Thank you. Mr. Qirngnuq.

Mr. Qirngnuq (interpretation): Thank you, Mr. Chairman. Welcome to the witnesses.

Just for further clarity, in your opening comments on the third page that the students be

involved and to make them understand. It gives them a chance to participate in the process to understand the consequences of their actions and learn from it." Could you elaborate further? As parents it is up to us to question our children as to what they would like to do. Could you elaborate on what you meant? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Bates.

Ms. Bates: Thank you, Mr. Chairman and thank you to the Member for the question. With respect to recommendation 3, that is directly related to children in the *Education Act* who have been suspended or expelled.

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Currently that young person doesn't have the opportunity to appeal or be involved in the process related to that. So our recommendation is to have students have that ability so that they can answer for why they may be being suspended or expelled.

Also, I would say that there is research that shows that young who are supported to participate in decision-making are more likely to have increased confidence, self-belief, to exercise positive career choices and have greater involvement and responsibility in the future. Thank you.

Chairman (interpretation): Thank you. Mr. Qirngnuq.

Mr. Qirngnuq (interpretation): Thank you, Mr. Chairman. If a young person is going to make a decision, and just using high school students from grade 6, they might be asked what kind of career choices they would like to make in the future. If they change their mind sometime at a later grade without asking any of school officials, would this person be able to go ahead with their plans? Thank you.

Chairman (interpretation): Thank you. Ms. Bates.

Ms. Bates: Thank you, Mr. Chairman. If I understand the question correctly, I'm not sure I can speak to that because I'm not effectively inside the education system currently. In terms being able to change your career path late in school, again, I'm unable to comment on currently what the situation is with respect to that. My apologies. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Qirngnuq, are you done? Okay. (interpretation ends) Just before I move on to the next name, I think it's an interesting problem that Mr. Qirngnuq brought up. If a young person has a

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How does your office envision this working at the school level? Say for example, if it is a student and they are 12 years old and they are about to be suspended, and the student is involved in that process; would the parents still be involved? Parental involvement is also very important and it is something we are trying to see more of here in Nunavut in the school system. If you can't answer that question, if it's just too much speculation, then please let me know. Ms. Bates.

Ms. Bates: Thank you, Mr. Chairman. The purpose of concept mature minors or including children in decisions is not to exclude parents, it's to include the student. I just wanted to clarify that.

I think that having often when children get expelled or suspended, I am not sure the student is actively engaged with the administrator who is issuing that suspension or expulsion. It's often the parent that is directly involved in that. So I'm not saying that you should exclude the parent. I think it should be the student and the parent. I hope that answered the question. Thank you.

Chairman (interpretation): Thank you. Mr. Quassa.

Mr. Quassa (interpretation): Thank you, Mr. Chairman. Welcome. On the same subject, my understanding, (interpretation ends) minor students and mature minors, (interpretation) I am not exactly sure. I am not listening to the interpreters, but I am sure they have a term for it. I would like to make a comment again in English, Mr. Chairman.

(interpretation ends) As you noted on page 3 of your submission, you are in agreement with clause 71 of Bill 25 which proposes to amend

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Section 134(5) of the *Education Act* to provide the student representative on the DEA or district education authority with the right to vote, and I know that you had supported that Section that states that "The Standing Committee has noted this may put a student representative on the position where they may be discussing and making decisions regarding a classmate which leads to concerns with respect to privacy." What are your views on this issue? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Bates.

Ms. Bates: Thank you, Mr. Chairman and thank you for the question. My answer to that is certainly with minors there are considerations to be made around privacy. I think there are considerations to be made for all adults with respect to privacy and you raise a good point in terms of having students having voting privileges and those types of things. They may be privy to information that should be private and how do you contain that. I think again involving students in the parameters or understanding what is expected of them when they are part of that committee or making decisions or hearing information in terms of, again, I think any committee whether there are minors on it or not, you are always having to protect privacy. So making it explicitly clear that during those proceedings that information is private, but I do believe there are other challenges related to that. Thank you.

Chairman (interpretation): Thank you. Mr. Quassa.

Mr. Quassa (interpretation): Thank you, Mr. Chairman. To elaborate further, we have used and seen, as Committee Members, that anything that has a personal effect on us is to be declared a (interpretation ends) conflict of interest. I am sure that the student would

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declare conflict of interest should they be discussing another classmate. Again in English. (interpretation ends) Page 4 of your submission, with respect to the discussion of early

childhood education programs, you state, "We strongly encourage effective early childhood education programs to be provided to all children in the territory."

The concept of universal early childhood education across Nunavut has been raised on a number of occasions throughout our deliberations on Bill 25.

Can you elaborate further on why you feel this is important? And further, can you indicate whether you feel that a universal early childhood education program would be better achieved within the revised *Education Act* or under the revised *Child Daycare Act*? (interpretation) Thank you, Mr. Chairman.

Chairman: (interpretation) Thank you. (interpretation ends) That's a two part question, so you can answer in whatever order you would like. Ms. Bates.

Ms. Bates: Thank you, Mr. Chairman. Thank you for the question. In terms of the benefits of early childhood education programming, there's many benefits. Access to affordable, high-quality childcare programs such as early childhood education can boost maternal participation back in the workforce, it raises income, and it reduces income inequality, improving educational opportunities for disadvantaged children.

Participation in early childhood education has shown that children get greater educational attainment. Also, the benefits of an early childhood education program was also noted by the Special Committee, which we agree with to review the *Education Act* in 2015, in which they had stated, "It has been well

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established that early childhood is a critical phase that can determine the quality of health, wellbeing, learning and behaviour of individuals later on in life."

A cost-benefit analysis was done by a Canadian research organization also and reported that for every dollar invested in early childhood education, there is a \$3.60 return to the economy. I hope that answers your question.

Chairman (interpretation): Thank you. (interpretation ends) And as to the second part of Mr. Quassa's question, was whether that universal program would be better delivered, in your opinion, through the *Education Act* or child daycare childcare Act? Ms. Bates.

Ms. Bates: Thank you, Mr. Chairman. In terms of where the delivery of early childhood programs should be, the amendment outlined in Bill 25 states "Every five years, the district education authorities can elect to provide early childhood education programs for the following five years."

In terms of who delivers the program, I think our recommendation is more based in ensuring access to early childhood education by all children across the territory, as opposed to who delivers it. It's really a matter of ensuring access. Thank you.

Chairman: (interpretation) Thank you. Mr. Quassa.

Mr. Quassa (interpretation): Thank you, Mr. Chairman. I don't really understand where the \$3.60 comes from. (interpretation ends) You said \$3.60? Okay. (interpretation) Let me turn to something else. You were mentioning (interpretation ends) minor students and mature minors; (interpretation) my question is directed towards that.

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In your view, should students over the age of 21 be included in the kindergarten to grade 12 classroom setting? Do you believe a 21 year old should be included or allowed to go to the schools? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Bates.

Ms. Bates: Thank you, Mr. Chairman. The matter that you have raised is not really connected to our submission regarding Bill 25, but certainly I would be prepared at a later time to comment or to provide information about that. I just don't feel like I'm in a position to speak to that. Thank you.

Chairman (interpretation): Thank you. (interpretation ends) Maybe I'll take the opportunity to turn this over to the Minister in terms of the issues around allowing individuals over the age of 21 into the K-12 classroom setting.

It is something that under Bill 25 would be a power or an authority given to the district education authorities. Minister, I wonder if you can respond to Mr. Quassa's question. Minister Joanasie.

Hon. David Joanasie: Thank you, Mr. Chairman. If you would give me a moment. Thank you, Mr. Chairman. The proposal under Bill 25, Section 92, where it talks about individuals over 21 years of age; under our current Act we have Section 32, [which] allows a DEA to enroll a student if they are

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the age of 21 or older already. So this is to allow, even if they are not within that jurisdiction, or the DEAs jurisdiction, they can be enrolled in another DEA jurisdiction, if that makes sense. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) I'm assuming it makes sense because your department put it in the bill. That is just a humorous comment. Don't take it too seriously. Mr. Akoak.

Mr. Akoak: Thank you, Mr. Chairman. Welcome. Your final recommendation on page 5 of your submission addresses orientation and mentoring for teachers, as provided for by Section 96 of the *Education Act*. Clause 62 of Bill 25 proposes to, under Section 92, by including a subclause requiring that such orientation programs include an introduction to Inuit language and instruction of Inuit culture and history.

Are you proposing a further amendment to Section 96 requiring that teachers participate in such programs during their first year that they take up their duties in the Nunavut school system instead of during their first two years? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Bates.

Ms. Bates: Thank you, Mr. Chairman. Thank you for the question. Yes, we're proposing currently in the *Education Act* the timeline for the training is two years and our submission was to shorten that to one year because during a school year you could have a teacher who has not received that training because the expectation is in the Act that it's within two years. Thank you.

Chairman (interpretation): Thank you. Mr. Akoak.

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Mr. Akoak: Thank you. My final question, the Office of the Child and Youth Representative plays an important advocacy role for children and youth across Nunavut. Your office's last three annual reports indicate that between 23 percent and 27 percent of the individual advocacy cases handled by your office involved the Department of Education. Your office's 2016-17 annual report notes on page 20 that "An overwhelming majority of these concerns related to school services."

In your view, will the amendments proposed in Bill 25 overall improve the ability of the Department of Education to help children and youth succeed in the classroom? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Bates.

Ms. Bates: Thank you, Mr. Chairman. Thank you for the question. We were pleased to see that several of our recommendations were incorporated into Bill 25, particularly the inclusion of the *United Nations Convention* on the Rights of the Child in the preamble; the student representatives elected to district education authorities given voting privileges.

Many elements of our November 2018 submission to the Department of Education are not reflected in Bill 25. For this reason, we believe that there are areas of improvement that still exist to address those issues. Thank you.

Chairman (interpretation): Thank you. (interpretation ends) Just to go a bit further on Mr. Akoak's question there, I think it also came up in your opening comments in terms of the amount of advocacy cases you had that tied to the school system. I realize that there's privacy involved and you can't get into too much detail, but when you say that these cases involved school services, particularly on

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language, were there any trends or anything to indicate that students or parents or whoever was coming to your office specifically with concerns around language use in the schools? Ms. Bates.

Ms. Bates: Thank you, Mr. Chairman. I would like to turn this question to the director, Lynn Matte, if I may.

Chairman: You may. Ms. Matte.

Ms. Matte (interpretation): Thank you, Mr. Chairman. (interpretation ends) When it comes to our individual advocacy cases, language is an area that we can provide support, but it's actually not a very prevalent issue that gets raised to our attention when it comes to services. The number of advocacy cases we've had involving language services is quite low.

When it comes to schools, what we see the most often is that either service providers are not coordinating supports for students and so the services being delivered in the schools don't address specific behavioural needs that rely on another service provider's input or specific learning needs that would require an assessment and then a plan to be put in place, or even just coordination within the school itself; a young person needs a student support assistant, but there are not enough resources in the school to make that happen.

While language is extremely important, it actually hasn't come up very often in our work as a whole and as far as school goes specifically, it's not one of the items that are ranking super high on our list as concerns people are raising. I have some statistics on how many

times language has been a requirement when we do our advocacy work and these only go to 2017-18, but we'd only had at that point 10 Inuktitut cases where they wanted services **Δ⁶/<bc'6**: L'α. Γ¹ ¹bLσ¹⁶.

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from us in that language out of the 200 cases we'd opened, and we had 3 French language cases. That was spread across all the different departments. Most of those cases were connected to family services, not education. *Qujannamiik, Iksivautaq.* Mr. Chairman.

Chairman: (interpretation) Thank you. I have no more names on my list. Would you like to ask a question? Okay. Ms. Angnakak.

Ms. Angnakak (interpretation): Thank you. (interpretation ends) I just have a couple questions. Yesterday when we were talking with the other parties that came before us, one of the questions I raised was about violence in schools with youth.

I am wondering if you would look at violent behaviour challenges. Do you feel they are on the rise according your work that you do at the schools? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Bates.

Ms. Bates: Thank you, Mr. Chairman. Thank you for the question. Our office doesn't keep specific information or statistical information on that particular issue. So, I can't speak to whether it's on the rise or not. Thank you.

Chairman (interpretation): Thank you. Ms. Angnakak.

Ms. Angnakak: Thank you. Well maybe you don't keep or track it but, if I was having to deal with an issue over and over, it would kind of be in my head. Is this a violent thing, is this a language thing? Have you found that maybe you don't keep track of it, but is this something that you have become aware of? Thank you, Mr. Chairman.

Chairman: (interpretation) Thank you. Ms. Bates.

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Chairman (interpretation): Thank you. (interpretation ends) It is my understanding is that you are responding from where your office sits and it doesn't necessarily mean that it doesn't exist within the school system. That's my understanding and I see you nodding so, thanks for clarifying that. Ms. Angnakak.

Ms. Angnakak: Thank you. Well one of your recommendations is that when a student has been expelled, that you want them to be part of the conversation around what has happened. Yesterday we heard from the DEA and the coalition that violence is on the rise in schools, and in fact they were saying that students being violent against other students or violence against the teacher. It made me wonder, you had that comment and we heard the comments yesterday, what has your involvement with this issue in the schools? Obviously it's becoming a bigger problem. Perhaps it's not on your radar yet but I'm sure it will be, according to what everybody else has been saying.

The other thing that's talked about with regard to violence, violent behaviour in schools; yesterday it was recommended that these kinds of behavioural challenges should perhaps be dealt with through Bill 25. I am wondering where you stand on that? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Bates

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Ms. Bates: Thank you, Mr. Chairman. In terms of dealing with violent behavior in schools, I'm not sure I have a position or my office has a position because I believe when it's happening in the schools, the education system is in the best position to make decisions around how to deal with that, who should be dealing with that.

I did hear testimony yesterday about the escalating violence between students, towards teachers and I think that, again, because it's happening inside the schools, they're in the best position to make determinations around how to deal with that and who should be dealing with that. I believe it needs to be dealt with because it's a serious concern if it's escalating, and it sounds like it is based on the testimony yesterday. Thank you.

Chairman (interpretation): Thank you. Ms. Angnakak.

Ms. Angnakak: Thank you. I just feel that because you are the voice of children and youth when it comes to some circumstances, that perhaps that is something that you need to think about, or your office, about how.... My last question is, or I think my last question; in your opening comments on page 3, I think you have a very good recommendation in the second paragraph where you say "asking for input from students past and present in order to develop legislation which really only the government can do, but you could put input through processes like this one today, policies and procedures that would work best for students who use the educational system.

I couldn't agree with you more. I think that the government doesn't do enough of that when we talk about many issues to do with the education system, but I'm wondering if you can elaborate a little bit on what your thoughts are on how you think that can be achieved. What kinds of options do you think ʹϧͻʹͼͺϘϧϥ;ϽͺϽͺϹϲϒϧϧͺϪͼϧͺϹϥͰϹͺϥͱϹ ΔρϥϤͿϲϥͼͼͺϧͺͺ Δράμισης Γι Δεταρ, Δεταρος Δεταρ, Δεταρ

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the department should be considering to support that statement? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Bates.

Ms. Bates: Thank you, Mr. Chairman. Thank you for the question. In terms of what kinds of policies and procedures I was referring to that students can be involved in and how to get their input, from our view, all policies and procedures connected to a young person's education that have a direct impact on the young person should incorporate feedback and from past and present students.

It included, but not limited to attendance policies, discipline policies, crisis response protocols, operational directives, and education support services. In terms of getting input from students, that can be done through surveys. That can through student councils. There are various ways to hear youth voice, and quite frankly, social media in some respects. There are many ways to engage youth in those discussions and again, we always want to support youth and hear their voice because I think it can lead to informed policies and procedures. Thank you.

Chairman (interpretation): Thank you. (interpretation ends) I think that was your last your last question too. Yeah, okay. I wasn't cutting you off. You did have an opportunity there. Ms. Nakashuk.

Ms. Nakashuk (interpretation): Thank you. Welcome, Ms. Bates as well as your staff. (interpretation ends) In your last section on page 4 of your submission, you recommend that definitions of inclusive education and student supports be added to the *Education Act*. Can you elaborate further on why feel that part 6 of the *Education Act*, which provides for the delivery of inclusive

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Chairman (interpretation): Thank you. Ms. Bates.

Ms. Bates: Thank you, Mr. Chairman and thank you for the question. Defining inclusive education in the legislation is important for clarity reasons. It is currently not defined, although it's not an easy definition. As I stated in my opening comments, it means different things to different people and I think it is important to define that in the *Education Act*.

A similar recommendation was made by the Department of Education in their submission to the Special Committee to review the *Education Act* in October 2014. I think that also defining what school supports mean, again, allows for coordination services, especially when you multiple departments that are providing supports to the same young person.

Also, defining school supports allows for students and parents to understand what supports are available to them and what is the responsibility of the school system to be providing. Thank you.

Chairperson (interpretation): Thank you. I'll go back to Member Nakashuk.

Ms. Nakashuk (interpretation): Thank you, Madam Chairperson. (interpretation ends) My second question and final question, on page 5 of your submission, recommendation No. 8 refers to mature minors and notes that this concept has not been introduced in the legislation. Can you clarify what the concept of mature minor refers to specifically, how a student would be designated as a mature minor, and why you feel concept should be

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introduced into the legislation? (interpretation) Thank you.

Chairperson (interpretation): Thank you, Member Nakashuk. Let's go back to the Representative for Children and Youth, Ms. Bates.

Ms. Bates: Thank you, Madam Chairperson. A mature minor is a young person who is under the age of 19. Again, there is a criterion usually that is employed. It's done on a case-by-case basis. It's important for mature minors to be included in the *Education Act* simply because, again, it allows for a young person to be able to consent in the absence of a parent not being present to education services.

Some of the criteria or guidelines that often are included in determining mature minors, the best interest of students should always be considered in the decision about whether a student should be deemed a mature minor, but additionally, assessing whether or not the student is mature may include things like what their age is, their maturity, and what their understanding is of the decision to be made and the consequences of that decision. Thank you.

Chairperson (interpretation): Thank you, Ms. Bates, representative. Let's go back to Member Nakashuk. Are you done? Okay. Let's proceed. Adam Lightstone, Member.

Mr. Lightstone: Thank you, Madam Chairperson. I would like to continue on the topic of mature minor. Before I begin, I would like to say welcome to the Assembly, Ms. Bates, Ms. Matte, and Ms. Didham. I appreciate your submission. You put forward some very valid recommendations and a very strong opening comment.

Earlier you had mentioned the fact that the

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Government of Nunavut does recognize mature minors in separate pieces of legislation. I believe it was the Health Act. My question is going to be for the Minister. I would like to ask the Minister a question while I do have the child and youth rep here in case I need further input.

My question to the Minister is: why is it that "mature minor" is recognized in other government legislation but not in this *Education Act*, which is specific to youth and minors? Thank you, Madam Chairperson.

Chairperson (interpretation): Thank you, Member Lightstone. (interpretation ends) Hon. Minister David Joanasie, (interpretation) I go back to you.

Hon. David Joanasie: Thank you, Madam Chairman. (interpretation) I'm sorry. (interpretation ends) Thank you for the Member's question. Under our inclusive education directive or education support services, we do recognize and define an "adult student." This is a student who has reached the age of 16 for the purposes of sharing information to support access to mental health services and a student who has reached the age of the majority, which is 19, for the purposes of sharing information to support all other aspects of the education program. We have defined it in some sense through our directive. Thank you, Mr. Chairman.

Chairman (Mr. Main)(interpretation): Thank you. Mr. Lightstone.

Mr. Lightstone: Thank you, Mr. Chairman. Just to follow up on that theme, the Representative for Children and Youth did appreciate the fact that adult students are recognized under the inclusive education section of the Act, but still the fact that "minor students" is absent from other administrative

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sections of the Act.

My next question is in relations to recommendation 3 that the Commissioner had made in stating the fact that minor students don't have a voice when it comes to administrative proceedings. So I would like to ask the Minister, why is that the case? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Minister Joanasie.

Hon. David Joanasie: Thank you, Mr. Chairman. We are, through inclusive education purposes, allowing for students to participate in the proceedings. Can you give me a minute?

My apologies, yes there are instances where students when they have to develop an individual student assessment, student... . My brain is trying to work.

>>Laughter

Individual student support plan, that student has ability to participate in that development process through inclusive education. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Lightstone.

Mr. Lightstone: Thank you, Mr. Chairman. I just want to rephrase my question. I appreciate that students do have an opportunity to participate in the inclusive education aspect of the *Education Act*, but as the Commissioner had pointed out, minor students do not have an opportunity to voice their concerns in all administrative proceedings that affect them, and as the Commissioner had pointed, students do not have the ability to participate or appeal in administrative procedures or in particular to

those cases that pertain to student suspension or expulsion.

My question why was why is it that minor students do not have that ability to participate or appeal cases where students are facing suspension or expulsion? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) So, the question is why is not in the current school system or why is it not Bill 25? Okay. Minister Joanasie.

Hon. David Joanasie: Thank you, Mr. Chairman. I think this is something that we can look into further into in terms of whether or not this amendment to the bill. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Mr. Lightstone.

Mr. Lightstone: Thank you, Mr. Chairman. My next question is in relation to recommendation 5 that the Commissioner had made regarding early childhood education, and the recommendation is that clause 82, which states that the DEA elects not deliver early childhood programs, the Minister may do so through agreement with a third party. The Commissioner had recommended changing this to state that the Department of Education must deliver early childhood education.

My question for the Minister is: how much of an implication that single word change would have on the department and the Act? Thank you, Mr. Chairman.

Chairman: Thank you. I believe the two words in question are shall or may, just to be specific. Minister Joanasie.

Hon. David Joanasie: Thank you, Mr.

Chairman. Again we would have to look at what the implications of what this wording change would entail either way. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Maybe I'll give the representative a chance to further elaborate on your recommendation 5, which Mr. Lightstone was just asking about. You make specific reference to those different wordings and you go on to say that this is of concern. The fact that it says "may" instead of "shall" is of concern to your office. Maybe elaborate why you're concerned about this one specific word within the bill. Ms. Bates.

Ms. Bates: Thank you, Mr. Chairman. The proposed amendments in Bill 25 do not appear to clarify that in cases where the DEAs elect not to provide ECE programs, then the Department of Education must do so. By changing that word, it makes it into that "shall" compels them to. Part of our recommendation is access to early childhood education programming for all children across the territory. Thank you.

Chairman (interpretation): Thank you. Mr. Qamaniq.

Mr. Qamaniq: Thank you, Mr. Chairman. (interpretation) Welcome.

(interpretation ends) With respect to inclusive education as provided within Part 6 of the *Education Act* and amended under subpart 4 of Bill 25, you note that the bill does not include an amendment to propose a definition of "student supports." Can you describe what you would envision as a definition of "student supports" within the context of inclusive education within Nunavut's education system? (interpretation) Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Bates.

Ms. Bates: Thank you, Mr. Chairman. Thank you for the question. I think a definition of "student supports" would be a list of supports available, such as school assessments, individual student supports, occupational therapy, a list that would define what supports were available to students. I think it would clarify and it also commits in law what supports would be offered. Thank you.

Chairman (interpretation): Thank you. Mr. Qamaniq.

Mr. Qamaniq: Thank you, Mr. Chairman. At the bottom of page 4 of your submission you seem to indicate that the newly proposed definitions of "education program" and "local community program" under clause 23 of Bill 25 do not clearly explain which matters fall under each program. Can you clarify whether it is the content of each program which you feel needs further clarification or whether the legislation needs to be amended to provide greater clarity with respect to which entity is responsible for the delivery of each program? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Bates.

Ms. Bates: Thank you, Mr. Chairman. The terms that are used in the *Education Act* and Bill 25 include "education program," "local community program," "local program enhancement," "school improvement plan," and "education program plan." Some of these are defined in the definition section of either the *Education Act* or Bill 25, but for others, the relevant information is in the body of the legislation or the bill.

Without the user's guide to Bill 25, it's very difficult to understand how these programs

are related. Plans relate to or differentiate from each other. Perhaps defining all the terms in the definition section would help that or having an accompanying guide would be useful to the bill or the Act to assist parents. Basically our submission is we encourage the department to simplify the information or make it accessible in one location. Thank you.

Chairman (interpretation): Thank you. Mr. Qamaniq.

Mr. Qamaniq: Thank you, Mr. Chairman. This is my last question. On page 2 of your submission you discuss your recommendation that Standing Committee consider any submissions provided by young Nunavummiut despite the Committee directly contacting schools in every Nunavut community to encourage the input students to the Bill 25 review process.

Only one submission purporting to be from a student was received. Going forward, what activities are the best practices do you suggest would promote greater participation by students, children, and youth in Nunavut's legislative process? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. Ms. Bates.

Ms. Bates: Thank you, Mr. Chairman. Thank you for the question. The best way to get input from students, to get from youth, you have to go to where they are. I find that often youth don't; if you put out a call for submission, if you put out a call for input, they are not usually going to respond. You have to go them. You can use social media, as I said before, using surveys, and really direct conversations. A lot of the input that we receive is through direct contact with students; going to them as opposed to expecting them to come to you. Thank you.

Chairman (interpretation): Thank you. Mr. Qamaniq.

Mr. Qamaniq: Thank you, Mr. Chairman. I would like to ask the Minister: what efforts did you take to encourage the input of students to the Bill 25 review process? Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. There were consultations that went into creating Bill 25. Minister Joanasie.

Hon. David Joanasie: Thank you, Mr. Chairman. We did solicit feedback from student groups; namely in Baker Lake, Arviat, Kugluktuk, and we did a focus group with Nunavut Sivuniksavut students. On top of that, I remember also sitting here in front of the Youth Parliament when they talked about education in Nunavut, not specifically per se on Bill 25, but it touched on a lot of the discussions that we are discussing here today and the past few days. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. I don't have any further names on my list. (interpretation ends) I just wanted to ask a question or two on your sixth recommendation in your submission which speaks specifically to recruitment of young Inuit into the teaching profession under the Inuit employment plan. It is a very short recommendation that you have here and you do mention it in your opening comments as well, but if you can just give us your thinking behind including this in your submission. Ms. Bates.

Ms. Bates: Thank you, Mr. Chairman. Including it in our submission is really, again, having young Inuit teachers who can instruct in language, quite frankly, to ensure that all children have the right to practice their

language and their culture. In terms of any ideas in terms of recruitment of teachers, I would suggest that ensuring students are aware of the pathways that exist on how to become a teacher, showing students what the benefits are of becoming a teacher in Nunavut are, and again, seeking input from students potentially at the college or in a teaching program; why did they go into teaching, what inspired them to do so. We feel it is a very important aspect of maintaining our education system and preserving the culture and language. Thank you.

Chairman (interpretation): Thank you. (interpretation ends) Minister Joanasie, on that recommendation No. 6 from the representative, it mentions that this is something that's within Bill 25, the requirement for a strategy for retention and recruitment, but it's also in the Inuit Employment Plan or it would be. If you could just clarify where this issue or need would be addressed in your department's view. Is it within Bill 25 and then also it would be something within the Inuit Employment Plan, or is it one or the other? If you could clarify that, Minister Joanasie.

Hon. David Joanasie: Thank you, Mr. Chairman. I believe it would be both. I have made an effort myself personally to try to entice and encourage graduates from our high schools in grade 12 to pursue the teaching career as an option.

In addition to that, I have written to the NTEP graduates to encourage them to apply for positions in our schools. We try to employ different ways to have a clear pathway for Nunavummiut particularly to get them on their way into the classroom teaching in their language with their credentials.

We want to continue to strive for a quality education program and this is where I think

yes, we have a very young population and I think it's to our benefit that we can target the youth while they're young and plant the seed at the earliest stage possible and get them on their way. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) My last line of questioning is just around recommendation No. 9, which is the orientation and mentoring for teachers. The representative office's position is that this orientation and mentoring should be offered within the first year. Minister, I wonder why you have a two-year timeline proposed for this orientation and mentoring as opposed to one year, which the representative's office supports. Minister Joanasie.

Hon. David Joanasie: Thank you, Mr. Chairman. Just to clarify, it's under the current Act that there's a two-year window for this to occur. This is maybe another something that we can look further into whether there are resources to allow for that. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Just further, just so the Committee can better understand that piece, who delivers this orientation and mentoring for a teacher? Being specific, if we have a new teacher, maybe they're from Nunavut or maybe they're from outside of Nunavut, within that first two years, who gives them the orientation and mentoring program or support? Minister Joanasie.

Hon. David Joanasie: Thank you, Mr. Chairman. We have an educator development division that's largely tasked with orienting new teachers, but in addition to that, we want to help or want to get assistance through the DEAs at the local level to allow teachers to have an environment when they first step into the community, the DEAs are right there at

the local level to assist with facilitating that transition into the community. I think this is something that we can work on through more planning and having resources in place.

There was mention about the teacher induction program by the teachers association representative. That website is still up and is perhaps maybe a little dated, so this is an area that we're trying to revamp and spend some effort on. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Thank you for clarifying that. Ms. Towtongie, you're just about to go and catch a plane, but you have time for questions. Ms. Towtongie.

Ms. Towtongie: Thank you, Mr. Chairman, for recognizing me. I'm just very concerned as an Inuk parent. When I was talking about the prevailing authority that exists in the Inuit mind, a lot of us view our children as being dependent upon us throughout our lifetime. We don't necessarily look at age 19 or a mature minor is a person under the age of 19 that has the maturity and understanding to make decisions on their behalf.

When I speak about the prevailing authority of the Inuit as a parent, it's throughout our lifetime. We see our children as being dependent upon us. We don't see them as economic units; when they are able to make money, they are on their own. They are dependent upon us for decisions. They are dependent upon us for maturity. Understanding the thought process is different and the institutions clash, they really do, and it creates ambivalences within us, anger, and sometimes violence because of the lack of understanding of the differences of worldview.

When I see recommendation No. 8, I'm concerned where the Inuit parental authority

exists or when the grandparents', grandfathers' authority exists because if we say in Inuit the IQ is the overarching of the preamble of Bill 25, it's based upon our elders, it's based on the traditional knowledge holders. If you're recommending that in the *Mental Health Act*, mature minors are able to consent for themselves when decisions about their health care need to be made without the help of a parent or guardian, that's a clash between the Inuit culture and the western society, total clash. I believe that if this legislation is going to be specific for Nunavut, there should be recognition of the prevailing authority that exists in the Inuit mind.

I wanted to make a comment on that. I realize we're dealing with the *Education Act*, but I want to say further, when we're dealing with the *Education Act*, we're only dealing with classroom education in these walls. That's why I am concerned. Education to the Inuit is the total universe, the total cosmology. That's another type of education and it's under local enhancement programs and local education programs, but in dealing with classroom education, we have to recognize the existence of the cultural needs of the parents and the elders, mainly the grandparents. I wanted to make a comment on that because I'm leaving on a flight. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Thank you, Ms. Towtongie. I believe that's one of the great things about this Committee is that we have so many different viewpoints and people like yourself who have a lot of experience.

Ms. Bates, in terms of Ms. Towtongie's comments or statement, when we look at your eighth recommendation regarding Bill 25, when you were preparing your submission on Bill 25 and this concept of mature minors, did you consider issues where this concept may clash with *Inuit Oaujimajatuqangit* or values

within Nunavut? Was that something that was considered or is there a way to make these two things work together? I hope that's a clear question and if it's not clear, just let me know. Ms. Bates.

Ms. Bates: Thank you, Mr. Chairman. We had a great deal of discussion about this and the idea of mature minors and how that may be perceived as clashing with Inuit societal values. I believe that there are many overlapping concepts between the *United Nations Convention on the Rights of the Child* and Inuit societal values. This belief is formed by a lot of the work that has been done by our office with our elder advisors and we do speak with our elder advisors about this.

Again, what I would stress about the mature minors concept is that again, in some cases minors don't have a parent who is available for that guidance for that decision-making and it's done on a case-by-case basis and it's to prevent the barrier, some sort of person in their life, absolutely, some person who can't provide that guidance or that direction. It's to remove the barrier to, let's say, registering yourself in school or to gain services to mental health.

I hope that answers the question. Thank you, Mr. Chairman.

Chairman (interpretation): Thank you. (interpretation ends) Thank you for commenting on that. It's something for the Committee to consider as we continue our work on this bill.

Right now we have no further questions for you and for reasons that I won't go into, I will limit you to a two-minute closing statement.

Ms. Bates.

Ms. Bates: Thank you, Mr. Chairman. I just would like to take the opportunity to thank the

Standing Committee for providing us the opportunity to appear today. I want to thank my colleagues, Lynn Matte and Katie Didham, for appearing with me. I appreciate the warm welcome that everyone has provided to me.

We look forward to working with departments in the future to ensure that services provided to young people and their families are the best that they can be. I believe that this is an example of how we can do that. I appreciate the opportunity and thank you.

Chairman (interpretation): Thank you. (interpretation ends) Thank you for your written submission. Thank you for being here today along with your staff. The Committee does appreciate your input.

(interpretation) Our hearing will adjourn for now. We will resume tomorrow morning at nine o'clock. The Minister will be in the hot seat in the morning, (interpretation ends) the hot seat (interpretation) in English, but we will have an opportunity to ask questions regarding Bill 25 in the morning. Thank you, Members. Thank you, staff. Have a good evening. We will see you tomorrow.

>>Committee adjourned at 16:43