



Tabling of Documents

George Hickes, MLA
Iqaluit Tasiluq
November 5, 2015

Copies of Submissions to the Special Committee to Review the Education Act

Thank you, Mr. Speaker.

60-4(3) Tabled Document

Nov 5/15

Mr. Speaker, as I mentioned earlier during my report, the Special Committee to Review the *Education Act* was very pleased to welcome Ms. Margaret Joyce, Mr. John Wilson, Mr. Robby Qammaniq; Mr. Adam Fisher and representatives from the Department of Education, Nunavut Tunngavik, the Nunavut Teachers' Association; and the Coalition of Nunavut DEAs who appeared as witnesses during the Special Committee's formal hearings held on May 13 and 14 of this year.

I am tabling copies of the submissions that they presented and which were discussed during the hearings.

Thank you.

389 MacMillan Point Road
Covehead, PE
C0A 1P0
8 May 2015

To the Legislative Assembly's Committee Reviewing the Nunavut 2008 Education Act

Dear Committee:

I am writing this letter and including a copy of the Education Act with comments I have made on various aspects of the Act so as to provide the committee with information I have on this topic which I have gathered over the previous 22 years of my life spent working in the north in Education, first for the NWT and then for Nunavut.

I held many different positions over these years, living in the three regions, in five different communities and visiting all but 4 communities in Nunavut while holding various different positions within the department. I came north originally to be a high school teacher in Iqaluit to start a new "General" program as the COP program which had been popular in schools, was discontinued by the Department of Education for the NWT. The students that year taught me more than I could ever have learned in any of my other positions over the years. I moved from Inuksuk High School to the Board Office in Iqaluit where I worked on the implementation of high schools into all the schools/communities in the Baffin Divisional Board. In order to gain a permanent position with the school system I moved to Inuksuit School in Qikiqtarjuaq where I started as a Student Support teacher with responsibilities to teach aspects of the high school program, and later took on a co-principalship with Malaya Audlakiak.

I left Qikiqtarjuaq in 1999 to move to Arviat to become the Inclusive Schooling Coordinator for the Department. Curriculum and School Services, then situated in Arviat was an incredible place to work at that point. Staff were wooed from various places across the new territory. The open concept of the office lent itself to having group meetings formal and informal, used to discuss initiatives that C&SS were working on. The workload was huge and the commitment by the staff was high. The Elders who worked with us, kept us centered and focused. We worked as a team not held to participate by the title we held but on the perspective we might bring to any of the projects being worked on. I still hold my work with Donald Udlualuak on the Inuit Values project as one of the most meaningful initiatives I helped with. This Values project brought the office together, grounding us in what is key in terms of IQ.

We worked on the foundation documents as well, meeting with Elders, educators and other key people from across Nunavut to discuss Inuit Qaujimajatuqangit and its implications for Education, Assessment, Inclusion, critical thinking, language and the various areas of the curriculum. During those years as well I was a Director, along with Shirley Tagalik (who was the manager of C&SS) for the Nunavut site of the Centre of Excellence for Children and Youth with Special Needs in Rural, Remote, Northern Canada (a Health Canada initiative).

In 2004 I left Arviat to move to Kugluktuk to take on the Superintendent position for the Kitikmeot School Operations, working under Millie Kuliktana. Millie had a passion for language and I had one for curriculum so we joined forces to assist our 8 schools to be the

best they could be. I worked on projects to help schools, such as writing the Operations' Manual for Nunavut Schools along with Emile Hatch and Donald Mearns. I worked with the staff of Quqshuun School to design a teacher assessment tool to help staff see where their strengths or weaknesses were so that we could help them improve their practice.

I retired (the first time) in 2009 and intended to go down to PEI to my newly built home and bask in retirement. However life threw a curve ball and Millie got sick and was not able to work and I was contracted to assist and take on an Acting Executive Director job for months at a time. I also took on several writing projects – writing a guide for schools on how to work through developing the Inuuqatigiitsiarniq Policy for their school. I completed a draft of this which I presented to the Executive Director of Curriculum and School Services, Cathy McGregor, and expected to be required to meet with others to critique it and make changes but instead I did not hear from them on this again. I also was contracted to write curriculum for the high school Multiple Option strand of Entrepreneurship, completing three modules.

Shirley Tagalik and I wrote a parenting curriculum for the Qaujigiartiit Health Research Centre using material we had learned from elders at the Elders' meetings held by the department that brought together Elders from across Nunavut on specific topics of which they had expertise. With the Elders' blessing we used materials they had shared over the years at a number of meetings where they discussed child rearing, language and culture. This program, called Inunnguiniq, has been piloted and is in review with the Centre. It also has been shared with the Department of Family Services and Health.

The comments I have written (within red boxes throughout attached Bill 21) are my reflections on what I feel has happened with the Education Act since it was first implemented. I do feel proud to have worked on its creation, and gave input into its implementation. My comments are meant to be a reflection after it has been in place and my seeing the implications of it. Of course the work that I did originally did not include the work done on the Regulations. I was asked for input and did have to implement these regulations in the schools in the Kitikmeot and especially within Quqshuun Ilihakvik where I was principal from 2012 to 2014.

And so my comments often relate to my last position, as the principal of Quqshuun Ilihakvik in Gjoa Haven when I came out of retirement to take on the principalship which I held for two years.

If you have any questions, please feel free to contact me. My home phone number is 902-672-4440 and my email address is mjoycepei@gmail.com. I hope my input adds to your discussion.

Sincerely,



Margaret Joyce

FOURTH SESSION
SECOND LEGISLATIVE ASSEMBLY
OF NUNAVUT

QUATRIÈME SESSION
DEUXIÈME ASSEMBLÉE LÉGISLATIVE
DU NUNAVUT

GOVERNMENT BILL

PROJET DE LOI DU GOUVERNEMENT

BILL 21
EDUCATION ACT

PROJET DE LOI N^o 21
LOI SUR L'ÉDUCATION

Reprint

Réimpression

Date of Notice Date de l'avis	1st Reading 1 ^{re} lecture	2nd Reading 2 ^e lecture	Reported from Standing Committee Présentation du rapport du comité permanent	Reported from Committee of the Whole Présentation du rapport du comité plénier	3rd Reading 3 ^e lecture	Date of Assent Date de sanction

Ann Meekitjuk Hanson
Commissioner of Nunavut
Commissaire du Nunavut

Inuit societal values and Inuit Qaujimajatuqangit

1. (1) The public education system in Nunavut shall be based on Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit.

Inuit Qaujimajatuqangit; guiding principles and concepts

(2) The following guiding principles and concepts of Inuit Qaujimajatuqangit apply under this Act:

- (a) Inuuqatigiitsiarniq (respecting others, relationships and caring for people);
- (b) Tunnganarniq (fostering good spirit by being open, welcoming and inclusive);
- (c) Pijitsirniq (serving and providing for family or community, or both);
- (d) Aajiiqatigiinni (decision making through discussion and consensus);
- (e) Pilimmaksarniq or Pijariuqsarniq (development of skills through practice, effort and action);
- (f) Piliriqatigiinni or Ikajuqtigiinni (working together for a common cause);
- (g) Qanuqtuurniq (being innovative and resourceful); and
- (h) Avatittinnik Kamatsiarniq (respect and care for the land, animals and the environment).

Duty of all

(3) It is the responsibility of the Minister, the district education authorities and the education staff to ensure that Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit are incorporated throughout, and fostered by, the public education system.

Grounding everything in Inuit Qaujimajatuqangit is critical. Otherwise the school system that is set up will not be built on the strengths of Inuit culture and knowledge. I was very fortunate to work in Arviat when the Elders worked in the Curriculum and School Services' office and during the development of the Elders' Advisory committee – groups of elders brought together to discuss various issues and concerns that would impact the educational system or aspects of it. What an opportunity! How these ran evolved over time, initially starting with Elders from across the territory being invited to come to discuss a particular issue which they were felt to have a unique or important perspective on. Originally there was a lot of preparation work done with the elders working at Curriculum and School Services, sometimes involving initial meetings to set things up and get a grounding understanding of what we were hoping to find out with the help of the elders. Often great breakthroughs would happen at these meetings – huge AHA moments. Out of these meetings the foundation documents for curriculum development, for assessment, for inclusion, these three being approved and implemented into the schools. The other two foundation documents – Atausiunggittumut Uqausirmut – the language foundation document and Inunnguiniq – the critical pedagogy document have been written in draft form but never implemented into the system. The usual process had been to hold meetings – bringing people from across the territory, often representing different organizations, to analyze and give input on these important documents. Why is it that the language document, grounded on Inuit Qaujimajatuqangit, has never been implemented? In the days of developing programs and services for our schools not to have a foundation document that explores and outlines the need to have a critical pedagogy approach, is extremely short sighted. The statement for the workings of the department and the schools to be grounded on Inuit Qaujimajatuqangit is not included throughout the Education Act for no purpose. It was meant to set up a process that would allow for critical discussion on important topics by the people and for the people, especially for the children!

School program

7. (1) Subject to subsection (7), a district education authority shall provide a school program for kindergarten and for grades 1 to 12.

Contents of school program

(2) The school program consists of the delivery of the education program described in section 8 and any other activities, programs or services that may be provided under section 11.

Inuit Qaujimajatuqangit, foundation of school program

(3) A district education authority shall ensure that the school program is founded on Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit and respect for Inuit cultural identity.

Same, delivery of school program

(4) The Minister, the district education authority and the education staff shall ensure that the school program is delivered in accordance with Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit and respect for Inuit cultural identity.

Parental and community involvement

(5) A principal, working in co-operation with the district education authority, shall develop and implement programs and procedures for parent and community involvement in the school program.

This is an important area in order for schools to reflect the community and the needs of the students. There need to be resources principals can draw from. We used AHS and the Qaujigiartiit Health Research Centre's Parenting program and had parents in to make mitts (one year) and kamiks (another year), for their children. We had an Elder group made up of Elders from our community and the communities of Kugaaruk and Taloyoak to create a common approach to teaching the Netsilik dialect. Our DEA's AGM brought in parents and Elders to discuss educational issues and to explain what the DEA had worked on during the previous fiscal year. In addition parents were encouraged to attend celebrations held at the school or special events, such as our Remembrance Day Service, Christmas concerts, attendance prize assemblies.

Evaluation of school program

(6) A principal shall conduct, in co-operation with the education staff, a continuing program of evaluation of the school program in his or her school.

This again requires resources so that the review is done based on the goals of these programs. The feedback on this should go to the C&SS division for their use in developing or revising the programs they are working on. This also relies on the principal knowing what he or she is doing – understands IQ and program evaluation. Now that ELP has been suspended and the talk of on-line courses replacing these, it is hard to see how this will be done effectively.

Education program

8. (1) The education program for a school consists of the delivery of the curriculum established by the Minister as modified by any local program developed by the district education authority and includes adjustments made to the education program and support given to a student under Part 6.

Curriculum

This last year we experienced a changing of the curriculum mid year with very little input or discussion with schools. This was chaotic. Our school had outcomes created and used to develop plans for classroom programs and teachers spent time finding resources that could ensure these outcomes were taught. Switching the curriculum mid year was not a simple thing. We did not have a clear direction given on teaching math in English or Inuktitut, even though the resources in math were limited. We did take the time to have what was available retranslated into the Netsilik dialect and were using these. However the level of understanding of the concepts for math is limited by our primary staff. Some difficulty was because it is hard to do using the Inuit language – like skip counting, multiplication, division. We used technology to help but it was in English and yet our students needed to read the directions and their instruction is in Inuktitut. There were sound bites on the computer program telling the students what to do but our band width is so narrow this capacity only worked for a few I-pads per class.

(2) The Minister shall establish the curriculum for kindergarten and for grades 1 to 12.

Curriculum cont'd

Changing the math to English mid term and then changing it to use the NWT Math outcomes rather than the Alberta ones we had been using, was a change that didn't need to happen. They are all based on the WNCP math outcomes anyway. Other than that changes also happened to the English outcomes – dropping the EL2 outcomes that were outlined in the EL2 Handbook developed from a document created in Northern Quebec. Instead schools were directed in March 2014 to use English first language outcomes from the NWT. Again a change made quickly with no discussion from the schools/community is disrespectful. This has nothing to say to how arguable it could be as to whether first language outcomes for English are appropriate for our students. There are few new resources available for elementary. The planning guide put out was inserviced in half a day – a huge binder that is extremely complex. It is a good resource but requires more focus to implement. It could have had a series of workshops given out to schools. Curriculum resources like those developed for the middle and high schools is rare

Inuit Qaujimajatuqangit

(3) The Minister shall establish the curriculum in accordance with and base it on Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit and respect for Inuit cultural identity.

Administration needs to be key players in ensuring this. We have a lot of new principals each year. Expecting the RSOs to teach this in their 5 day sessions with their new principals is not reasonable. ELP provided that grounding for the principals and the requirement to attend if you wanted to be a principal is not an unreasonable request. The attending was completely paid for – meals, transportation, accommodations. It helped to build a team of administrators/consultants across the territory – key to building a community of learners at the community level. Dropping ELP or changing it to an on-line series of courses will not provide the attendees the chance to hear elders or more experienced northern administrators. I took ELP back when it was offered to both territories collaboratively, and gave sessions during other summers. I also taught in the Masters program offered to Nunavut educators through UPEI. I feel that both these programs, now on hold or shelved were valuable programs that will not have the same outcomes by offering on-line courses.

Promotion of understanding of Nunavut

(4) The curriculum shall promote fluency in the Inuit Language and an understanding of Nunavut, including knowledge of Inuit culture and of the society, economy and environmental characteristics of Nunavut.

Standards

(5) The Minister may establish teaching standards and give directions to the education staff with respect to the delivery of the education program.

The Outcomes and the Planning Guide were developed for this purpose. Resources that were created in Arviat sometimes were never completed or were held in limbo for years. The Elders' meetings and other consultations were the grounding of these resources but too often people in Iqaluit didn't take the time to determine if these resources would be of value to the schools. In our region ever since Millie was the Executive Director, it was expected that our schools use these resources. Millie had sat on committees with the Curriculum and School Services division and knew what was available. I was Millie's Superintendent during her time as Executive Director. We inserviced and supported schools in implementing the requirements. I'm not sure the same support was available in the other regions.

Duty of principals

(6) Principals shall ensure that the education program is taught in accordance with the standards and directions referred to in subsection (5).

Only possible if the principals' are inserviced or supported in providing this.

Duty of teachers

(7) Teachers shall comply with the standards and directions referred to in subsection (5).

Only possible if the teachers' are inserviced or supported in understanding these.

Approval of teaching and learning materials

10. (1) Teaching and learning materials that are referred to in the curriculum, including the curriculum as modified by any local program, or that are necessary to support the education program shall not be used unless they are approved by the Minister.

Relevance to Nunavut culture

(2) In considering whether to approve teaching and learning materials, the Minister shall consider whether the materials are relevant to Nunavut culture.

Has the Department monitored this in relation to the Balanced Literacy approach being implemented into our schools? Taking teachers out of classrooms to be coaches and expecting the inservice to take place before the Inuktitut resources are created is a risky business. Our primary classrooms are very large because of this and our compliance in teaching in the Netsilik dialect of Inuktitut to our classrooms may be impossible to do in the rushed timeline.

Other activities, programs and services

11. (1) A principal shall develop and provide activities, programs and services for his or her students in addition to the education program.

Breakfast, lunch, bussing, after school programs, parent courses, early childhood programs. Interagency committees, lockdowns, fire drills, etc. etc. The principal's role is extremely demanding and we haven't even gotten to the expectations of what the principal is to do for the DEA. This act is heavy on DEA responsibilities which can fall to principals to do the follow-up so the demands on the principal are high.

Inuit Qaujimajatuqangit

(2) Activities, programs and services provided under subsection (1) shall be developed in accordance with and be based on the principles and concepts of Inuit Qaujimajatuqangit.

How are principals to learn this if there is no ELP or an on-line ELP which does not give people the chance to learn from the Elders and check their knowledge out with others who have experiences to share.

Role of district education authority

(2.1) A principal, in carrying out his or her duties under subsection (1), shall consult with the district education authority and shall follow such directions as the district education authority may give.

All letters, proofing minutes, monthly reports for any committee and the principal's month end as well – not the one for the Department because it is too long and our DEA aren't interested.

Programs for moral or spiritual instruction

(3) A program under subsection (1) may include a program for moral or spiritual instruction.

Consultation

(4) In developing a program for moral or spiritual instruction, a principal shall consult with the community.

Freedom to not participate

(5) Staff and students have the freedom to not participate in a program for moral or spiritual instruction and any such program shall be provided in a manner that respects that freedom.

Working with community organizations

13. (1) A principal shall work with community organizations

- (a) to maximize the effectiveness of the school program; and
- (b) to assist students in entering and leaving the school system.

This is important but it varies if such a committee organization exists and if not then developing and nurturing such a committee is time consuming. It is important and when a community doesn't have one (such as the last community I was in) it takes selling the idea to various agencies that often claim they are too busy. But it is possible to get the various groups in individually to work with them – but this can be quite time-consuming as well.

Reports on effectiveness of school program

14. A principal shall, in accordance with the regulations, report twice each year to the district education authority and the Minister on the effectiveness of the school program.

Promotion decisions

The reports that have been provided require several levels of consultation – with staff, with the School Team, with DEA committees and with the DEA as well as any other groups or individuals who are involved. This is worthwhile but very time-consuming and falls to principals who have to find the time to do this.

Early childhood program, Inuit Language and culture

17. (1) In addition to the school program, a district education authority shall provide an early childhood program that promotes fluency in the Inuit Language and knowledge of Inuit culture.

For our school we took on the community's AHS program as the Hamlet was going to give it up and the loss of the program not only to the community but to Nunavut was threatened. Taking on this program meant a great deal more work for our DEA secretary and for the principal. We had started with a new coordinator as we wanted to have an early childhood program that promoted the Inuit language and culture and chose an elder so much of the monitoring of the program fell to one of the staff members and to the principal and DEA secretary. We are moving some of the responsibility to a hired financial agency who will oversee the books. This does not mean that the program still isn't a responsibility of the principal. For our school the program ran in the school and so we treated the program and staff as staff members.

Same

(2) A program provided under subsection (1) may be limited to such number of children as the district education authority may determine or to such class or classes of children as it may determine.

Inuit Qaujimajatuqangit

(3) Programs provided under subsection (1) shall be developed in accordance with and be based on Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit, particularly the principle of Pilimmaksarniq.

Regulations

(4) The Commissioner in Executive Council may make regulations respecting programs provided under subsection (1), including regulations related to the content and standards for the delivery of the programs.

Transition

Regulations is another whole issue – Regulations require policies and policies need to be developed by the DEA which usually falls to the principal as well. Policies need to be developed with community input and once developed need to have 2 weeks of community consultation before going to the DEA for readings and approval. In one year we had two policies each year – Inuuqatigiitsiarniq and Registration and Attendance this year. Last year it was Language and a Bussing policy. These took an incredible amount of time, background knowledge and commitment to develop sound policies. There was no support for the principals on helping with these. Members of our DEA were on the committees that helped develop these along with community members but our DEA meetings were very long with topics that required attention and so all meetings to work on these policies had to happen after school hours (so teachers or school staff could be involved) and with demands after school for staff meetings and after school activities it meant many meetings had to occur in the evenings. Radio shows to share policies with the community were normally evening activities as well.

(5) A district education authority is not required to, but may, provide a program under subsection (1) before the school year that begins July 1, 2011.

What support for this was provided by the Department of Education or Family Services to assist the community or the DEA in how to set up a program. There are individuals who do have expertise but for our school her visit occurred during the principals' conference.

Other programs

18. (1) In addition to the school program, a district education authority may provide early childhood programs in addition to the one referred to in subsection 17(1), adult education programs and other educational programs to enhance learning.

Our Arctic College instructor did report at the AGM but otherwise did not attend DEA meetings. The parenting program did fall under the DEA and ran out of the school.

School program plans

20. (1) Subject to such direction as the district education authority may give, a principal shall develop an operational plan for the school for the school year, to be known as the "school program plan".

School Program Plans need to be developed and then approved by a DEA – which means being prepared for this in plenty of time. Forms from the Department came at the last minute for many of the things (calendar) that require consultation and planning. Given the focus on Balanced Literacy that the department has taken it would be assumed that this could be part of the plan but if the principal wasn't part of the discussions on Balanced Literacy then this may not be the case. There need to be monthly principal conference calls where topics are discussed that will be required to be done in the next month – giving enough leeway so that planning, consultation and discussion can take place and that filling in paperwork for the sake of being compliant does not happen.

Scope of plan

(2) A school program plan shall cover how the school program will be delivered to the students of the school and any other matters necessary for the operation of the school.

Inuit Qaujimajatuqangit

(3) A principal shall develop a school program plan in accordance with Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit, particularly the principles of Pijitsirniq and Aajiqatigiinniq.

Consultation

(4) In developing a school program plan, a principal shall consult with school staff and the community.

Easy to say but time consuming to accomplish. Our staff were definitely consulted but invitations to the community to give input were not always followed up on.

Home schooling program

21. (1) A parent of a child may, under the supervision of a district education authority, provide a home schooling program to the child at home or elsewhere in accordance with this Act and the regulations.

Inuit Qaujimajatuqangit

(2) A district education authority shall supervise a home schooling program in accordance with Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit.

Our DEA did have a Home Schooling program available to our families for the students in the elementary school only. We have such a large number of students whose attendance is very poor. We have suggested to their parents that they sign up for home schooling so that the students can be assessed and program materials given to the family at the child's level. Further assessment of these children is scheduled to happen in line with reporting times at the school. These students are welcome to come to school any time they want and we do find that they do.

Registration

(3) To be in a home schooling program, a student must be registered with a school and he or she must be at least six years of age on or before December 31 of the school year and he or she must be less than 18 years of age on that day.

Reimbursement of costs

(4) Subject to any regulations respecting the amounts to be paid, a district education authority shall reimburse the student's parents for the education program costs that are incurred by or on behalf of a student who is registered in a home schooling program.

There are not resources available in the Inuktitut language that our parents can purchase. We therefore, provide them with resources in lieu of payment. Parents are accepting of this. Parents are encouraged to contact us if they need more resources.

Evaluation and support of programs

(5) A district education authority shall, in accordance with the regulations, evaluate home schooling programs and provide support for them.

Duty of principal

(6) A principal shall assist the district education authority in carrying out its duties under this section and shall do so in accordance with the regulations and any directions that the district education authority may give.

I oversaw the Home Schooling Program. The SCC was pivotal in registering and contacting parents about the program. The parents brought their child in to be assessed by the Student Support Teacher and the Inuktitut Language Specialist. The results were discussed with the parents. Resources were provided linked to the child's levels in each language and in math. Weekly homework sheets that outlined what is being covered in social studies, science and health were also made available.

Bilingual education

23. (1) Every student shall be given a bilingual education and the languages of instruction shall be the Inuit Language and either English or French as determined by a district education authority with respect to the schools under its jurisdiction.

I have always had a strong commitment to fulfill the Language of Instruction component, not only of this act but of living in the north. I was not an easy student to learn the language – found it easier to type it, than to speak it. Moving and living in 5 different communities in Nunavut with 5 different dialects didn't help. However, when I moved to Kugluktuk as the superintendent I worked tirelessly with Millie to support the two Inuit languages of our region – and pushed the schools to comply with the Education Act by having their schools staffed with folks who could ensure that they were compliant in terms of determining what model the community chose for their schools and staffing the schools to provide programs so that they were. Quqshuun has been compliant in terms of staffing. We worked on ensuring that the teachers were using Inuktitut in their classrooms. Their own commitment grew over the years. We focused on supporting them by having an elders' group which could assist with the language and developing a policy that committed to the use of Netsilik.

Purpose

(2) The purpose of the bilingual education required under subsection (1) is to produce graduates who are able to use both languages competently in academic and other contexts.

The Department needs to have curriculum developed that will support the teachers in providing a strong program in their classrooms that is in the language of their community.

Role of district education authority

24. (1) A district education authority, in accordance with the regulations, shall decide which of English or French will be used with the Inuit Language as a language of instruction for the schools under its jurisdiction and shall, from the options set out in the regulations, choose the bilingual education model or models that will be followed in delivering the education program.

This was never understood very well by the people in the communities. They felt they should be able to decide if they had a stronger English program or Inuktitut program or French immersion program. They did not understand the models nor were they aware of the research that Ian Martin or David Colson had done on language at the beginning of Nunavut. They thought they could decide not to have Inuktitut/Inuinnaqtun or at the most just have a class a day in it. The “choice” wasn’t really a choice – it was a determination of which of the models fit their community’s level of language and size – smaller communities were not able to choose the dual model because they didn’t have enough teachers. So communities and schools felt “cheated” because they didn’t get a chance to “choose” when the choice was really already made for them by determining how strong their language was. So for most of the Kitikmeot Immersion was the model that was needed. That two of the communities did not have enough Inuinnaqtun speaking staff made it hard for them to be compliant though it was not for the principals trying to find people to work in the schools. In Gjoa Haven the community had not held onto their language for their children. The teachers spoke the language though many would say not strongly enough and there was little support for these teachers to learn more about the language so they could feel more confident teaching it. Millie and Susie and Rosemarie worked hard to learn how to improve and strengthen the language but it was as if the teachers themselves were not really aware that they were really supposed to teach in the language. The children came to school for the majority speaking only English and the teachers did not have a thorough enough understanding of how to immerse them in the language. Teachers blamed the homes for not using the language and did not “own” their own need to learn how to teach them. To be fair to them, no courses were offered for them to strengthen their skills in teaching immersion. As far as I know there are no such courses available.

Review of decision

(2) The district education authority, in accordance with the regulations, shall review a decision made under this section five years after its initial decision under subsection (1) and at five-year intervals thereafter.

Confirmation or change of decision

(3) Following each review, the district education authority may either confirm or change its decision under subsection (1).

Our community needed to do a review of the decision and this was brought up. A year ago we did a community consultation on the use of Netsilik. We also looked at how many of our homes actually spoke Inuktitut to their children. We started an intercommunity Language group made up of strong Netsilik speaking Elders from the 3 Netsilik communities and the Inuktitut contact person for each school. More often the meetings were so popular that community members also came out for the meetings and staff “hung out” during their prep periods or after school to hear what was discussed.

In addition this last year we started a school-wide (though classroom specific) homework program. The students took home a two-sided sheet that listed what was the theme the students were working on and listing things that they could work on in the various subject areas. For the Inuktitut parts, the teachers provided the language in roman orthography and translated into English so that parents could support the children. Children and their families who participated were acknowledged by the children receiving gift bags of fruit or other healthy snacks. Names were put into a draw to thank parents with gift cards from the Northern. Although we did not have any more than ¼ of our school population on any one week participate, those who did participate varied from week to week. Some parents even came in to get copies of the homework to help them learn the language.

Consultation

(4) Before making a decision under this section, including a confirmation or change under subsection (3), a district education authority shall consult with the community in accordance with the regulations.

The three schools in the Kitikmeot that use the Netsilik dialect are either compliant or are within a year of being compliant (the graduates of their NTEP program came on staff such that they are one year behind the other two communities). We have a long way to go to be offering the programs using strong Netsilik materials by teachers who feel confident and knowledgeable in how to teach Inuktitut to non-speaking children, but we are moving forward and working hard on this. More support is needed from the Department and from NTEP.

Role of Minister

25. (1) The Minister is responsible for ensuring that the duties of the Government of Nunavut under this Act or any other Act related to education in the Inuit Language are fulfilled.

Support for the Inuit Language

(2) In administering this Act, the Minister shall ensure that the education program supports the use, development and the revitalization of the Inuit Language.

I am not sure how the Minister, the Department or the RSOs have ensured the the education program supports the use, development and the revitalization of the Inuit language. Our KSO has supported two Elders' meetings to work on the Netsilik language project by allowing Inuit contact teachers to attend the Language meeting funded by Heritage and Culture.

Curriculum

(3) In addition to his or her duties under subsection (2), the Minister, in establishing the curriculum under subsection 8(2), shall ensure that it supports the use of the languages of instruction and the bilingual education models that may be chosen for delivering the education program.

There has not been the development of curriculum for the elementary school to the extent that there has been for the middle and secondary school programs. And when the curriculum came out there was not the inservice attached that there had been associated with the implementation of curriculum for the secondary school.

Competency targets

(4) The Minister shall establish and implement competency targets in the spoken and written forms of the languages of instruction.

As far as I am aware these have not been established or implemented. I am not sure who has been tasked with developing these or what committee and expert language consultants have been brought together to establish these. These are very needed. We are not even sure of what the teachers' level of use is as is shown by language allowances.

Assessment

(5) The Minister shall ensure that students are regularly assessed to determine whether the competency targets are being achieved.

As far as I know these have not been developed or provided to schools to assess the competency levels of the students.

Learning materials

(6) The Minister shall make available learning materials to enhance and support

There is a group of people in Iqaluit who have been developing resources in Inuktitut. We have taken these and changed their dialect to Netsilik. We appreciate the work this group has done. There are ways that materials could be produced so that the different dialects could be put onto the pages without just cutting and pasting translations over top. These have not been investigated or made possible.

the use of the Inuit Language.

Limitation on application

27. (1) The application of this Part is subject to section 169.

We know that French Immersion is happening in Iqaluit and yet we are not sure that the students are also required to learn Inuktitut or English if they are actually using the dual model.

Non-application to sign language

(2) This Part does not apply to a student who receives instruction through the use of sign language.

We used to hold trainings in sign language and focused much of this training using the Northern sign language developed by the MacKay Centre in Montreal. The Kakivik Board has a binder that shows the different northern signs. Trainings used to be provided to parents and staff in schools where children need to learn Inuktitut. This may still be happening.

Regulations

29. The Commissioner in Executive Council may make regulations for the purposes of this Part and without limiting the generality of the foregoing, the Commissioner in Executive Council may make regulations

- (a) establishing the process to be followed and matters to be considered by a district education authority in determining the languages of instruction for the schools under its jurisdiction;
- (b) establishing models for bilingual instruction and requiring that they be followed by district education authorities and by principals;
- (c) governing the selection and use of more than one bilingual education model by a district education authority;
- (d) governing the community consultation process to be followed by a district education authority under subsection 24(4);
- (e) governing assessments for the purpose of determining if students are achieving the competency targets established under subsection 25(4); and
- (f) governing the phased implementation of this Part under section 28.

I am not aware of Regulations for Language. We do have some of the above information from the Department that came out more as guidelines for how to proceed.

Duty of student

34. (1) A student shall attend school regularly and punctually.

Unregistered children

(2) Subsection (1) applies to a child who is required to be registered under section 30 even if he or she is not registered.

Many parents and many children do not think it is their duty to attend and therefore the children come and go. We had about 14 of our students attending 70% or more with the largest number included in this in the 85% and above. Our incentive program targets the 85-100% attenders each month.

I believe that attendance is the one issue that is what is making education in the north so difficult. One quarter of our population are non-attenders even though we have done all kinds of things to change this. We get comments from parents like, "I love my child too much to send them to school/make them go to school". Children are often up all night and only come to school in the morning to have breakfast. Some leave after this and others go to class to end up falling asleep on their desks, the floor which some teachers tolerate (grudgingly) and others have us call the homes to come and get their children.

I was a principal in 97-99 and only remember having 1 non-attender, though we did have some children who lived in outpost camps that didn't attend regularly but who got material from us and when in the community did attend. I have watched the attendance reports over the years and all the schools have an increased number of students non-attending. It may be that the regional and territorial centres have better attendance but this could be because of their clientele. Attendance cannot be foisted off to DEAs as their issue. It is a HUGE Nunavut issue that, if left unaddressed, will result in many more people on welfare, housing issues and a two tiered population – those who work and those who don't.

The government needs to commission a research study, possibly with ITK or NTI as the issues I believe span across the north. The study needs to focus on attendance and what its results will be if not turned around and what could be done to change this. We have too many children who have never attended school and the DEAs and the school counsellors have made many repeated attempts to deal with this but what recourse do the schools have if parents don't send their children. The departments need to work collaboratively to address this as the issue will not and is not Education's alone.

Use of the media for public service announcements on radio and tv should be tried. We have a regular radio show most weekday mornings that encourages parents to get their children up for school. It may be helping and we are still struggling.

Exemptions from attendance

(3) A student is not required to attend a school if

- (a) the student is unable to attend for a health reason or other unavoidable cause that has been reported to the principal;

- (b) the student is participating in traditional activities on the land or in other learning experiences away from the community for less than a school term;
- (c) the student is excused by the principal from a grade 10, 11 or 12 program for up to a school year to participate in traditional activities on the land or to participate in other learning experiences away from the community;
- (d) the student is participating in a spiritual or religious observance recognized by the student's denomination or by the religious or spiritual authority or teachings to which the student adheres;
- (e) the student has been suspended or expelled from school and the suspension or expulsion is still in effect;
- (f) the student is attending a home schooling program;
- (g) the student is living at an outpost camp;
- (h) the student has been excused by the principal on special or compassionate grounds such as a death or illness in the family or because an opportunity to participate in a significant event would otherwise be lost;
- (i) a decision has been made under subsection 45(1) that the student should not be in a regular instructional setting and either an alternative placement has been arranged outside the school or no alternative placement has been arranged; or
- (j) the student has been refused access to his or her regular instructional setting under subsection 45(2) and either an alternative placement has been arranged outside the school or no alternative placement has been arranged.

Consent required

(4) Paragraphs (3)(b) and (c) do not apply to a student who is not an adult unless a parent of the student agrees to the absence from school and the principal has been informed by the parent of the agreement.

Work related absence

(5) A student is not required to attend school when he or she is working if a learning plan has been developed for the student by the principal and approved by district education authority and the work is being done at the times provided for in the plan.

I do not see the purpose of this. Either we believe they should be in school or not! The extra work required by a school to set up program plans, etc. is hard to justify when there is no guarantee that the student will work on these. I would need to have an example given that would make it make sense to me, where there wouldn't be other options available.

Learning plan

(6) The principal shall develop the learning plan in consultation with the student, the employer, and if the student is not an adult, a parent of the student.

Regulations

(7) The Commissioner in Executive Council may make regulations governing learning plans referred to in subsections (5) and (6).

Duty of parent

(8) A student's parents shall promote regular and punctual school attendance by the student.

Again public service announcements from the government need to be made on tv and radio with consequences, that inform parents of their responsibility. If welfare was withheld or housing upgrades/work denied, or fines allowed to be given, this might change things. Battling the "I love my child too much" phrase is very polarizing. It takes real relationships and time to overcome this and because the parents don't send their children it is not accessible.

Duty of principal and school team

(9) The principal and the school team shall promote regular and punctual school attendance by their students.

We did many, many things to improve attendance. This year we had a small increase. I went out of my way to encourage those with poor attendance by checking in with them when they did arrive and making sure we smiled and made them feel we cared about them. If I saw them in the hall I always made sure I encouraged them. Their attendance improved slightly but not dramatically. Several years ago we wrote the minister with the long list of things we have tried. Producing a handbook of ideas from across the territory is something the Department could do. Analysing results of these efforts could also help.

Reporting on attendance to district education authority

39. (1) A principal shall, in accordance with the regulations, provide the district education authority with a monthly report on attendance in his or her school.

We have been gathering data organized by the different groups (85-100; 70-84); 55-69; 40-54; 25-39; and 0-24 showing these by month. These are shared with parents at reporting times with directions to teachers to discuss the children's attendance and impact on their academic results. These are compiled for the year for the AGM meeting in October.

Reporting to community

(2) A district education authority shall, regularly and in accordance with the regulations, provide the community with information on attendance at schools in the community.

Inclusive education

41. (1) A student who requires adjustments to the education program or support to meet his or her learning needs or to achieve appropriate curriculum outcomes is entitled to such adjustments and support.

Entitlement to what is reasonable and practical

(2) The adjustments and support that a specific student is entitled to under subsection (1) are those adjustments and support that are reasonable and practical.

I was Nunavut's first Student Support coordinator working out of Arviat. We had an active Student Support committee that met twice yearly to plan and advise the work that was in progress at the Department. It had been our intention to follow the process that the Government of the NWT used prior to the introduction of the new Education Act in 1995. Prior to its being released the Department implemented binders explaining the changes to the Student Support processes in schools. So by the time the Education Act came in that made law the various sections of the act, the schools were already doing these – having been inserviced on binders that explained what was expected. We intended to do this, starting with a review of the process, that was done in every school, with feedback sent to the committee. A report was developed and sent out to schools. A binder was developed that included the resources that would make these factors up to date in schools. This binder has never been authorized, and has been rewritten and given out as an unauthorized version to schools over the years. This has weakened the focus on Student Support. Now it should be said that with Nunavut's beginning the Student Support Committee (made up of Student Support Consultants, selected Student Support Teachers who had expertise in the north, and School Community Counselors. The name of the group was changed from the NWT term of Program Support to Student Support to show that the focus of the Student Support teachers needed to be primarily on the children needing supports. This included all the children. The Tumit Model was developed and reviewed with schools. The five levels of this model include all the children in our schools. This was not meant to put a stigma on any student receiving supports as outlined in the different levels within the model. Constant contact was valued with the Department of Health and Social Services. Many interdepartmental meetings were held between these two Departments.

Determination of what is reasonable and practical

(3) In determining what is reasonable and practical for the purposes of subsection (2), regard shall be had to the appropriateness of the adjustments or support and the educational needs of other students, including others who are entitled to adjustments and support under subsection (1).

Application of entitlement

(4) Without limiting the entitlement of any student under subsection (1), the entitlement extends to students who are not sufficiently challenged by the education program as well as to those for whom it is too challenging.

Oversight

42. A district education authority shall oversee the implementation of this Part in respect of the schools under its jurisdiction.

(1) Teachers shall identify those students who are entitled to adjustments or supports under subsection 41(1).

Our teachers in our school had a month end report teachers were to fill out each month. The contents of this report included listing names of children the teachers were concerned about and these names went to the School Team and to the Student Support teacher. The school also had a functioning school team that met weekly for an hour and a quarter and discussed any students who required review and/or a discussion with parents.

Duty of teacher

(2) If a teacher is of the opinion that a student is entitled to adjustments or support under subsection 41(1), the teacher shall provide

- (a) the adjustments, unless they are significant; and
- (b) the support, if the teacher can reasonably provide it.

As part of our focus on “planning” we held inservices on differentiation to help our teachers understand what a differentiated program to meet the various needs of students in a classroom would look like.

Request by teacher for review

(3) Without restricting the duty of a teacher under subsection (2), a teacher shall request that the school team hold a review under subsection (5) if he or she is of the opinion that a student is entitled under subsection 41(1)

- (a) to adjustments and those adjustments are significant; or
- (b) to support and the support is beyond what the teacher can

Request by parent for review

(4) A parent of a student or, if a student is an adult, the student may request that the school team hold a review under subsection (5) if the parent or student, as the case may be, is of the opinion that the student is entitled under subsection 41(1)

- (a) to adjustments and those adjustments are significant; or
- (b) to support and the support is beyond what the teacher can reasonably provide.

Individual student support plan

(5) The school team, on receiving a request under subsection (3) or (4), shall review the matter, make such assessments as may be necessary and, if appropriate, develop an individual student support plan that provides for adjustments or support, if any, to which the student is entitled.

To ensure that plans are implemented it is important for the principal to be at the meetings. I personally found these difficult to attend because they were held after school and with DEA committee meetings and other responsibilities this caused many conflicts. We had a very competent SST but in order for teachers to truly see the importance it would have been better to have me there.

Parent participation

(6) The parents of a student are entitled, and have the responsibility, to participate in the development and implementation of an individual student support plan for the student.

Consultation

(7) The school team shall consult with the student's teachers and his or her parents or, if he or she is an adult, with the student in making a review under subsection (5) and in developing and implementing an individual student support plan.

Rejection of plan

(8) A parent of the student or, if the student is an adult, the student may accept or reject an individual student support plan.

Notice of rejection

(9) Notice of a rejection must be given in writing to the principal within 15 days after being advised of the contents of the plan.

Further consultation

(10) If, after rejecting a plan, a parent or student requests further consultation, the school team shall consult further in accordance with subsection (7) to attempt to come to an agreement on the same or a revised plan.

When I oversaw Student Support I was in close contact with the consultants. I had been an SST in Qikiqtarjuaq we had a number of students with special needs and the board had sent in specialists. In the Kitikmeot the only people who were consulted outside of the school were the Rehab team who came to the communities possibly twice a year (weather permitting) and often they would give 1 day or half a day to a school to discuss their students. Although this consultation is valuable there can be cases where more consultation with specialists who are working with the child or could be working with the child. These people can provide training and support for the school and the family. When the process was conceived a budget was developed for this. Over the years this has not been kept current. It may be done more so in some regions than others but in the Kitikmeot this did not happen except in one case when I interceded. In the end our students require the best care we can provide.

Specialized services or Assessments

47. If the school team decides, with the agreement of the Minister, that specialized services or assessments are required in order to ensure that a student is provided with the adjustments or supports to which he or she is entitled under subsection 41(1), the

This has to be more organized. The funds for this at this point are at the regional level. Often with budgeting requirements the money is not there when needed. Years ago when I worked in the coordinator role we held funds to provide these. This needs to be revised to allow for this.

Mediation by district education authority

49. (1) A parent of a student, or the student, if the student is an adult, may request mediation by the district education authority if the parent or student

- (a) believes that the student has been denied an adjustment or support to which the student is entitled under subsection 41(1);
- (b) is not satisfied with an individual student support plan developed for the student;
- (c) is not satisfied with a decision to not develop an individual student support plan for the student following a request under subsection 43(4);
- (d) is not satisfied with a decision under subsection 45(1) that the student should not be in a regular instructional setting or with a refusal by a principal to permit the student to have access to the regular instructional setting under subsection 45(2);
- (e) is not satisfied with a decision by the school team that specialized services or assessments are required to ensure that the student is

- provided with the adjustments or supports to which he or she is entitled under subsection 41(1); or
- (f) is not satisfied with a decision by the school team that specialized services or assessments are not required to ensure that the student is provided with the adjustments or supports to which he or she is entitled under subsection 41(1), following a request for such services or assessments by a parent of the student or the student, if the student is an adult.

I do not believe our DEAs know this. The manuals for training should be checked to see if this is part of their training.

Same

(2) The principal of a school may request mediation by the district education authority if he or she believes that it may help to resolve any issues in relation to the development of an individual student support plan.

Review by review board

50. (1) If a mediation under section 49 does not resolve the matter in question, a party

I worked on this at one point and know that subsequent coordinators also worked on defining this process. I am not aware that this has been accomplished. I think the SSTs have not been kept abreast and are of the impression that any outside consultation is not available.

to the mediation may request a review by a review board established under section 51.

Review board

51. (1) A district education authority on receiving a request for a review under section 50 shall appoint, from a list supplied by the Minister, an individual to be the chairperson of the review board.

Composition

(2) The chairperson shall appoint two other members of the review board.

Expert member

(3) One of the members appointed by the chairperson must be an individual who has expertise in the types of needs purportedly required by the student and the individual shall be chosen from a list supplied by the Minister.

This will be a very difficult process to organize unless our children are seen by specialists and/or interdependent work can happen between Health and Education. I requested an MOU between the two departments to allow for information in special circumstances be shared between the two departments to ensure the best plans be developed and implemented for care and education of a child

Regulations

53. The Commissioner in Executive Council may make regulations

- (a) respecting adjustments and supports for the purposes of this Part;
- (b) respecting the functions of school teams;
- (c) prescribing types and formats of individual student support plans under this Part and the process for their development and implementation;
- (d) respecting qualifications for persons making assessments under this Part;
- (e) respecting reviews under this Part, including prescribing rules of procedure for review boards;
- (f) prescribing notices that must be used respecting rights to reviews under this Part and the procedures to be followed in requesting a review;
- (g) respecting the appointment of chairpersons of review boards by district education authorities and the appointment of other members of review boards by chairpersons;
- (h) governing the establishment and maintenance of the lists referred to in subsection 51(5); and
- (i) respecting the remuneration and expenses payable to the members of review boards.

I am not aware that this process has been finalized.

Attendance and participation at school

54. (1) Students have the responsibility to attend school as required by this Act and to participate actively, and with their best efforts, in learning activities.

School environment

(2) Students have a personal responsibility to help maintain a welcoming, positive and safe school environment.

Carrying out responsibilities

(3) In fulfilling their responsibilities, students shall

- (a) pursue personal learning goals;
- (b) support the Inuuqatigiitsiarniq policy of the district education authority and carry out their obligations under it;
- (c) carry out their responsibilities under the school rules;
- (d) learn about Inuit Qaujimajatuqangit and contribute to and support Inuit Qaujimajatuqangit in the school;
- (e) contribute to and support healthy relationships and community values in the school;
- (f) cooperate with other students and school staff;
- (g) respect the rights and needs of others; and
- (h) keep the school and grounds in a clean and safe condition.

Easy to write, hard to implement. Schools can reinforce this and set the tone for this in schools but if children do not come to school this is not seen. The Department should have a media campaign to address this as well – with posters, PSAs for TV and radio. The message should focus on the future of the territory and the child's own future.

Adult students

(4) An adult student has the responsibility to be involved in decisions that affect his or her education or his or her health or safety in the school.

Parent's role

55. (1) A parent of a student who is not an adult has the responsibility to be involved in decisions that affect the student's education or the student's health or safety in the school.

Further responsibilities

(2) Without restricting the generality of subsection (1), a parent of a student who is not an adult has the responsibility

- (a) to support and encourage the student to learn;
- (b) to ensure that the student comes to school ready to learn;
- (c) to support the student's teachers in their efforts to educate the student;
- (d) to contribute to a welcoming, positive and safe school environment;
- (e) to encourage the student to support the Inuuqatigiitsiarniq policy of the district education authority and carry out his or her obligations under it; and
- (f) to support and encourage the student to learn about Inuit Qaujimajatuqangit and to contribute to and support Inuit Qaujimajatuqangit in the school.

Given the need to provide a lot of healing from the effects of residential schooling, it is amazing that schools have the support of parents that we have. The highest percentage of our children came to school 85-100% of the time. These children learned. We had a good relationship with their parents because we invited them to the school, wrote newsletters, had a Facebook page for the school to keep them abreast of what we were doing, had a Remembrance Day Service and Christmas concert that were very well attended, recognized the parents' participation and support for the homework program and for attendance.

The question remains on how to help those parents who have not healed from their residential schooling experience, who don't send their children to school regularly and report to the school that they "love their child too much" to send him or her to school. All of our parents struggle with getting their children up in the morning – routines, expectations, building that strong connection with the school. Schools share the responsibility of raising their children but if the children don't come it is impossible to achieve.

Our communities are struggling with many of the same issues. Overcrowding in homes, hunger, drugs, alcohol, gambling all play their endemic parts in causing our schools to struggle to provide a rich education to those children who come regularly and yet encourage and support our poor attenders who often turn our afternoon classrooms into highly challenging places where learning is often compromised.

Community to be kept informed

57. Under the direction of the district education authority, the principal shall keep parents and the community informed of events and activities at the school.

Morning radio programs were held most mornings by our HS SCC. He encouraged attendance and informed parents of what was going on at the schools. Lunch time and evening radio shows were often used as well to announce activities. In addition newsletters were sent home regularly informing parents of what was happening at the school.

Inuuqatigiitsiarniq policy

58. (1) A district education authority shall develop and adopt a policy for students about respecting others and managing relationships to be known as the "Inuuqatigiitsiarniq policy".

A number of years ago the Gjoa Haven DEA held community consultations and produced an original Inuuqatigiitsiarniq Policy for both schools. This year we got a report that indicated areas of this document that were not compliant and were asked to conduct a review. We held meetings with elders and community members and discussed with staff areas of concern. The policy was taken to the community for any more input and was taken to the DEA for approval. This was submitted to the KSO.

Purpose of policy

(2) The purpose of the Inuuqatigiitsiarniq policy is to create and maintain a welcoming, positive and safe school environment that is supportive of the students and their education.

Contents

(3) The policy shall

- (a) set out requirements or responsibilities relating to the conduct of students in addition to the other requirements and responsibilities under this Act; and
- (b) include measures to encourage and assist students to fulfil their responsibilities and to meet the requirements that apply to them and to govern how a failure to fulfil those responsibilities or meet those requirements will be dealt with.

At the school level we started last year by asking students and staff to consider what areas we needed to develop expectations for to ensure that these areas were safe and welcoming. The teachers then worked on developing a common list for the common areas of the school. Where agreement was not found, individual staff worked on their own methods of dealing with the issues (use of water bottles was one such area). By the end of last year we had expectations for several areas – hallways, the Breakfast area, bathrooms, and the gym. Over this year we added the Bus after the students at the upper levels discussed and came to agreement on what they felt would work. At the beginning of this year and again after Christmas, staff went over these expectations with the students and we implemented a “Caught Following the Expectations” program where slips were put into a jar before and again after lunch for 2 weeks twice a year – where if a child was seen following the expectations for any area, unless the focus on any day was on a specific expectations, and before lunch and at the end of the day, 8 slips were drawn from the jar with Coop smoothies as the prize. We were pleased that the Coop employees also asked the students what expectation they had followed. This confirmed the reason for the prize.

Matters to be addressed

(4) In addressing the matters set out in subsections (2) and (3), the policy shall include provisions that

- (a) encourage students to take responsibility for their own behaviour;
- (b) encourage students while on school premises to be respectful of others and of the property of others ;
- (c) provide for the involvement of Elders and community experts in the implementation of the policy; and
- (d) select a system for the management of student behaviour to be employed in schools under the jurisdiction of the district education authority.

Additional contents

(5) Without limiting paragraph (3)(b) , an Inuuqatigiitsiarniq policy may include provisions

- (a) setting out grounds under which a student may be suspended under paragraph 62(1)(b) or 63(1)(b) or expelled under

- paragraph 65(1)(b) and respecting any other matters referred to in sections 62, 63 and 64 as being matters that may be set out in the policy; and
- (b) imposing additional requirements in respect of the suspension or expulsion process set out in this Act or the regulations that are not inconsistent with this Act or regulations and the requirements may include actions that should be taken or considered before suspending or expelling a student.

Inuit Qaujimajatuqangit

(6) The Inuuqatigiitsiarniq policy shall be developed in accordance with the principles and concepts of Inuit Qaujimajatuqangit, particularly the principles of Inuuqatigiitsiarniq and Piliriqatigiinniq.

Other requirements

(7) A district education authority shall develop the Inuuqatigiitsiarniq policy in accordance with the regulations.

(8) Deleted. Standing Committee on Health and Education, 2nd Legislative Assembly, September 11, 2008.

Role of principals

(9) Principals shall assist the district education authority in the development of the Inuuqatigiitsiarniq policy.

The principal should be the key player in developing this. I am aware of a DEA in our region that wants to develop this on their own and impose how it is to be implemented on the staff. This is not likely to get the kind of support that the DEA would want.

Implementation

(10) A principal shall implement the Inuuqatigiitsiarniq policy in his or her school and he or she shall implement it in accordance with the principles and concepts of Inuit Qaujimajatuqangit, particularly the principles of Inuuqatigiitsiarniq, Tunnganarniq and Piliriqatigiinniq.

Duties re understanding and compliance

(11) Principals and teachers shall ensure that students understand the Inuuqatigiitsiarniq policy and shall encourage them to comply with it.

Amendments

(12) If the regulations respecting the content of the Inuuqatigiitsiarniq policy change, the district education authority shall amend its policy to conform with the regulations.

This was done this year. It should be noted that the revising and conferring with community on the amendments to the Inuuqatigiitsiarniq Policy took a great deal of time and commitment. I have a strong commitment for this, but have to admit that it required a great many meetings and drafts to produce what was agreed upon by the DEA. DEA members were part of the committees that came together with Elders, parents, students, and other community members to discuss and make suggestions.

Process

(13) A district education authority may amend its Inuuqatigiitsiarniq policy and subsections (6) to (10) apply, with such modifications as the circumstances require with respect to an amendment.

Copy to Minister

(13.1) The district education authority, immediately on adopting an Inuuqatigiitsiarniq policy or an amendment to it, shall forward a copy of the policy or the policy, as amended, to the Minister.

Minister may require amendments

(13.2) The Minister may require a district education authority to make such amendments to an Inuuqatigiitsiarniq policy as the Minister considers necessary or advisable in order for it to be consistent with this Act and the regulations.

We received a document that listed what areas of our original Inuuqatigiitsiarniq Policy was compliant and what wasn't. I think it should be noted that our policy was compliant at the time of submission and the fact that aspects became non-compliant were because the regulations were developed. I do not remember having any inservice on what was required. We worked through this on our own.

Minister's assistance

(14) The Minister shall ensure that materials are developed and distributed to district education authorities to assist them in the development of their Inuuqatigiitsiarniq policies.

I was contracted to produce materials on this and did so in compliance with the agreement. Peter Worden and I worked collaboratively until he returned north to work at the Kitikmeot School Operations. We had one face to face meeting with Cathy McGregor where she gave us input and we revised the materials to fit her suggestions. It was expected that a team would look at the resources. When I completed the draft that I submitted I had a meeting with Kathy Okpik to go over it. She had suggestions about formatting.

I knew that the document was lengthy but much of the resources were in appendices with each chapter. I used the different training and experience in working with Tribes, EBS, the Elders in compiling the resources. I heard nothing as a response and the materials were not taken any further. I used the resources in the school for a variety of things – the parent handbook, which I adapted to Quqshuun; activities to get community input. I also shared the resources by making DVDs and sending them to the different RSOs.

This handbook (binder) was made with the idea of a gradual yet focused implementation that would result in systemic changes in our schools based on Inuit Qaujimajatuqangiit principles and the Inuit values. I found the expectation to produce a one-shot final product due at a particular time and date, rather naïve in terms of real, authentic systemic change on this critical issue. I had attempted to inform and provide resources to teach and allow participants to learn more about what would make a truly authentic IQ school environment.

Regulations

(15) For the purposes of this section, the Commissioner in Executive Council may make regulations respecting

- (a) the content of the Inuuqatigiitsiarniq policy; and
- (b) the process for developing or amending the policy.

After the Education Act was implemented the department staff would regularly inform the DEAs and the principals if their DEA or school was “compliant” in terms of various sections of the act. The interaction between schools/DEA and the Department personnel was strained by use of such language. There could have been any number of reasons why submitted documents did not meet the Department’s standards. I was a superintendent when this first started. It is understandable that the Department of Education was strongly committed to ensuring the various parts of the act were implemented. At the RSO level we worked hard to help with this process but were equally as uncomfortable as schools were with the use of the “compliant/non compliant” language. An inordinate amount of time needed to be spent on the implementation of the Education Act and to do this, other areas and aspects of the school had to be put to the side or if not, administration, DEA and staff felt overwhelmed. If the Department had taken the approach that the NWT had by approving aspects of the major plan prior to passing the new act and implementing them before the act was approved, it would have allowed for a smoother and less stressful implementation.

Programs in support of Inuuqatigiitsiarniq policy

59. (1) A district education authority shall develop programs that
- (a) promote a welcoming, positive and safe school environment that is supportive of the students and their education;
 - (b) encourage and assist students to fulfil their responsibilities and to meet the requirements that apply to them;
 - (c) encourage students to take responsibility for their own behaviour; and
 - (d) encourage students while on school premises to be respectful of others and of the property of others.

Inuit Qaujimajatuqangit

- (2) The programs shall be developed in accordance with the principles and concepts of Inuit Qaujimajatuqangit, particularly the principles of Inuuqatigiitsiarniq and Piliriqatigiinniq.

What has the government done to promote Inuit Qaujimajatuqangiit? Are there PSAs developed? The government itself needs to be more accountable to assist with this.

Role of principals

- (3) Principals shall assist the district education authority in the development of the programs.

Most DEAs are made up of working folks or members who sit on a number of boards. The main work for most DEA's is accomplished by the principal(s). If a letter had to be written, a report drawn up, a policy developed, these fell to me, and to the high school principal to develop and then take back to the DEA for their input and approval.

Minister's assistance

- (4) The Minister shall ensure that materials are developed and distributed to district education authorities to assist them in the development of the programs.

The materials we would get from the Department were routinely lists of what had to be accomplished. We got some documents, an example being the Planning Guide for teachers. This was the third such document we got from the Department since the Act was signed. If it was felt there was still a need, perhaps there needed to be a discussion on why the other two weren't working before a very expensive binder was created and then only given half a day to implement. In our school we spent a great deal more time on planning than that, but the document did not necessarily help us as much as time needed to ensure folks knew what they needed to do.

School rules

61. (1) Subject to the approval of the district education authority, the principal may make rules in respect of his or her school.

I have been fortunate to have been trained and now am a trainer in the Tribes philosophy as well as having received training to be a coach for the Effective Behaviour Support process. Both approaches support the idea that “rules” cannot be made and imposed on the staff and students. The most effective way is to develop them collaboratively. That is what we did by going through a process to develop Expectations in a number of areas within our school, including the school busses. We involved students in discussions and out of this developed a plan on what could be done to ensure our school was safe and supportive of our students and staff.

Suspension of student by principal

62. (1) A principal may suspend a student from school for

- (a) conduct that, in the opinion of the principal,
 - (i) is injurious to the physical or mental well-being of other students or school staff, or
 - (ii) creates a situation that constitutes a seriously harmful influence on other students or school staff; or
- (b) conduct that under the Inuuqatigiitsiarniq policy is grounds for suspension by the principal.

I rarely suspended any students. The only two cases revolved around a student becoming violent and putting the safety of the staff and other students in jeopardy. Parents were contacted and invited to come in at the time of the incident and asked to come in with the child upon his or her return.

Principal to fix length of suspension

(2) The principal shall fix the length of the suspension.

The suspensions I gave were for 1 day (ie., the child could return the next day) with a condition that the parent return with the child to discuss follow up. In both cases the boys return to school took longer, not because of the school but because the parents took time to discuss these incidents and come to a point where their children were willing to come back in to discuss this. The children would probably have preferred to just return but we would not have had a

In school suspension

64. A suspension shall be served in the school unless the principal decides, in accordance with any guidance on such a decision in the Inuuqatigiitsiarniq policy, that it is not practical for the suspension to be served in the school having regard to the safety of the student and others, the appropriateness of having the student in the school, the availability of space and the availability of someone to supervise the student.

We did more in-school suspensions but even these were rare. Sometimes it was better to have a student who was too tired or showing attitude to work in the office. Often this was because the child was tired and once this (or hunger) were established we found a solution which might have meant sending the child home to sleep.

Counselling services

67. The principal shall ensure that counselling is made available to a student who has been suspended or expelled.

We were lucky to have our Community Outreach worker in our school for 3 afternoons a week. She worked closely with our SCC. For one of the students we suspended the parent would not allow counselling unless she was present and often she excused the child's behaviour based on marital issues.

Nunavut-wide Assessments

74. (1) The Minister shall establish and maintain a program of Nunavut-wide assessments to assess the literacy of students in each language of instruction and their numeracy skills.

Principal's role

(2) A principal shall supervise the assessment of the students of his or her school under any assessment program established by the Minister under subsection (1).

This year we focused the inservice we did at the school on planning – ensuring the staff were using the outcomes from the approved curriculum. After much discussion and several days of KSO and internally-led sessions there was a general agreement to use themes. Last year the focus was on developing a planning template for primary and one for intermediate that was bilingual and had all the components that should be taken into account when planning. We enlarged out templates onto 11 by 17 paper so that they could see at a glance what their focus would be. It allowed places for vocabulary or sight word development. We drew on these to develop the homework template that was used to create homework for the children each week. Given the new focus on Balanced Literacy I am not sure how themes will fall into this. They could but it may cause a layer of complexity beyond what the teachers will feel comfortable with.

On-going Assessments

75. (1) In addition to any assessments under section 74, a principal shall ensure that the students of his or her school are assessed consistently and fairly on an on-going basis and that the parents of a student receive regular reports on the student's progress.

We looked this year at how the planning sheets needed to have specific types of assessment added across from the outcomes to ensure they were being measured.

Teachers' role

(2) Teachers shall assess the progress of their students and, at least three times a year, inform each student and a parent of the student of the progress, behaviour and attendance of the student and advise them of what the student must do to advance in the education program.

Culturally appropriate Assessments

76. The Minister, district education authorities, principals and teachers shall ensure that assessments of students are culturally appropriate for Nunavut.

In the early 2000's when Maniok Thomson was the Minister of Education an Assessment committee was struck. At that point there was a perceived conflict between what the KSO executive directors wanted and what the Curriculum and School Services wanted. As a combined group (and it was a well represented group), we looked at the issue of culturally appropriate assessments. Dr. David Philpott, of Memorial University had conducted an extensive study of education/schooling in Sheshatshui, Labrador that was having considerable numbers of suicide and getting national attention. Dr. Philpott wrote a paper for Nunavut that addressed the need to develop culturally appropriate assessments if we were going to assess our students – using southern tools that had been written for urban predominantly white clientele was not going to give us information that would be of value. In the end the group approved an inservice for all schools on assessment. Copies of this inservice are available. I have one and I am sure there may be one on the C&SS files though there has been a lot of changeover there and no one may know where to find it.

A team was created to develop the math assessments – working with a team from Manitoba's division of assessment. The assessments were translated and attempts were made to have them translated into the dialects of the regions. However, staff had not had discussions about how to teach math in their own language (which would have brought the issue of teaching math in Inuktitut to the table much sooner than it has). I know I never saw the actual results of the assessments. The results were of concern. I know from spending two years at Quqshuun that the teaching of math is a major concern. The first year I was there I asked about what language math should be taught in as I remember a few years before having a discussion with Peter Geikie, the then Assistant Deputy Minister, who indicated that Kathy Okpik thought Math should be taught in English. But that was not the case last year. We did have some math resources in Inuktitut that a group in Iqaluit had produced. We took it upon ourselves to have these resources retranslated into Netsilik. Coming up with common terms for some of the math terminology which was not part of the Inuktitut lexicon, really should have required major discussions with all our teachers. Instead it was with a few key language authorities. We continued these discussions with our Language Committee/Group who is made up of Elders from Kugaaruk, Taloyoak and Gjoa Haven who are expert Netsilik language users and key teachers from each of the schools. At those discussions I came to understand how difficult (if not impossible) it is to do certain operations in Inuktitut – the language just doesn't lend itself to "skip counting" which underlies multiplication and division. There are aspects of mathematics that are possible to teach in Inuktitut and where Inuit have a keen understanding and skill, but there are areas that are just plain confusing. It was decided, though I am not sure I ever saw it in writing, that for the 2014-15 school year math should be taught in English.

School-wide or content specific Assessments normed in the south with examples that are out of the south are not fair for use in Nunavut schools. Before our students are subjected to this again, decisions need to be made about what resources to use and inservicing needs to be given to the teachers.

Teacher's records

78. Teachers shall keep accurate records related to the progress, behaviour and attendance of each of their students and principals shall ensure that those records are kept.

A number of years ago the Curriculum & School Services department put together an Assessment workshop to accompany the working paper that the Assessment Committee (mentioned earlier) had developed. Part of the inservice helped staff know what teachers were expected to do and showed different kinds of assessment strategies they should be using in their classrooms. A binder was sent out to each school that had all the resources in 4 languages – English, French, Inuktitut and Inuinnaqtun. These resources are still valid.

If these kinds of resources are not reused practically, then there needs to be another method used to keep teachers up-to-date. This could be on-line courses that contain resources such as what are found in the binder – or the binder could be turned into a course. Staff could be required to review these documents and complete a Learning Log submitted to their principal and KSO consultant. If there are staff who the principal and consultant feel do not need to do this on-line course they could be exempted.

Assessment is an area that needs more understanding. NTEP could also offer summer courses or courses during the PI week.

Student record

79. (1) The principal of a school shall, in accordance with the regulations, establish and maintain a student record for each student registered with the school.

Contents of student record

(2) A student record shall include

- (a) all information that affects decisions made about the education of a student that is collected or maintained by the school staff or the district education authority;
- (b) records of the decisions referred to in paragraph (a); and
- (c) any other information prescribed by the regulations.

A few years ago a consultant from the KSO and I went from community to community in our region to archive the CUM files and send them to Cambridge Bay. This is an important job that is better done by a team going school to school in a region than by school's on their own. Schools are required to box and keep their files in order making the task of going through the CUM files easier. Our schools have such limited storage space – a constant complaint in all regions – and so dealing with this is very important.

Members of public service

88. (1) Teachers, principals and vice-principals are members of the public service and, **subject to** subsection (2), the other members of the school staff are also members of the public service.

School team

90. (1) Each school shall have a school team consisting of a principal or vice-principal, a student support teacher, an Ilinniarvimmi Inuusiliriji, a classroom teacher and such other education staff as the principal considers appropriate.

Establishment of school team

(2) The principal shall establish the school team for his or her school.

Duties of school team

(3) The members of the school team shall perform such functions as are assigned to the school team by this Act and the regulations.

Role of principal

(4) The principal shall direct the work of the school team.

Appraisal of principals and vice-principals

117. (1) The Minister shall ensure that the overall performance of a principal and vice-principal is appraised by an employee of the department at least once in each school year during the period in which the principal or vice-principal may be dismissed under section 108 and in the final year of the contract of the principal or vice-principal.

Same

(2) The Minister shall ensure that each appraisal under subsection (1) incorporates an Assessment by the district education authority which the district education authority shall make in accordance with the directions of the Minister.

Role of Minister

(2) On being notified by a district education authority of its opinion that disciplinary action against a principal or vice-principal may be warranted, the Minister shall deal with the matter under the *Public Service Act* and shall decide whether disciplinary action is warranted in respect of the principal or vice-principal and what disciplinary action, if any, is warranted.

Report on Inuit Qaujimajatuqangit

138.1. (1) A district education authority shall prepare and include in the report referred to in subsection 146(1) a report on the carrying out of the Inuit Qaujimajatuqangit duties of the district education authority and of principals and other members of the education staff in the schools under the jurisdiction of the district education authority.

Definition

(2) In this section, "Inuit Qaujimajatuqangit duties" means duties relating to Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit.

This was never clearly explained to the DEA. A document and inservice is required to outline what this would look like. This is fundamental and is something the Elders' Committee could discuss and help develop.

School visitation plan

139. A district education authority shall develop a plan providing for members of the district education authority to visit the schools under its jurisdiction from time to time to observe the schools in operation.

Our present DEA chair does come to the schools and is there to meet with staff or administration to discuss issues or concerns or celebrations they want the DEA to know about.

Administrative duties

Annual report

146. (1) The annual report of a district education authority required under section 96 of the *Financial Administration Act* shall include such information on the administration and operations of the district education authority and the schools under its jurisdiction as may be prescribed by the regulations.

Duty to make public

(2) A district education authority shall make its annual report available to the community in accordance with the regulations.

Our DEA held an annual AGM in October which was open to the public and well attended. In addition they have gone on radio to discuss various issues, especially requesting that the committees under them go on the radio if any policies are being developed.



Honorable George Hicks
Chair, Special Committee to Review the Education Act
Legislative Assembly of Nunavut
P.O. Box 1200
Iqaluit, NU
X0A 0H0
submissions@assembly.nu.ca

October 28, 2014

Members of the Committee:

I am pleased to provide my perspectives on the need for change to the current Education Act. I am currently the principal of Sam Pudlat School in Cape Dorset, an elementary school with 226 registered students. This is my third year in Nunavut. From 2006 to 2012 I was the principal of a private elementary school for children with learning disabilities such as Dyslexia, in North Vancouver, British Columbia. Due to my history with special needs children I have acquired considerable training and experience in the area of struggling readers, attention challenges and learning disabilities, therefore my comments are grounded in that perspective.

I have very much enjoyed my first two years in Nunavut, and most especially because of the children in our school. These are wonderful kids and being here has been one of the most rewarding periods in my life. I enjoy very positive relationships with the staff of the school, the community of Cape Dorset, with the Cape Dorset DEA, and with my superiors at QSO. Both the DEA and QSO have been very supportive of me and I appreciate the trust behind that support.

Before I provide a list of recommendations I will first make some comments about my beliefs concerning the children in this school, the DEA that provides some oversight of the school's operations, and the Ministry of Education and regional authority that oversees my, and the schools, performance.

I believe that if we were to transport the children of this school to a southern locale that almost all students would qualify as special needs. Their language skills are very low, they have very poor attention skills, weak reasoning, severe delays in emotion regulation, and very poor reading comprehension. These are not permanent traits, but they are individually and collectively very challenging impediments to learning and an effective life. They are also connected deficits that are not individual problems. Vygotsky and many other researchers and theorists would link all of these challenges to poor language skills, and I would support that entirely. An effective educational program needs to be informed by research in these areas, comprehensive and intensive. Recent interest in literacy instruction is a very positive step, but although it is necessary it is not sufficient. An effective plan for intervention needs to consider the whole child, and the current literacy initiative is only a piece of that comprehensive package and cannot, in itself, be sufficient

actoin for the Ministry and Nunavut schools. Without a more informed action the deficits listed above will follow these children throughout life, and I do not believe that is the will of their parents or the people of Nunavut.

The DEA in Cape Dorset is composed of individuals that want very much to 'do the right thing' for our schools and children. They are engaged in their role as members, are willing to make tough decisions, are 'good people' that want to preserve their language and culture through the schools. They have been very supportive of me and I enjoy our meetings and discussions. They have, however, no skills or training in financial management and are entirely dependent on the schools to provide effective oversight of revenue and expenses. Financial statements are approved by the DEA because they must be approved in order to receive future funding, but the approval is uniformed and therefore meaningless. Although well intentioned they have no understanding of the educational and developmental needs of children. Although this has not led to many poor decisions, it is not difficult to imagine how the principal could be directed in ways that are contrary to the intentions behind the direction, and against the best interest of the children.

The Ministry of Education and the regional office seem to be uniformed about the developmental needs of children, the pedagogy behind school success, and interventions needed for many Nunavut students. Educational leadership is driven by a mechanistic perspective that focuses on power and control, and the politics inherent in a Provincial Ministry. There are many well intentioned and fully invested leaders at the regional office, but I do not believe that there has been interest at the Ministry level in student achievement, and this lack of interest has infected leadership with a myopic perspective for the purpose of schools in Nunavut, and a fascination for the bureaucracy of school management. As mentioned above, the recent initiatives for student achievement in reading are welcome and necessary, but relatively uninformed and insufficient for the need.

I understand that I have my own particular and biased perspective that comes from a southern background and an entirely different cultural experience, but I believe that my comments still have value. The following are the recommendations that I believe are most critical for the success of our students:

- 1) The Ministry, in legislation and in action, needs to focus on student achievement as the single most critical value for education in Nunavut. It needs to be the rationale for every discussion, every policy, and every initiative. That achievement could be for success in Inuktitut Language Arts, English Language Arts, mathematics or social responsibility, or any other area of the curriculum. The current Education Act has placed the preservation of language and culture as the central value, and that is simply not possible without first addressing the needs of the children. If the children cannot function successfully than they cannot be the storehouse for language and culture. Social engineering has been tried in many jurisdictions

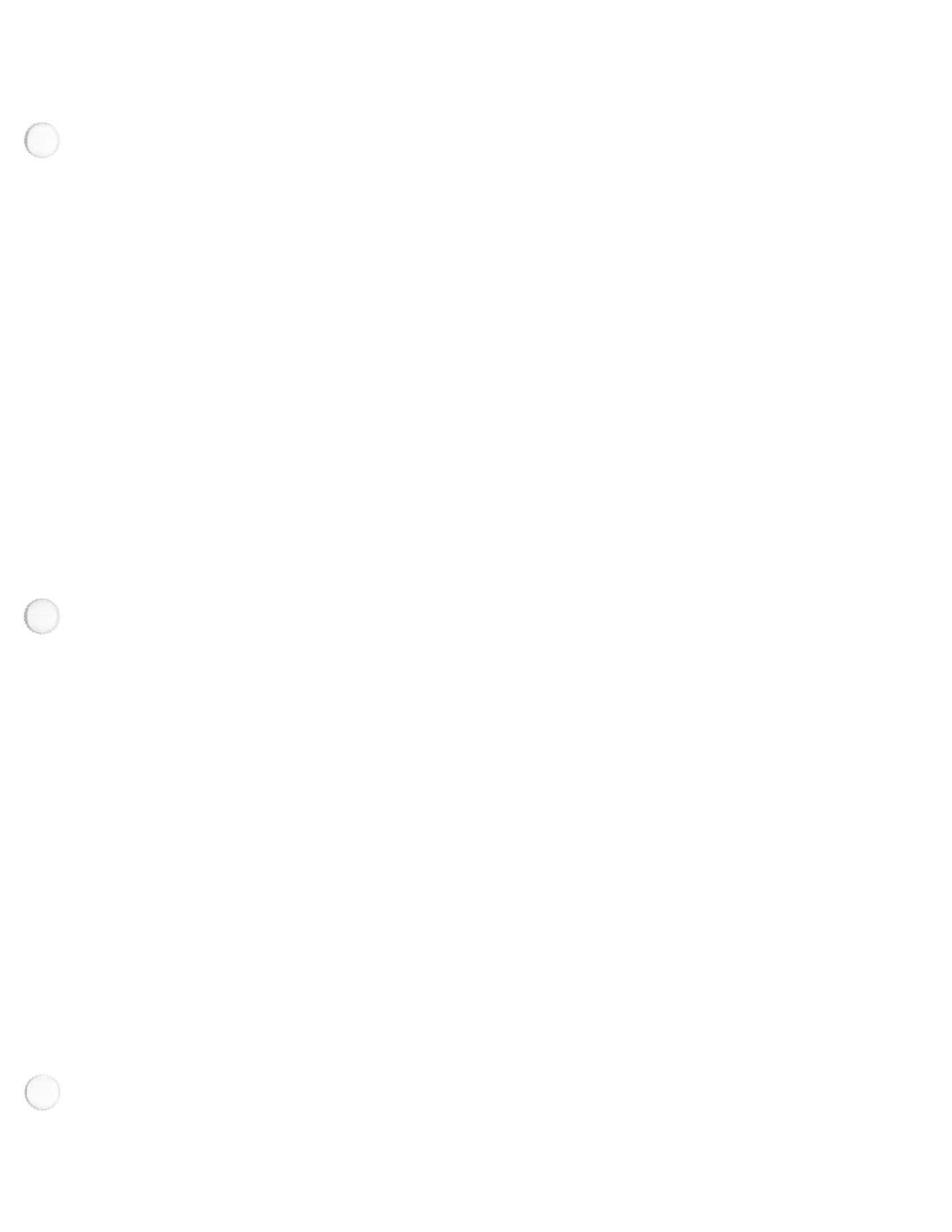
and through many means, and that is a lesson that we should have learned by now.

- 2) The Ministry, the regional offices and schools need to develop an understanding of child development that informs actions, initiatives and directives. The children in Nunavut have very complex learning needs that would challenge some of the best-informed schools in Canada. There can be little success if decisions are made based on what we wished were true, rather than what research has shown is likely true for children's needs. Nunavut cannot afford ignorance in the management of our education system.
- 3) There needs to be high expectations for Nunavut students. I believe that the current climate of education in Nunavut is to implicitly accept that the children in Nunavut cannot achieve parity with students in the south, and that implicit and sometimes explicit assumption constrains what happens in schools. The Ministry seems to also hold low expectations for principals and teachers.
- 4) DEA's are a valuable touchstone for schools and principals; they provide oversight that should reflect the needs of the community. I believe that is the intent, and I believe that I have seen that in practice in Cape Dorset. But legislation should consider the knowledge base of DEA members and abandon the practice of funding schools directly through the DEA. The GN should maintain financial records, and DEA should be provided with simple reports that indicate the remaining discretionary and restricted funds. I cannot offer a suggestion to circumvent the issue of potentially poor operational or pedagogical decisions by the DEA. I said I have not been faced with this challenge, but I can foresee the potential for harm to children through DEA well-intentioned but misguided decisions. I believe that they are a valuable connection between the community and the school, but legislation should reflect the reality of the knowledge base of the DEA members when allocating power or responsibilities.

I have tried to limit my comments to what I believe are the most important issues facing education in Nunavut, and I hope that they prove to be of some value to the committee.

Kind regards

John Wilson
PO Box 210
Cape Dorset, NU
X0A 0C0
867-897-7546
john.janet.wilson@gmail.com



Robby Qammaniq
General Delivery
Gjoa Haven, NU
X0B-1J0

October 14, 2014

George Hicks, MLA
Chair, Special Committee to Review the Education Act
Legislative Assembly of Nunavut
P.O. Box 1200
Iqaluit, NU
X0A-0H0

Re: Invitation for Public Submissions

Dear Hon. George Hicks,

This letter is in response to the Special Committee's Invitation for Public Submissions regarding the *Education Act* of Nunavut. There are four things I want the Special Committee to add to the *Education Act* and they have to do with being recognised and improving the education system in Nunavut.

Recognition

I would like the Special Committee to add a statement to the *Education Act* that recognises the past government's mistreatment of Inuit with respect to education, a statement that is similar to what is written in the Preamble of the Inuit Language Protection Act (ILPA). In the Preamble of the ILPA, it states;

Deploing the past government actions and policies of assimilation...that cast the Inuit Language and culture as inferior and unequal, and acknowledging that these actions... have had a persistent negative and destructive impact on the Inuit Language and on Inuit (GN, 2008).

The land that the Inuit inhabited became part of Canada in 1870 and the land was named Northwest Territories (N.W.T.). The Government of Canada left the Inuit and the N.W.T. alone until the mid-1940's. Then in the 1940's, the Government started imposing education on Inuit harshly by taking children away from their parents and sending them to residential schools, deceiving the parents for sending the children to school, and experimenting on how well Inuit children can do in school. The Inuit are still suffering from this imposition and it should be recognised that the government wronged the Inuit, so we can move forward.

Improving Nunavut Education System

There are three ways the Nunavut education system could be improved and they are; using animals as learning tools; having high school students visit Southern post-secondary institutions; and to offer summer school for high school students.

Animals as Learning Resources

High school and college students should be able to use animals to study body parts. Schools outside of Nunavut kill animals just for the sake of learning and I think that's a waste. Inuit are stewards of the land and the animals and they treat them with respect. Also, Inuit try and eat every bit of the animal and use the skin and bones for clothing and tools, the students should use those animals before they are eaten or hunt animals and learn from them before they're distributed for consumption.

Fieldtrip for High School Students

In the first 5 years of the amended Education Act, it should be the law for high school students should go on fieldtrips to the South to visit the post-secondary institutions. Many or all of Nunavut beneficiaries that go to the South to further their education have a hard time adapting to living in the South because they've never been down there or have little experience.

It's very hard to focus on your studies and learn to live in the South at the same time. If the students are exposed to the cities, then they'll have a better chance of completing their studies. Also, if the students go visit post-secondary institutions, then they'll have better sense of direction after they complete their high school.

Summer School for High School Students

High school students should have an option of taking summer school, especially those in the academic stream. In many schools across Nunavut, students don't have the opportunity to take academic courses, the courses that will lead them to universities, because majority of the students take the general stream. Students from different communities should go to major hubs in Nunavut, Iqaluit, Rankin Inlet, and Cambridge Bay, to take high school courses during summer, so that they can complete their studies earlier or have the opportunity to do academic courses like physics and chemistry.

Conclusion

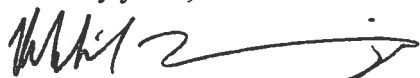
In conclusion, formal education has been in existence with the Inuit since 60 years ago and the Inuit had a rough start because of the federal government's imposition. Government of Nunavut should recognise the hardship the Inuit endured in the early years of formal education. Both of my parents were deprived of education because their parents did not want them to leave their community to go to school. My father knew that the only way to have a better future is to get education, so he kept encouraging me to stay in school. I completed high school in Nunavut, went on to university, and then to teacher's college and now I'm working as an adult educator for Nunavut Arctic College.

When I went to university, I was ill prepared for my studies and for living in a city, so I went back to high school after my first year. I went to high school in Peterborough, Ontario in the summer time and took Grade 12 Physics because I knew it wasn't going to be offered in Nunavut. Then, I went to Rankin Inlet to take some more high school courses. I studied biology in university and we used animals and living organisms to study life. It was often difficult to just

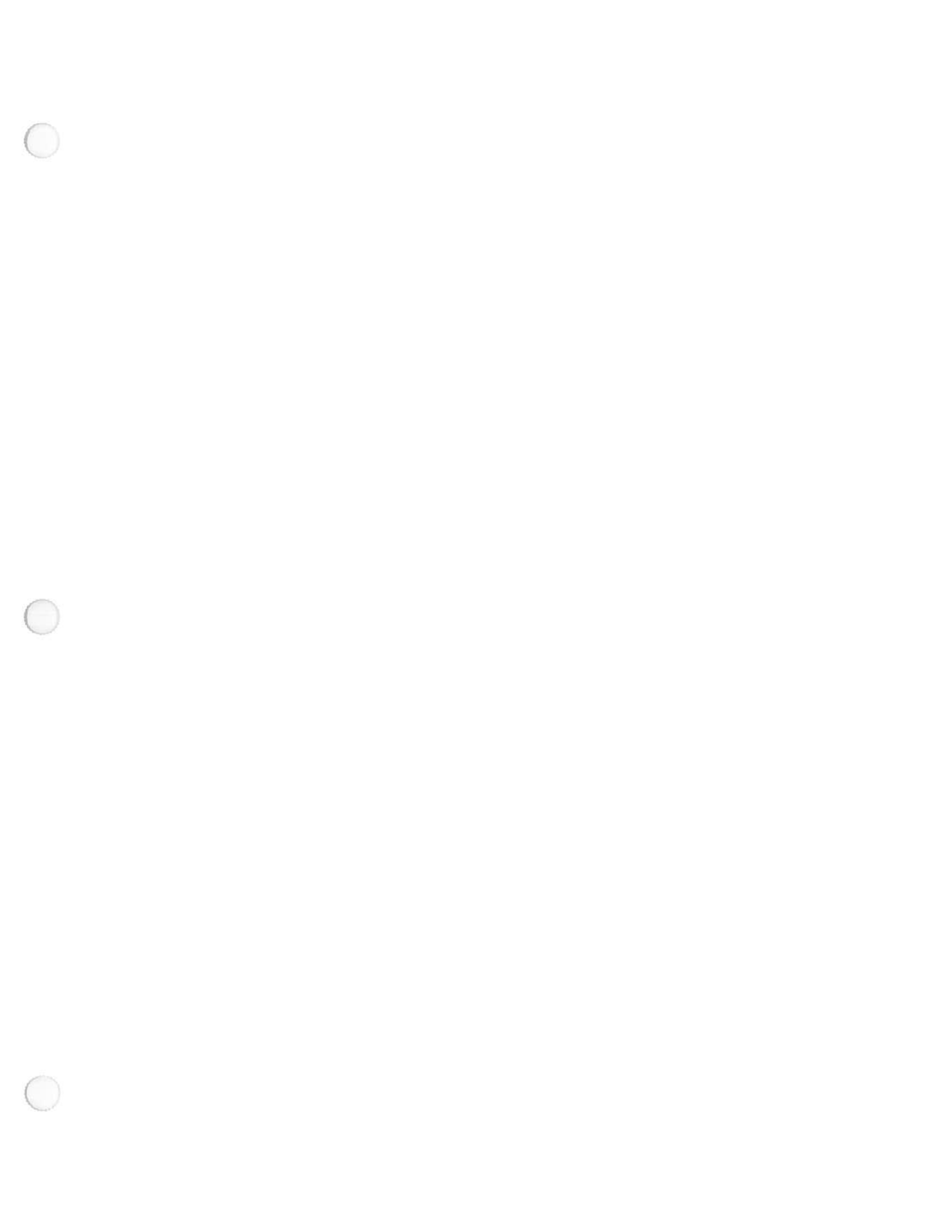
kill the organisms just to study them because I was taught to respect the animals. Inuit will have a better understanding of biology if they study animals first hand rather than from using only books because in the old time, the Inuit did not use the writing system.

Thank you for your time to read this letter! I hope the Special Committee to Review the Education Act will take comments seriously and consider them in the *Education Act* of Nunavut, so that Nunavummiut can have a better future. If you have any comments or questions, you can contact me at any time.

Sincerely yours,

A handwritten signature in black ink, appearing to read 'Robby Qammaniq', followed by a long horizontal flourish that ends in a small hook.

Robby Qammaniq, B. Sc.



Dear Special Committee to Review the Education Act,

Thank You for this opportunity. As I'm sure you are aware the Act on the Justice website (as linked in the Education website) is not the document that was Assented to September 18, 2008 where I will be citing. The document I am looking at is Chapter 15 – Education Act (Assented to September 18 2008) S.Nu.2008,c.15.

Before I begin with some specifics I would like to bring to your attention PART 1 – 1. (1) that's says "The public education system in Nunavut shall be based on Inuit societal values..." 1. (2) then lists these and does not mention anything about language, however language becomes a large part of this Act. The language components in the Act is creating a disconnect between the stated goals of the Act and the Department of Educations ability to achieve them. As it sounds great on paper to give children a bilingual education it is time to be realistic about Nunavuts capacity to offer this type of program. In saying this however it boils down to what is the definition of "high quality education", as is mentioned several times in the first page of the act and throughout. My definition of High Quality Education is: An education process that begins in Kindergarten and progresses through the grade levels to produce High School graduates that are excited, ready, and able for the next level of education. Unfortunately this is very much open to interpretation and will vary greatly from individual to individual or DEA to DEA.

My specific recommendations are as follows:

- In the definitions you have School Program and Education Program listed but not a definition of Curriculum which makes up the Education program. In Part 3 - 7.(1) it says the DEA provides the School Program but in 8.(1) it says the Minister establishes the curriculum. These two terms are basically the same and has to cause confusion. Recommendation – Add your definition of Curriculum and clearly establish who sets the components of the education. I'd also recommend taking curriculum or program decisions away from DEA's (Remove 7.1 and all of 9) as there can be no consistency from region to region. Nunavuts education system needs to be consistent. A child in Kugluktuk should have the same educational upbringing as a child in Iqaluit. It is very odd to have people making educational programing decisions that are community specific. If Nunavut would like its children educated at the same level as the rest of the country the education program/curriculum has to be similar to what the other jurisdictions are teaching. The ability of the DEAs to modify the curriculum established by the minister as per 8.(1) is a major problem.
- PART 4 23.(1) Recommendation: REMOVE. This impedes the ability to deliver high quality education. This is due to 103.(1) that must be enforced! It states "An individual shall not be employed as a teacher unless he or she holds a teachers certificate". As there is clearly not enough teachers certified who can speak the Inuit languages you cannot have this criteria built into the act. A quality education can only be given by qualified professionals. I recommend

removing all parts of the Act that reference this bilingual education and replace it with English being the language of instruction (with the exception of Inuktitut class)

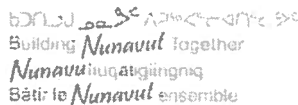
- Part 8 – 76 – Remove. An assessment of a child's educational progress cannot be manipulated by being "culturally appropriate for Nunavut". The assessment of students must be fully based on comprehension of subject matter.
- 103.(3) – Remove "or is employed for part of a school year to fill a vacancy as a teacher". This loophole renders 103.(1) worthless which is critical to providing a high quality education. A standard of qualified professional teachers has to be the foundation to providing high quality education. In the same way we wouldn't let someone be a nurse who is not qualified because there is a vacancy we have to have the same standard for certified teachers.
- 122.(1) – Define "Highest quality possible". All the people on the DEAs and the Minister at the time will have a different idea of what is the "highest quality possible".

Those are some of the recommendations I have. I hope your conversations on this topic help to refine the Act. I suggest you start by deciding what you want as an end product and work back from there. I'd like the standard to be that any child completing grade 12 in any community can comfortably make the transition to a post secondary institution. Obviously that will not be the case for all students but if the standard is to "pass" grade 12 we are significantly lowering the bar of what should be acceptable in an education system. Our weakest students should be passing and our brighter students should be able to excel and compete with any of their peers throughout the country.

Thank you for your time,

Adam Fisher





Mr. George Hickes, Member of the Legislative Assembly
Chair of the Special Committee on the review of the *Education Act*
Legislative Assembly of Nunavut
P.O. Box 1200
Iqaluit, NU
X0A 0H0

October 31, 2014

Dear Mr. Hickes,

Thank you for the opportunity to share the Department of Education's concerns and recommendations concerning the *Education Act*. The *Education Act* is the foundation of the education system in Nunavut, and the department appreciates that it is now being reviewed with a view to making improvements.

Mr. Hickes, as you know, the department has been implementing the *Education Act* for roughly five years now and in that time it has flagged several sections of the *Act* for review and amendment. The sections that the department has flagged for amendment include the provisions related to Language of Instruction, the roles and responsibilities of District Education Authorities (DEAs) and the role of the Commission Scolaire Francophone du Nunavut (CSFN) and its Director General.

In particular, I would like to point out that the department is suggesting substantial reductions to the roles and responsibilities of DEAs on matters related to language of instruction and the hiring of teaching staff. Please note that this is a dramatic departure from the desire to provide DEAs with greater local control, which was an integral philosophy behind the current *Education Act*.

While local control may sound ideal in theory, few DEAs have managed to adequately meet all of expectations placed on them in the Act. Simply put, many DEAs do not have the capacity to perform the tasks outlined in the *Education Act*.

Mr. Hickes, some DEAs have managed to perform quite well, but they are the exception and not the rule. The *Education Act* must reflect the lowest common denominator of DEA abilities, which is why the department is suggesting the removal duties and responsibilities from the DEA.



ᐅᑭᑭᑦ ᐅᑭᑭᑦ ᐅᑭᑭᑦ
Building Nunavut Together
Nunavutluqatqinngit
Bâtir le Nunavut ensemble

ᐃᑦᑭᑦᑭᑦᑭᑦᑭᑦ
Department of Education
Ilinniaqtulqiyikkut
Ministère de l'Éducation

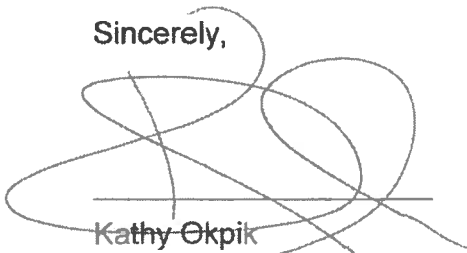
Further still, the department sees value in creating greater consistency in its schools across all three regions. Providing the Minister of Education with increased authority to issues standards and directions will help ensure that our students are able to access quality education in all communities.

With this in mind, attached for the consideration of the Special Committee on the Review of the *Education Act*, is a list of recommendations for amendment to sections of the *Education Act*. This list has been compiled and considered with input from the department's headquarters office, Regional School Operations (RSO) offices, decentralized offices in Arviat and Pangnirtung and some school staff. This list is arranged by parts of the *Act*.

Mr. Hickes, I am happy to provide the Special Committee with additional information on the recommendations made herein if the committee so requests it.

On behalf of the Department of Education, thank you for consideration of the attached recommendations.

Sincerely,



Kathy Okpik
Deputy Minister of Education

Cc John MacDonald, Assistant Deputy Minister of Education

PART 1: Fundamental Principles

The department has no suggestion for amendments to this part of the Act.

PART 2: Interpretation

The department suggests that a definition for “Inclusive Education” and “Student Support Services” be added **to section 3**. Such definitions could read as follows:

- **Inclusive Education:** Inclusive Education ensures access for all children to both the education program offered in the regular instructional settings with their peers, and supports required to meet their learning needs.
- **Student Support Services:** An additional service or device provided to a student to enhance learning, or help the student overcome barriers to learning. Supports are services above and beyond that provided to all students as part of the overall school program.

PART 3: School Program

School Program

The department suggests that **section 7** be amended to clarify that the Minister of Education and the District Education Authority (DEA), in partnership, are responsible for the provision of the school program.

Other activities, programs and services

Amend **section 11** by adding a subsection to clarify that programs of moral and spiritual instruction cannot promote a particular view or attempt to indoctrinate a particular religious viewpoint or religion.

Early Childhood program, Inuit Language and culture

Amended **section 17** to authorize District Education Authorities (DEAs) to provide an ECE program but not require them to do so.

There have been numerous statements from DEAs that providing an ECE program is too much work, they want to work on school (K-12) and not ECE, and that they do not have the expertise to provide this type of programming.

Other Programs

Amend **sections 17 and 18** to clarify that programs offered under section 17 and 18 are not part of the school program and are not to be considered a program offered by the school.

Home schooling programs

The department suggests that **section 21** be amended to clarify that home schooling programs do not include programs being offered by an educational institution outside of Nunavut and delivered electronically by distance (in other words, distance education programs).

PART 4: Language of Instruction

In 2013, the Office of the Auditor General of Canada (OAG) conducted a performance review on the Department of Education's performance with respect to implementation of the *Education Act*. One of the key findings of the OAG was that the department was not adequately implementing the components of the *Education Act* concerning language of instruction. The department agreed with the findings of the OAG and offered a few explanations as to why this was the case.

For years, the department has struggled to hire the number of qualified Inuktitut-speaking teachers required to implement the early years of the various bilingual education models. In short, there are simply too few qualified Inuktitut-speaking teachers to provide the required 85-90% of instruction time in an Inuit language.

Further still, the department has struggled to develop all of the necessary resources and learning materials required to deliver such a large amount of instruction in an Inuit language.

It is clear, that the department will continue to struggle to provide the required amount of instruction time in an Inuit language and will not be meeting the requirement to produce bilingually proficient graduates by 2019-2020.

It is worth noting that the current bilingual education models were devised based on recommendations provided to the department over a decade ago. The department believes that enough time has elapsed since the language models were last considered and that a thorough review of current research is needed to determine if a more suitable delivery model is available.

There are numerous examples of jurisdictions providing bilingual instruction, both in Canada and beyond. A cursory examination of the literature on the topic of bilingual education seems to suggest that students being instructed in a two-way or dual language 50:50 or 90:10 bilingual education program, successfully acquire language proficiency in both languages of instruction, and often acquire greater proficiency than students in monolingual settings¹. Research also indicates that students need at least seven years of prolonged experience in a first or second language before approaching proficiency levels. Currently students in Nunavut do not have this opportunity.

It is worth noting that the current approach bilingual education in Nunavut is a form of two-way or dual language program, however; it is neither a 50:50 nor a 90:10. While the current language of instruction models do require up to 90% of instruction to be in an Inuit language from Kindergarten through Grade three, delivery of both languages of instruction only become balanced (an equal amount of instruction in an Inuit Language and English or French) in Grade 10. This approach is not consistent with the common form of two-way dual language 90:10 bilingual education programs, which see a

¹Genesse, F., & Lindholm-Leary, K. (2007). Dual language education in Canada and the United States. In J. Cummins & N. Hornberger (Eds.), *Encyclopedia of language education* (2nd ed., pp. 253-266). New York, NY: Springer.

balance of language instruction by Grade 5. The department believes that this delivery model should be investigated further to see if it is appropriate for schools in Nunavut.

The department believes that a more balanced approach (providing an equal amount of instruction in both languages) to language instruction might help to alleviate some of the pressures associated with hiring a substantial amount of qualified Inuktitut speaking teachers and developing the required materials and resources in an Inuit language. More importantly, however, students would receive prolonged experiences in both languages throughout their entire schooling, increasingly the likelihood of achieving the system goal of bilingual proficiency by graduation.

In addition to this, the department has made it clear over the last several months that it is focusing on consistent, quality instruction across the territory. The department has recently launched a balanced literacy and a benchmark assessment initiative geared towards enhancing literacy and numeracy proficiency across all three regions.

The materials associated with balanced literacy will be consistent across all schools in all three regions and in each of the languages. The benchmark assessments will be standardized and consistent across all schools in all regions. Given this, it would seem appropriate that usage of languages of instruction also be consistent in all schools across all three regions.

Given the issues mentioned above with the current approach to bilingual education instruction and the shift towards a more unified, consistent approach to language instruction and assessment, the department suggests that Part 4 of the *Education Act* undergo substantial amendments.

The department suggests that DEAs no longer have the authority to select the languages of instruction or the model to be used to provide instruction. In lieu of these decisions, the department suggests that the Minister of Education be given the authority to direct what amount of instruction time is required in each language for each grade. Moreover, the Minister would be given the authority to provide directions on which language of instruction would be used for each subject. Such authority would give the Minister the ability to ensure that educational instruction across the territory is consistent. Such a shift in language delivery could help address the chronic shortage of qualified Inuktitut speaking teachers and shortage of Inuit language materials and resources.

It is worth noting that the Kativik School Board in Nunavik takes a similar approach to bilingual education in that the school board issues a policy which directs staff on the usage of languages of instruction by grade and subject matter.

Baring in mind that Nunavut has three official languages, and that at least one community has a significant French –speaking population, the department suggests that the greater flexibility is needed to allow for the instruction of a third language.

Currently, it is almost impossible to keep French language instruction in the schools, even as a third language, thus depriving students from exposure to the French language.

The exposure to a third language of instruction would not come at the cost of proficiency in the other languages of instruction (i.e. Inuit Language and English). According to J.

Cummin's Dual-iceberg Theory, the skills learnt in one language are transferable to other languages.

The department believes that there are benefits to allowing for the instruction of a third language and many jurisdictions do just this (i.e. South Africa, Spain, Singapore). Learning French as a third language could help open doors for our graduates to take on positions within the Federal Government, where a lot of extremely important decisions are made regarding Nunavut's future.

In line with the suggestion made above concerning the Minister's authority to provide directions on language use; such directions could include the incorporation of French language instruction in schools when it is requested by the DEA or community.

If the language of instruction models were to be kept, we would strongly recommend that a fourth model be included to allow for the delivery of French as an additional language when so requested by the DEA.

If the changes suggested above are not acceptable the department suggests making amendments to the requirement to produce bilingually proficient graduates by 2019-2020 found in **section 28** and language of instruction models found in the *Language of Instruction Regulations*.

The department wishes to confirm its commitment to bilingual education. The department completely believes that its graduates need to be highly functional in an Inuit Language and English and that such skills will help ensure that our graduates go on to pursue meaningful employment opportunities and post secondary education. We believe that it is essential for our graduates to be able to operate confidently in at least two of the official languages of Nunavut and to possess abilities in a third official language would be better still.

It goes without saying that the suggestions included herein, concerning the topic of bilingual education, are significant. Such suggestions need to be thoroughly considered by the various partners and stakeholders involved in the delivery of education and by the public in general. The department is happy to assist with such considerations as the committee see fit.

PART 5: Registration and Attendance

Registration, ages 6 to 18

While the department is not suggesting making changes to **section 30**, it will point out that some school staff have indicated that the maximum mandatory age of 18 years should be changed to 16.

The rationale provided for this suggestion is that the current requirement to attend until 18 years of age is not actually keeping students in school, thus it serves little purpose.

The department simply wishes to flag this suggestion for the Special Committee and advise that it be the subject of consultation.

Enrolment of others

The department suggests that **section 32** be amended to authorize the establishment of regulations, or give directions concerning the enrolment of children that are not

entitled under section 2. Currently, DEA discretion on this matter is too broad. At least one DEA has been registering children as young as four years old. Further to this, the department also suggests that **section 32** be amended so that, under no circumstances, may a child be registered for school before they have reached the entitled age defined in section 2. The DEA could still register individuals over the age of 21, subject to Ministerial directions or regulations as suggested above.

Registration and attendance policy

The department suggests amending **section 37** by adding a provision which requires the department to develop a generic or default registration and attendance policy. This departmental policy would have to be implemented by the DEA in the event the DEA fails to develop its own policy as required in section 37.

PART 6: Inclusive Education

The department is of the opinion that greater detail needs to be provided on the day-to-day implementation of inclusive education. The department is of the opinion that such details are not appropriate for legislation, but should be found in a comprehensive set of directives from the Minister. Finally, the department is suggesting that DEA responsibilities concerning the implementation of inclusive education be scaled back. In general, the department is of the opinion that this is a function better served by the school principal.

Given this, the department is suggesting that several sections under Part 6 be amended to reference the Minister's authority to give directions and the requirement for oversight by the principal.

Inclusive Education

Subsections 41(3)(4) should be amended to clarify that the determination of what is reasonable, practical and the application to entitlement shall be made in accordance with the directions of the Minister.

Oversight

The department suggests that **section 42** be amended to make the principal of the school responsible for the implementation of Part 6 of the *Act* and the directions of the Minister concerning inclusive education.

The department does not believe that DEAs possess the knowledge to oversee the implementation of inclusive education. The DEA would remain involved in the appeal process as referenced in section 49 of the *Act* however. More importantly, the change suggested above would allow the principal to more directly monitor his/her teaching staff with respect to meeting their roles and responsibilities concerning inclusive education.

Identification of needs

The department suggests amending **subsections 43(1)(3)(4)** to clarify that the duties of teachers outlined in section 43 must be performed in accordance with the directions of the Minister.

The department suggests amending **subsection 43(5)** to authorize the classroom teacher to develop the Individual Student Support Plan (ISSP) and the school team to oversee this development and ultimately approve the ISSP.

The department suggest amending **subsection 43(6)** to require the participation of parents when an ISSP is being developed and implemented. The development of an ISSP is an important process that must include input and endorsement from the parent.

Assessments: role of DEA

The department suggests amending **section 46** to require the principal to ensure that the school team reviews all ISSPs in the school at least three times a year.

Specialized Services or assessments

The department suggests amending **section 47** to clarify what is meant by “specialized services and assessments”. This can be achieved by authorizing the Minister to give directions on this matter. These directions from the Minister would provide the necessary level of detail to inform what types of services and assessments may be provided, and under what circumstances.

PART 7: Student and Parental Participation

Inuuqatigiitsiarniq Policy

The department suggests amending **section 58** be adding a provision which requires the department to develop a generic or default Inuuqatigiitsiarniq policy. This departmental policy would have to be implemented by the DEA in the event the DEA fails to develop its own policy as required in section 58(1).

PART 8: Assessments of Students

The department has no suggestion for amendments to this part of the *Act*.

PART 9: Records Relating to Students

The department has no suggestion for amendments to this part of the *Act*.

PART 10: Instructional Hours and School Calendars

The department has no suggestion for amendments to this part of the *Act*.

PART 11: School Staff

The department is of the opinion that it is the employer of school staff and as such, it should be solely responsible for overseeing the staffing process and annual appraisal of its staff members. Given this, we are suggesting a number of amendments to sections 106 to 117. The suggested amendments would remove several duties of the DEA concerning the hiring of teaching staff.

Principal and vice-principal terms of employment

Amend **section 106** to allow for principals and vice-principals to be appointed to a maximum of a five-year term rather than three. Section 106(2) should also be amended to allow for five-year re-appointment terms for principals and vice-principals.

DEA Appointment Panel

Amend **section 107** so that DEAs are required to appoint a member to a hiring panel for principals and vice-principals appointments and re-appointments. The Department of Education, as the employer, should oversee the staffing process, with involvement from the DEA. If this change were to be made, there would no longer be a DEA Appointed Panel overseeing the staffing process for principals and vice-principals.

The department is suggesting this change to section 107 because it is the employer and will ultimately be held accountable to its staff, and the Nunavut Teacher's Association, (NTA) representing its staff.

DEAs are volunteer organizations made up of individuals who may or may not have the skills and knowledge required to oversee a competitive staffing process. It is not fair to DEAs and School Staff alike that the DEA have such a significant role in the staffing of principals and vice-principals.

Dismissal of Principals and vice-principals

In keeping with the suggested change to section 107; the department also suggests that **section 108 (3)** be amended to authorize the Minister to dismiss principals and vice-principals without a recommendation from the DEA. This would mean that the DEA would no longer have the authority to provide such a recommendation, nor would the Minister be required to act on it.

The department believes that DEAs should still play a role in a decision to dismiss a principal or vice-principal so we are suggesting that a provision be added requiring the Minister to consult with the DEA before dismissing a principal or vice-principal under section 108.

Principal annual appraisal

We suggest amending **section 117** by removing subsection 117(2). Again, the department is the employer and should be solely responsible for assessing its staff. Again, DEAs are made up of volunteers who may or may not have the skill set to perform such a task. It is unfair to staff to include an appraisal by the DEA in their permanent personnel file. We are confident that the NTA would agree with us on this matter.

PART 12: Administration

Student Educator Ratio

The department suggests removing **section 123**. The allocation of teaching staff should be based on program and student needs and not driven by a national standard. Basing teaching staff allocations on student enrolment allows for too many fluctuations in staffing levels. The department believes that students will benefit from consistent, continuous staffing in the school.

DEA Elections

DEAs, across all three regions, have run into issues with the length of their terms and requirements for on-going elections. As it stands right now, there is no authority for the Minister of Education to intervene and address these issues when they arise. Given

this, we propose amending section 131 to allow exemptions to the required three- year election terms of DEAs so that mishaps with elections may be corrected. This could be achieved by adding a provision that authorizes the Minister to waive the requirement for three year or staggered DEA terms.

Criminal record checks

Amend section 136 (a): The reference to 'in the last 3 years' should be changed to 'in the last 3 months'.

Miscellaneous Powers

The department suggests that **paragraph 145(e)** be amended to authorize the DEA to temporarily close a school for health and safety reasons or any other reason directed by the Minister (i.e. for funerals).

Duty to Inform

The department suggests that subsection 147(1) be amended to clarify that the DEA must follow regulations when informing residents of Nunavut about the provision of public education under its jurisdiction. The suggested amendment is consistent with that which is suggested in relation to subsection 172.

PART 13: French Minority Language Rights

Over the last several years it has become apparent to the department that neither it nor the Commission Scolaire Francophone du Nunavut (CSFN) share a common understanding of the CSFN's roles, responsibilities and authorities.

It seems as though the department has the responsibility to ensure the provision of education programs to rights holders, however; the Commission Scolaire Francophone du Nunavut (CSFN) has the authority to decide on the operations and administration of education programming to rights holders.

The department believes that the Minister needs greater decision-making control in order to be responsible for the provision of educational programming to rights holders. Given this, the department is suggesting the following amendments.

Please be advised that we are suggesting a number of amendments below, none of which have been vetted by legal counsel. The department understands and appreciates the special status that is conferred upon the CSFN as a result of the *Charter of Rights Freedoms*, and does not wish to infringe on the CSFN's rights, as established under the *Charter*. The suggestions below will require thorough consideration by legal counsel before any changes are made to the *Act*.

Approval of Curriculum

Amend **section 168** to clarify who is responsible for approving and establishing the French program. The department believes that students attending schools under the CSFN should be provided with an education program designed to achieve the same educational outcomes as all students in Nunavut.

If the CSFN has the authority to establish its own program, the Minister of Education will not be able to ensure that its students are meeting the same educational outcomes and competencies.

The department proposes that paragraph **168(1) (a)** be removed, thus giving the Minister the authority to establish curriculum for all schools in Nunavut, including those under the CSFN. If the amendment to paragraph 168(1)(a) were accepted, section **168(2)** would also need to be removed.

Paragraph 168(1)(b) should be amended to clarify that the CSFN is still required to promote an understanding of Nunavut as required in subsection 8(4).

CSFN re: Inclusive Education

The department is of the opinion that decisions made under sections 45(7) and 47 of the *Act* are of great significance and in order to ensure that such decisions are made consistently across the territory, the department suggests that **section 170** be amended to require the Director General of the CSFN to provide a recommendation to the Minister only. Final decision would rest with the Minister as it does for all other students in the territory.

Duty to Inform

The department suggests that **section 172** be amended to clarify that the CSFN must follow regulations when informing residents of Nunavut about the provision of public education under its jurisdiction. The suggested amendment is consistent with that which is suggested in relation to subsection 147(1).

Report on Inuit Qaujimajatuqangit

The department suggests that section **173 (2)** be removed. Removing this section would mean that section 122.1, concerning the Report on Inuit Qaujimajatuqangit, would include school staff from the CSFN.

Advisory Committee

The department suggests that **section 174** be removed, thus removing the requirement for an advisory committee. In lieu of this provision, we could rely on the regulation making authority under section 181 (d) to require the CSFN and DEA to enter into an agreement when the CSFN is providing instruction to a CSFN student in a non-CSFN school (i.e. DEA School). This agreement should clarify staff responsibilities, any financial arrangements, and administration of the education program.

Director General

The department has significant concerns with **section 176** and is suggesting numerous amendments to address these concerns.

The department suggested that subsection 176(3) should be amended to authorize the Minister to appoint the Director General, based on the recommendation of the CSFN. The Minister would be required to honour the recommendation of the CSFN if all of the applicable human resource policies, directives and processes have been followed.

The department believes that the Director General should not be a member of the public service unless the Minister of Education is making such an appointment.

Currently, subsection 176(5) states that the CSFN oversees the work of the Director General; this section suggests that the Director General does not report to any of the Senior Officials in the Department of Education (i.e. the Deputy Minister or Assistant Deputy Minister). We suggest that **subsection 176(5)** be amended so that the Director General reports to the Minister of Education and may receive directions from the CSFN.

If the Director General does not report to the Minister of Education then he or she should not be a member of the public service and subsection 176(2) should be amended. The Director General should not be a member of the public service and not be held accountable to the Deputy Minister as outlined in section 5 of the *Public Service Act*.

The department is concerned with the current wording found in subsection 176 (6) and the apparent broad provision of powers and duties. The department suggests that **subsection 176 (6)** be amended to narrow the scope and clarify the limit of these powers and duties.

Role of Director General: employment matters re: teachers, principals, vice-principals

The department of Education is the employer of teaching staff in the schools operating under the jurisdiction of the CSFN, however; the department currently has no authority to appoint teaching staff to the public service, dismiss staff or perform annual appraisals. The department currently has no authority to investigate whether or not the CSFN is adhering to the required hiring policies processes and collective agreements when making appointments and dismissing staff.

Further still, the department, as the employer could be ultimately held accountable to both the Nunavut Employees Union (NEU) and Nunavut Teachers Association (NTA) if the CSFN breached either of the collective agreements.

The department believes that the CSFN's role in the appointment of teaching staff to the public service is too broad. Currently the Minister and Department of Education have too little authority to manage teaching staff under the jurisdiction of the CSFN. If the Department of Education is to remain the employer of teaching staff under the jurisdiction of the CSFN, then the Minister needs greater authority to manage his/her staff members.

We suggest that **section 178** be amended to require the CSFN to make a recommendation to the Minister on the appointment of CSFN teaching staff (including Principals and Vice-principals). The panel would make a recommendation to the Minister and the Minister would be required to make the recommended appointment if all of the required human resources policies and procedures (i.e. Human Resource Manual) have been followed. The CSFN would retain decision-making power in this scenario and the Minister would be able to ensure that all of the necessary hiring policies and protocols are being upheld.

In keeping with the recommendation above, the department suggests that **subsection 178(7)** also be amended so that only the Minister of Education may dismiss members of

the public service. The Minister would make such a dismissal on the recommendation of the Director General.

Role of Director General: employment matters re: other employees

Further, we suggest that **section 179** be amended so that the CSFN would make recommendations to the Minister on the appointment of "other employees". In keeping with the suggestions above, the Minister would be required to honour recommendations of the CSFN if all of the required hiring policies and protocols are up held.

The department recognizes that the CSFN has a right to greater control of staffing and management of staff than other DEAs. The department believes that the suggested amendments above would maintain the CSFN's right to administer staffing at its schools, but would also give the Minister of Education the authority he or she needs to be responsible for education staff.

If the suggested amendments are not supported, the department believes that it may be in its best interest for teaching staff and "other employees" (see section 179) in CSFN schools to be employees of the CSFN directly. This would mean that the department would not be the employer of these staff members. Such a change would require changes to the *Education Act*, *Public Service Act* and both the NEU and NTA Collective Agreements.

PART 14: Financial Matters

The department has no suggestion for amendments to this part of the *Act*.

PART 15: DEA Coalition

The department has no suggestion for amendments to this part of the *Act*.

PART 16: Miscellaneous

The department has no suggestion for amendments to this part of the *Act*.

PART 17: Repeals and Coming into Force

The department has no suggestion for amendments to this part of the *Act*.



www.tunngavik.com

ᐱᓄᓂᓐ ᓂᓄᓂᓐ ᐱᓄᓂᓐ Alanguyaq Chief Executive Officer

October 31, 2014

Honourable Paul Quassa
Minister of Education
MLA, Aggu

George Hickes, Chair Special Committee to Review the Education Act
MLA, Iqaluit-Tasiluk

Pat Angnakak
MLA, Iqaluit-Niaqunngu

Simeon Mikkungwak, Co-chair, Special Committee
MLA, Baker Lake

Joe Savikataaq
MLA, Arviat South

RE: NTI's submission to The Education Act Review Committee

Dear Committee Members,

Thank you for the opportunity for Nunavut Tunngavik Inc. to present its concerns in regard to the *Education Act*. NTI and the Regional Inuit Organizations had significant concerns with the content of the *Education Act* at the time of its passing in 2008, and many of our concerns remain unchanged.

Inuit more than ever, need an education system that benefits us and at the same time, allows us to obtain education that meets national standards. This submission should not be simply viewed as a critique of the progress of education in the past five years but as a tool to guide the GN Department of Education and the Nunavut Legislative Assembly where it can improve upon the existing legislation. The Department of Education must allow for NTI participation and continue to engage the Coalition of Nunavut District Education Authorities in meaningful bilateral partnership.

NTI's submission to the Committee is in two parts. The first part of our submission provides a narrative overview of Inuit formal education from its roots to the present. It is important to understand that Inuit have been remarkably consistent over the last fifty years in conveying our expectations for education and language. The overview also provides context into our fundamental concerns as expressed in part two of our submission.

Part two of our submission is a line by line review of NTI's concerns with the Act. NTI submitted a similar line by line review to the Nunavut Health and Education Standing Committee on January 11, 2008 on Bill 21, *Education Act*. NTI welcomes the opportunity to re-examine its concerns with the legislation.

As education and language are at the heart of many social and cultural discussions in Nunavut, NTI has discussed the Inuit vision for education and Inuit language in its recent State of Inuit Culture and Society Annual Reports. They should also be considered as supporting documentation to our submission. They are titled;

- The Status of Inuit Children and Youth in Nunavut 2010-2011
- The Status of Inuit Language in Nunavut 2009-2010
- Saqqipquq K-12 Education in Nunavut 2005-2007

I look forward to appearing as a witness before your committee at your convenience, and also look forward to a revised Education Act that will allow Inuit to be best situated to realize our dreams for a bilingual education system that is delivered through local control.

Sincerely,

A handwritten signature in black ink, appearing to read 'Arreak', with a stylized flourish above it.

James T. Arreak
Chief Executive Officer

Submission to the Standing Committee
Of the Fourth Legislative Assembly on
the Review of the Nunavut Education Act

October 31, 2014

Nunavut Tunngavik Inc.

PART 1 of 2

Table of Contents

Introduction	3
Summary	5
Background.....	6
History of Local Education Committees and Divisional Boards of Education	6
Abolishment of Divisional Boards of Education	7
Development of the Education Act	9
NTI's 2008 Submission on Bill 21	11
Auditor General of Canada's Education Review	11
Department of Education Finances	12
Coalition of Nunavut DEAs	13
District Education Authorities	16
Limited Authority.....	16
Capacity Issues	17
School Attendance	20
Disenfranchisement.....	21
Bilingual Education	22
Inuinnaqtun	24
Inclusive Education.....	25
Social Promotion	27
Education Based on Inuit Societal Values	30
Nunavut Teacher Education Program	31
Employment Sector within Department of Education	35
Early Childhood	37
Inuit Language Protection Act and Official Languages Act	39
TV and Other Media	40
References	42

1. Introduction

NTI's Submission on the Education Act Review touches upon the following articles and Education Act provisions:

1. NLCA and Inuit involvement (Articles 23 & 32 *EDU ACT part 12 section 121*),
2. Inuit Employment, specifically training of Inuit and Northern Teachers (Article 23 and *Nunavut Education Act Part 12*),
3. Language of Instruction; Lack of implementation to train and hire teachers that can teach in the Inuit Language; Regulations pertaining to LOI implementation phases to reach the targeted bilingual graduates by 2019/2020 (*EDU Act Part 1, 4, 7, 11*),
4. Inuit Social, philosophical, Societal Values and Principles (*all sections pertaining to Inuit Qaujimajatuqangit (Part 1, 3: section 7(3), 8 (1) (2) (3) (4) (5); 20 (1-11); 37 (2-3), Part 7 section 58 to 61)*),
5. Roles and Responsibilities of District Education Authorities and the Coalition of Nunavut District Education Authorities and Governance Structure between Department of Education and the District Education Authorities and the Coalition of Nunavut District Education Authorities (Part 12: section 128(1), 137(1) and 150(1) and Part 15, sections 190-192),
6. Structured Dialogue provisions that contribute to the lack of Department of Education's responsiveness to DEAs and CNDEA in regards to collaboration and decision-making process with the Education Minister (*Part 12 section 138(1) and section 149-155*).

According to s. 202.1 (1) of the Education Act, a Review is mandated to measure the progress of implementation after the Act was passed by the Government of Nunavut in July 2009.

NTI is responsible for ensuring the rights of Inuit are reflected through Article 32.2.1 of the Nunavut Land Claims Agreement;

...Inuit have the right to participate in the development of social and cultural policies, and in the design of social and cultural programs and services, including their method of delivery, within the Nunavut Settlement Area.

NTI takes its' responsibility seriously and has provided reports, submissions and recommendations on education even before the enactment of the *Education Act* that operates today. These include;

- NTI Submissions on Bill 21 to the Ajaqtiit Standing Committee of the Second Legislative Assembly of Nunavut 2008
- Saqqipquq – Annual Report on the State of Inuit Culture and Society focusing on K-12 Education in Nunavut 2005-2007

This Submission must be taken in context of history of education because the five-year implementation period since 2009 does not adequately convey the challenges Inuit face today.

The span of history also highlights the need for significant shifts in mindsets the Department of Education and the Government of Nunavut could undertake to improve the education system after the Review.

Since Bill 21 was introduced in the Third Legislative Assembly of Nunavut in November 2007, the following events or activities have occurred that are connected to the delivery of education in Nunavut;

- Change of government in October 2008
- Qanukkaniq Report in 2009
- The passing of Inuit Language Protection Act in 2009
- The passing of the Official Languages Act in 2010
- Early Childhood Conference, gathering of daycare and early childhood centres in March 2011
- Government of Canada committed \$11 million dollars for basic adult education in 2011
- Inuit Kanatami Tapiriit release National Inuit Education Strategy in 2011
- The Coalition of Nunavut District Education Authorities commissioned Aarluk Consulting in October 2012 to identify new responsibilities expected of District Education Authorities after the passing of the Education Act
- Pathway to Adult Secondary Schooling introduced in 2013
- The first Education Minister's Meeting held in Nunavut in July 2013
- Change of government in October 2013
- Auditor General of Canada's Review on Education released in November 2013
- Parental Engagement Initiative developed in 2014
- Assessment Tools announced in April 2014
- The passing of 11 Education Regulations between 2009 and 2013

Many of the Recommendations in this Submission include more than suggested legislative changes because all of the recommendations in the NTI Submission on Bill 21 are very much relevant today as they were in 2008 as well as connected to all the challenges Inuit face in education delivery and involvement.

As well, it is NTI's view that the Review engagement is very broad;

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

2. Summary

This Submission on the Review of the Education Act to the Standing Committee of the Fourth Legislative Assembly stem from the Nunavut Tunngavik Inc.'s observations of historical milestones and achievements, and the obstacles and challenges that Inuit faced with the formal education system in present-day Nunavut.

In the larger historical context of education delivery before and after the creation of Nunavut in April 1999, it has become apparent where Inuit had greater control over education in the 1980s and 1990s, outcomes and success in Education provided in the Inuit Language was quicker, tangible and had more impact than any other era in Education history in the Inuit regions of the NWT.

However, the Government of Nunavut reversed the mechanisms that allowed Inuit direct control when it abolished regional or divisional boards of education in the year 2000. The Education Act of 2009 further restricted control because of the subordination created by excessive Ministerial authority and unnecessary burden of new tasks placed individually on all DEAs without adequate support and resources, in isolation.

The structure in which the Department of Education is now premised on means Inuit no longer have that authority to steer direction of their educational needs, to which only they can understand how those needs can be met through the hiring of Inuit teachers, curriculum development, production of Inuit Language resources and materials and early childhood development.

The majority of senior managers in the Department of Education, who comprise of 83% non-Inuit, and 75% non-Inuit teachers within the school system have difficulty understanding the educational needs and support required for 96% of the school population mainly Inuit students and the importance of bilingual education that would allow students to feel appreciated.

There is no effective mechanism in which DEAs and the Coalition can collaboratively work with fragmented government divisions that seized authority from regional boards and district education authorities.

Now, it takes much longer for the Department of Education to produce tangible results with much larger funding amounts than what was allocated to regional boards and local education committees. The Department's efforts show they are slow to produce qualified Inuit teachers, resulting in haphazardly hiring language specialists without adequate training or competency requirements, and slow in producing curriculum materials to support bilingual education.

Without an effective response mechanism between the Department and Inuit parents through representation of DEAs and the Coalition, the education system will continue to operate the way it has been for the past 15 years without transparency and accountability and approximately hundreds of students a year will continue to be dispelled by the school system.

Other government departments play a vital role in enhancing Inuit Language use by ensuring compliance with Language legislation. But the resources allocated for Inuit Language promotion and revitalization is so small, it will not be enough to significantly strengthen the Inuit Language. Other factors such as the inefficient early childhood regulations and the lack of Inuit Language media programming must be taken into account when reviewing the necessary legislative changes to the Education Act.

3. Background

In the 1980s, Tunngavik Federation of Nunavut submitted *five* times to the Government of Canada the need for rights to education in the Inuit Language be included in the Nunavut Land Claims Agreement, including a specifically worded clause in 1987;

"An Inuk resident in Nunavut has the right to have his/her child receive primary and secondary school instruction in Inuktitut, and has the right to participate in the management of schools in Nunavut through the election of local committees and regional boards.ⁱ

The Government of Canada declined to oblige education and language rights in the NLCA, countering that they could be dealt with by the new territorial government. TFN persisted because the Government of Canada already accorded education rights to other aboriginal groups in Canada and French language rights within the federal government.

It was also the Government of Canada that left the legacy of the federal day school system introduced to all communities in present-day Nunavut between 1950 and 1970 and the harms instilled to Inuit by displacing students from their parents and punishing them for speaking the Inuit Language in schools.

In the end, Article 32.2.1 was provided by way of a compromise;

Inuit have the right to participate in the development, design and delivery of social and cultural policies in Nunavut

4. History of Local Education Committees and Divisional Boards of Education

Education Advisory Boards were created by the GNWT in 1975 even before the Education Ordinance was enacted in 1977ⁱⁱ. The first Education legislation formalized local education authorities' control over local education finances, appointment of principals and staff, and the school calendar.

In 1982, the GNWT published the Report titled 'Learning: Tradition & Change: by Special Committee on Education' after interviewing approximately 1500 participants, including Inuit and Dene living in the Northwest Territories at the time. It reported;

A pattern of major concerns emerged as the committee travelled from community to community - student dropout, native languages, teacher training, student attendance, curriculum and special education. A common thread was public commitment to two principles that are fundamental to Canadian education: parental involvement, and local control of education.

During this time from the late 1970s to early 1980s, Inuit pushed for control over formal education after the Government of Canada's imposition of the residential school system beginning in 1950.

The percentage of Inuit teachers grew from 3% to 30% between 1980 and 1985ⁱⁱⁱ and by 1986, twelve communities in the Baffin Region offered K-3 instruction in Inuktitut^{iv}. A large volume of Inuit Language books and resources began being produced. The Baffin Region Divisional Board of Education was the first regional board created in 1985.

Each local education committee in every community appointed a representative to the regional boards. The regional boards then selected chairpersons, vice-chairpersons and a treasurer.

The regional boards exercised direct authority on school operations and management, curriculum and teaching resources development, budgeting and finances and recruitment and hiring of superintendents, principals, teachers, classroom support teachers, finance officers and other staff. They also handled matters on early childhood education.^v

Ministerial authority became limited to administration of funds, monitoring of educational programs and standards, monitoring of capital expenditures and provision of funding and specialized staff not financed by regular grants.^{vi}

The Department of Education also began constructing more schools in the smaller communities to provide high school curricula. Enrollment for gr. 10 through gr. 12 classes increased because students no longer had to leave their home communities for high school. Enrollment in high school peaked in the 1990s.^{vii}

Inuit board members became actively involved in education delivery because the Department of Education devolved substantive authority to local education committees that were supported by their respective regional boards.

In 1995, the GNWT conducted an Education Act review and consulted with its' residents, including Inuit, by traveling to communities in which they resided in.^{viii}

The Standing Committee on Legislation on Bill 25 (proposed new Education Act of the GNWT) decided to keep Ministerial authority limited to standards, curriculum and providing general policy direction and rejected recommendations for the Minister to resume authority over the hiring of Superintendents and selecting choices on language of instruction.^{ix}

5. Abolishment of Divisional Boards of Education

After the signing of the NLCA in 1993, the Nunavut Implementation Commission was mandated to identify steps required to transfer government functions between the Government of Northwest Territories and the soon-to-be Government of Nunavut, keeping in mind the authority of the NLCA.

The NIC recommended that regional boards be dissolved to create *one single* educational board.^x One of the reasons provided was to save monetary costs. The GNWT responded with criticism because it knew these were effective vehicles of representation.^{xi} In the end, NIC countered that the GN could decide their fate after its' creation in April 1999.

However, in the year 2000, instead of the GN amalgamating the three regional boards into one, it abolished them completely.

The decision was made after the company Consulting and Audit Canada was hired by the Department of Education of Health and Social Services and the Department of Education to assess NIC's recommendation in April 1999^{xii}. Three different options were provided; three regional boards, one regional board and no regional boards. NTI recommended that there be at least one regional board kept.

The Consulting and Audit Canada document also stated that whichever option was decided upon, the decision should support Department of Education goals;

- Inuit education leadership by Inuit,
- Improve educational success rates that lead to more prosperous opportunities,
- A Department of Education that is *accountable and responsive* to the people of Nunavut, while being able to demonstrate effective use of resources

The Consulting and Audit Canada document mainly focused on analyzing purely on an economic calculation of how much the GN would save. The First Legislative Assembly chose option three: no regional boards. It did not identify how these factors could be supported.

This decision resulted in the Department of Education transferring the authority of regional boards to *government-run* Department of Education Headquarters, Regional School Operations and Curriculum School Services, and decisions on education delivery are now almost exclusively made by these divisions.

The Department of Education, the third largest department within the GN, became decentralized in seven communities: Iqaluit, Pangnirtung, Pond Inlet, Baker Lake, Rankin Inlet, Arviat and Cambridge Bay.

The Consulting and Audit Canada thought that with no boards operating, the GN would save \$3.3 million a year. In the end, dissolving the regional boards did not save the GN money because the functions that were transferred from the regional boards to Regional School Operations and Curriculum and School Services now cost the GN almost \$30 million dollars a year.^{xiii}

The structure in which the divisions are premised on now makes it even more difficult for any of the DEAs, the Coalition of Nunavut District Education Authorities or Inuit parents to have direct access to the Regional Directors or Superintendents.

The DEAs are provided support through Regional School Operations but neither the DEAs nor the Coalition can provide oversight or direction of their educational needs. The divisions are only answerable to the Minister of Education, the Deputy Minister of Education and the Assistant Deputy Minister of Education.

Instead of being more accountable and responsive as the Consulting and Audit Canada report suggested, the Department of Education has become more closed to the public. The Department of Education has also become less accountable for their decisions on education delivery because the decisions are now made by civil servants who are protected by their employment status.

The government structure has also made it even more difficult to understand how the key factors of success for education can be connected, from early childhood education, to the availability of teacher education and ECE diploma courses, to bilingual education, to inclusive education and to curriculum and education resources and materials. The regional boards used to oversee all of these when in operation or either directed action to be taken through resolutions.

After the regional boards were dissolved, the roles and responsibilities of 27 individual DEAs became confusing and muddled. It created an impractical partnership with so many individual

DEAs and decentralized Department of Education offices. The DEAs no longer had the avenue of regional boards to guide them as well as channel their concerns in unity.

The First Legislative Assembly did not create any contingency mechanisms for parents and DEAs to have their concerns received by the Department of Education. Nor was there any mechanisms created to review long-term implications in terms of actual accountability and responsiveness.^{xiv}

The time after April 1999 should have been the time when Inuit finally had the ability to finally and fully participate in a government responsive to their needs and aspirations, including education. But the authority and empowerment for education that Inuit fought so hard for since the early 1970s greatly diminished immediately after the GN became a new territory derived from Article 4 of the NLCA and that abolished the regional boards shortly thereafter.

NTI has been consistently stressing the need for re-instating the authority on education that Inuit exercised prior to the year 2000. Unfortunately, the government divisions that usurped many aspects of education have been operating in the past fifteen years, making it even more difficult to practically re-transfer them.

6. Development of the Education Act

The First Legislative Assembly of Nunavut committed education as one of its' top priorities by introducing Bill 1 as a first attempt at creating an Education Act aspiring to Nunavummiut. But it was evident Inuit continued to feel left out because it was scrapped in 2002 for the lack of any substantive provisions on Inuit involvement and right to education in the Inuit Language.

The Coalition of Nunavut DEAs was created with the support of NTI in 2006.^{xv} Its' ten member composition were much smaller than what the regional boards had been but it was created because there was no forum in which individual DEAs could ensure substantive participation in the development of the second Education Act bill.

Bill 21 was introduced by the Second Legislative Assembly of Nunavut in November 2007, a year before elections were to take place in October 2008.

Premier Aariak committed education as the first and foremost priority in her government when she became Premier in October 2008. A year after being elected in 2008, Premier Aariak issued the Qanukkaniq review to engage community input into the development of the Tamapta Action Plan;

The Education Act will serve as a strong foundation for significant improvement to the education system. We will immediately continue our focus on meeting its requirements by further developing curriculum and teaching resources for Early Childhood and K-12, and provide ongoing training to District Education Authorities and school staff. An emphasis on inclusive schooling, positive school environments, improved attendance and District Education Authority finances and accountability will be a major focus for the 2010 - 2011 year. Through this process, we will strengthen partnerships between the education system and all stakeholders, so that parents, families, and communities will take pride in their school.

The Government of Nunavut will continue to develop program initiatives that enhance positive school environments, which will result in increased attendance, school completion, parental and youth engagement.^{xvi}

Premier Aariak was the first Education Minister that hosted Canada's Education Minister's Meeting in Nunavut in July 2013.^{xvii}

Equally committed, Premier Taptuna announced in November 2013 after the October 2013 territorial elections, that social promotion would end immediately.^{xviii}

Social promotion was seen by many Nunavummiut as a failure, with many parents voicing their frustration of its practise and had been calling for its' end for years, supported by the Coalition of Nunavut DEAs.^{xx}

The Third and Fourth Legislative Assemblies of Nunavut also introduced four Inuit MLAs as Education Ministers, who strongly believed that education could and can improve Inuit lives for the better.

Sadly, neither government has been able to reverse the decade of overall decrease of attendance rates from 74.5% in 2001 to 70.3% in 2011, and as low as 54% to 62% in at least six Nunavut communities.^{xx} These governments face great challenges in trying to improve the 50% high school drop-out rate in Nunavut.

Children who need additional support for learning suffer even more – some rates of attendance dipped as low as 27%.^{xxi}

Equally disconcerting, the rate of Inuit Language used in the home has decreased from 94% in 1991 to 53% in 2011^{xxii} – evident from all of the Statistics Canada 5-year Census surveys, while Inuit Language has remained qualitatively high and stable in Nunavik.

This is because these governments were preceded by the First and Second Legislative Assemblies of Nunavut that created the first Education Act of Nunavut, which did not contain enough effective measures to ensure rights of education in the Inuit Language.

The Third and Fourth Legislative Assemblies were also preceded by the First and Second Legislative Assemblies that made it difficult to engage full partnership pursuant to Article 32 of the NLCA.

For a period of six years beginning in 2000, the DEAs were fragmented and isolated by the abolishment of regional boards. The Coalition of Nunavut DEAs tried to ensure their concerns were expressed during the development of Bill 21 by drafting policy statements, engaging in steering committee meetings, meetings with the Minister of Education and providing comments for changes on Bill 21, all within a span of one year before the Department of Education tabled the Bill. But they also encountered resistance for substantive changes to Bill 21.

The great momentum of the 1980s has now been replaced with a much slower pace of improvements within the education system over the past 15 years since Nunavut was created. Historically there have always been challenges with formal education in the north, but it is evident that the aspirations of each new government with elected MLAs and the introduction of the Education Act is not enough to counter the challenges to better outcomes in formal education. The structure in which education is delivered is flawed.

7. NTI's 2008 Submission on Bill 21

Recommendation 1: The Standing Committee reviews all recommendations in the 2008 Submission on Bill 21 for incorporation for changes to the Education Act.

NTI tried its' best to ensure Inuit language rights and education were integrated into the new Education Act through its' Submission on Bill 21 in January 2008, since approximately 96% of students in the Nunavut school system are *Inuit*.^{xxiii} But the process in which the Department of Education engaged was surrounded by political controversy and unwillingness to accept the rationale behind NTI's key positions.

NTI proposed 77 recommendations to amendments to Bill 21. However, the Department of Education did not address 72 of the recommendations, which comprised of substantive recommendations on bilingual education, inclusive education, direct control and management of schools, curriculum and finances by DEAs.

NTI also recommended that rights and responsibilities be made clearer in the legislation in order for the Department of Education to understand the scope of its' duties and obligations for effective delivery of education to Nunavummiut, as well as to allow parents and students to understand what enforceable rights they may exercise within the school system and the responsibilities they were expected of.

Other recommendations included that DEAs were in a better position to infuse Inuit *Qaujimajatuqangit* because the DEAs consist of Inuit parents and community members, than vague legislative provisions on IQ that are difficult to enforce within a dominant English school system.

NTI also recommended setting appropriate benchmarks or targets and create tools to measure effectiveness and progress. This was to ensure bilingual education targets would be fulfilled with increased capacity over time in measured incremental stages.

Only five revisions were made to the Education Act, without any explanation as to why the majority of the recommendations weren't accepted. NTI spent considerable time, effort and resources believing that Article 32 accorded a special constitutional status on partnership.

8. Auditor General of Canada's Education Review

On November 2013, immediately after the election of October 2013 which introduced new MLAs into the Legislative Assembly of Nunavut, the Auditor General of Canada produced its' Report on Education, with 77 Recommendations. The Department of Education *agreed* on many aspects to implement them.^{xxiv}

There is a *correlation on deficiencies and challenges* found by the Auditor General and *the lack of willingness* by the Department of Education to accept NTI's own 77 recommendations in 2008.

The Auditor General found the Department of Education;

- was not meeting bilingual education targets,
- there was a lack of Inuit teacher training and recruitment,

- Only fifty-percent of curriculum materials for bilingual education were being made,
- The Department of Education had poor management of inclusive education,
- The Department had a poor track record on reporting and analysing key information,
- The Department had a poor track record on implementation measures

The Department of Education also admitted in its' presentations to the Legislative Assembly of Nunavut in April 2014 on the Auditor General's Report that it didn't grasp the enormity of the tasks it needed to develop and deliver bilingual education, curriculum development and inclusive education.

The Deputy Minister of Education cited 'lack of capacity' as one cause of the slow progress in implementation.^{xxv}

The Department of Education had the resources and reports on building capacity, including its' own 2004-2008 Bilingual Education Strategy^{xxvi} and NTI's 2007/2008 Saqqiqpuq Report on the State of Inuit Culture and Society focusing on Education. It had ample time to review the underlying rationale behind these recommendations.

9. Department of Education Finances

Recommendation 2: Amend the Education Act to allow the Coalition and the DEAs significant participatory and engagement rights over Department of Education budgeting, expenditures and allocation of funding resources.

For the 2014-2015 year, \$184 million dollars was allocated to the Department of Education for operations and maintenance or a total of 13% of the total GN budget.^{xxvii}

The Department of Education was allocated 19% of the GN's funding in 2010/2011 and 2011/2012 (including operations and maintenance and capital and assets budgeting).^{xxviii}

The Minister of Finance committed an additional \$1 million dollars to DEAs according to his budget highlight of 2014/2015, in addition to \$1.3 million dollars for early childhood education development.^{xxix}

However, these figures must be taken in the context of the Department of Education's priorities on budget spending.

The Department of Education staff increased from approximately 700 employees^{xxx} in 2007 to 1250 employees in 2013^{xxxi}, with \$11.2 million provided for Regional School Operations and \$14.9 million for Curriculum and School Services in the year 2012.^{xxxi}

Significant increases is also part due to the hiring of more teachers to match student-teacher ratio – the majority of which has been focused on importing teachers from outside of Nunavut. An additional \$18 million dollars was requested in 2011 by the Department of Education, including more funds for school operations and the hiring of more teachers.^{xxxi}

Between 2010 and 2012, the Department of Education spent its' budget on the following items^{xxxi},

	<u>2010/11</u> Budget / Actual	<u>2011/12</u> Budget / Actual
Early Childhood	6,357,000/3,742,685	6,508,000/4,798,890
Kindergarten – Gr 12	95,665,000/107,843,330	116,535,000/114,932,000
DEAs	14,308,000/13,403,106	16,427,000/15,066,307
Regional School Operations	11,402,000/11,822,868	11,186,000/11,416,171
Curriculum and School Services	18,142,000/14,622,442	18,231,000/14,904,695
Adult Learning and Post-Secondary	10,904,000/10,045,679	11,046,000/10,655,660
Career Development	3,149,000/2,703,987	2,749,000/2,962,758
Income Support	39,370,000/36,511,943	41,063,000/42,899,393
Student Support/ Inclusive Education/ Bilingual Education	1,898,000/1,157,346	2,445,000/1,541,925
Teacher Education Program ^{xxxv}	4,200,000	4,300,000

The budget shows the *low priority* placed on bilingual education, inclusive education, early childhood development and the Nunavut Teacher Education Program – all of which are critically needed to support education in the Inuit Language. Although identified as priorities in Tamapta and Sivumut Abtuqta by the Government of Nunavut, implementation by the Departments has not shown desirable results.

These categories also show they were underspent, which shows the Department of Education was not doing enough to inform DEAs, daycares and early childhood centres on the allocation of funding.

NTI had recommended in its' 2008 Submission that enforceable rights to education in the Inuit Language and the right to inclusive education be enshrined in the Education Act, irrespective of the availability of funding and resources.

With nearly \$145 million spent a year on education, the high school dropout rate has consistently remained stagnant at 40%-50%. In 2009, 47% of high school students graduated, with the remaining 53% leaving school without a high school diploma.^{xxxvi}

10. Coalition of Nunavut DEAs

Recommendation 3: Remove or revise the structured dialogue provision in the Education Act and introduce legislative provisions to allow the Coalition of Nunavut DEAs more

authority and direct engagement over Department of Education divisions, including Curriculum and School Services and Regional School Operations.

Recommendation 4: Amend the Education Act to allow the Coalition more expansive powers and authority over steering the direction of the Department of Education Headquarters, Regional School Operations and Curriculum School Services.

Recommendation 5: Amend the Education Act to expand the powers and authority of the Coalition of Nunavut DEAs to allow flexibility and discretion of the Coalition to expand its' governance structure, more expansive regional representation and determine the representational support it requires over all of the DEAs.

Recommendation 6: Amend the Education Act to allow the Coalition control over its' own financial needs and expenditures, including employment of additional staff.

The Coalition of Nunavut DEAs is now represented by one DEA member from each region (not by each community as were accorded to regional boards). It is headed by an elected President with representative seats for NTI and the Disabilities Association of Nunavut. It can only employ 2 staff pursuant to s. 191 of the *Education Act*. The Coalition meets three times a year.

Their roles are quite limited by the Education Act;

The Minister shall ensure that,

- (a) A representative from the DEA Coalition is *included* in each *hiring panel* used for the hiring of *senior regional staff of the Department of Education*;
- (b) the DEA Coalition *is given the opportunity*, on an on-going basis, to *review the funding process for district education authorities* and to provide recommendations on the process to the Minister; and
- (c) Staff of the Department of Education *meets* with the DEA Coalition *annually* to *Assist the Minister in long-term planning for the public education system* in Nunavut.

The amount of funding they receive from the Department of Education is a fraction of what was provided to regional boards in the past. In the fiscal year 2013/2014, the Coalition received only \$605,000.00.^{xxxvii}

The Department of Education created Structured Dialogue provisions in the Education Act^{xxxviii} in lieu of more substantive authority accorded to DEAs and the Coalition, which should theoretically allow DEAs and the Coalition to work with the Department of Education to address substantive issues or concerns on education delivery.

However, to date, the Structured Dialogue has never been meaningfully engaged by the Department of Education even though the Coalition had consistently asked for meetings with the Minister and Deputy Minister of Education. As well, letters for guidance and direction would be sent by the Coalition, with no responses by the Department of Education.

Such issues were significant such as the topic of suicide prevention training (ASIST) and social passing. The Coalition wanted to ensure measures were included within the school system to

help combat suicide. Sadly, children as young as 11 years old have committed suicide in the past five years.

The Coalition does not have authority on determining their own budgeting and finances, direct hiring of Superintendents, principals, teachers and school staff, nor any decision-making authority on development of curriculum and teaching resources. Their only expected role under the Education Act is to support the DEAs in terms of financial management practises or as a consultant body when the Department of Education initiates actions with individual DEAs.^{xix}

Whereas Inuit were the top-tier decision makers when regional boards were in operation, the Coalition does not have any powers on substantive education delivery because it can only be consulted *upon the will* of the Department of Education.

When either the DEAs or the Coalition need direction or guidance from the Department of Education, they don't know how to approach the Department because the Structured Dialogue provision has proven to be ineffective.

At the 2014 Annual General Meeting of the Coalition, three different DEAs expressed concern on student bullying and violence in schools, which could be dealt with through their Inuuqatigiitsiarniq policies.

In the previous Education Act, the teacher was mandated to contact Child and Family Services if it had information of a need for protection of a child.^{xi}

However, there is no express provision in the Education Act on who should contact Child and Family Services when there may be concerns on parent neglect that contribute to bullying and violence.

It's not clear who becomes responsible for contacting Child and Family Services where a parent refuses to address his or her child's behaviour at the school; whether it's the principal, the teacher, the school team or Ilinniarvimmi Inuusilirijiit (school counsellors). It also becomes unclear whether the DEAs could or should include steps to include in the Inuuqatigiitsiarniq policy for the principals or school team to contact Child and Family Services if bullying and violence cannot be resolved through the implementation of the policies.

The DEA is responsible for developing the Inuuqatigiitsiarniq policy, the parameters of which is only confined to dealing with students, not parents. And the principals and teachers are responsible for implementing the policies – but again, their parameters are limited to dealing with students, not parents. This leaves the discretion of contacting Child and Family Services to the school counsellors;

100. (1) In addition to anything else an Ilinniarvimmi Inuusilirijiit is required to do under this Act, he or she shall (c) work with parents to promote among students the things set out in subparagraphs (a)(i), (ii) and (iii) and to assist parents to carry out their responsibilities under section 55.^{xi}

(2) In carrying out his or her duties, an Ilinniarvimmi Inuusiliriji *may* consult with and make referrals to such community agencies as he or she considers appropriate.

However, before suspending a student for bullying or violence, the DEA must consult with a parent, while a principal is not required to consult;

62. (9) Before suspending a student, the district education authority shall consult with the principal and a parent of the student^{xlii};

It is not clear what steps the DEA can do after consultation or where a parent refuses to participate in consultation.

There has to be an effective way for DEAs and the Coalition to ask these types of questions and seek guidance or direction from the Department of Education where the Department provides prompt answers.

11. District Education Authorities

a. Limited Authority

Recommendation 7: Amend the Education Act to restore authority and power of DEAs for management over schools, its own finances and review each legislative provision of DEAs that places excessive Ministerial authority or burdensome tasks over the DEAs.

Recommendation 8: Produce manuals or guidebooks that DEAs, principals and school staff can understand on their rights and responsibilities derived from the Education Act as well as the availability of resources allocated by the Department of Education.

Prior to the passing of the Education Act in 2008, NTI recommended that DEAs be given as much autonomy as possible to ensure Inuit involvement and empowerment, with minimal interference by Ministerial authority.

These recommendations were based on the accumulation of years of studies, reports and data on education delivery to Inuit since the 1950s, including the report of the Royal Commission on Aboriginal Peoples;

The Royal Commission heard the same concerns as had been articulated for the previous 30 years. They found that there were four underlying problems:

- Aboriginal people did not have full control of education.
- There was little involvement of parents in the schools.
- The curriculum did not transmit linguistic and cultural heritage to the next generation.
- Financial resources have been inadequate.

Overall, the Royal Commission found that:

“... Canadian society had not yet accomplished the necessary power sharing to enable Aboriginal people to be authors of their own education.”

The Royal Commission recommended that federal, provincial and territorial governments must introduce legislation to enable Aboriginal nations and their communities to manage their children's education.

The opinions expressed by so many governments, academic, and professional reports over the past 30 years are remarkably consistent.

They are all built around local control of education delivered in Aboriginal language by curriculum developed explicitly for the society and culture in which the students live.^{xliii}

Based on this precipice, NTI also warned in its' 2008 Submission that if the DEAs were only provided limited authority such as the responsibility of creating policies with the ultimate override held by the Minister, the DEAs would have little flexibility and effectiveness in carrying out such policies.

Further, NTI warned that DEAs could be blamed if education programs developed by them were subject to Ministerial authority - programs to which a DEA would not have the authority over on curriculum development, teaching methods and instructional materials but educational programs expected to be carried out nonetheless.

As an example of the lineal dependence the new Education Act has created on DEAs, the Department of Education been cutting individual DEAs finances or staff based on decreases in enrollment and attendance rates.

The Paatsaali School in Sanikiluaq had its budget cut down by 40% in 2013/2014 because its' enrollment and attendance rates had decreased down to 60%, even though the school had tried its' best to create better attendance rates through award initiatives.^{xliiv} Yet, the Department of Education admitted there was an overall decrease of attendance in *all* of the Nunavut schools.^{xlii}

Even though the DEAs have authority on development of enrollment and attendance policies, the DEAs do not have authority on the allocation of finances based on its' needs. In 2014, Minister of Education Paul Quassa re-instated Patsaali School's budget when he found that some DEA members had not even known the attendance rates had fallen.^{xlii}

The refusal to accept NTI's recommendations has resulted in reversing the GNWT's previous structure in ensuring autonomy of DEAs and minimal Ministerial interference that was assured in the previous Education Act.

b. Capacity Issues

In the past couple of years, individual DEAs have been receiving training on governance structure and reporting requirements created by the new Education Act.

In 2012, the Coalition of DEAs commissioned Aarluk Consulting to review what additional tasks the new Education Act created on DEAs. In addition to the 49 tasks they already had in the previous system, they were conferred 21 new ones, increasing their responsibilities by 43%.

From reviewing the Education Act itself, the DEAs have the following responsibilities;

- school programs,
- education programs, including local (cultural or community) programs,
- early childhood program,
- adult education,
- selection of bilingual education model,
- attendance and registration policies,
- oversee implementation of inclusive education,
- Inuuqatigiitsiarniq policy,

- school calendar

In addition to the above, the DEAs also have the following administrative tasks;

- Seek Ministerial approval for modification of education program with local programs,
- Forward copies of attendance and registration policies to Minister,
- Change any of its' policies if the regulations are changed by the Department of Education,
- Assist students entering and leaving schools,
- Purchase books, learning materials, library, audiovisual and resource materials,
- Maintain student records where DEA make decisions involving students (such as in Inuuqatigiitsiarniq policy),
- Participate in principal hiring panels overseen by Department of Education, participate in appraisal assessments and provide recommendations of acting principals as necessary,
- Provide copies of Inuuqatigiitsiarniq policy to Minister, including amendments,
- Provide reports on how the DEA integrated Inuit Qaujimajatuqangit in schools,
- Provide copies of decisions and community consultation information on development of school calendars,
- Prepare proposed budgets for administration of schools, including purchase of books, supplies and physical maintenance of schools,
- Establish four committees: Inuuqatigiitsiarniq, attendance, finance and human resource committees,
- Hire staff such as administrative assistants as well as Elders for local programs,
- Create visitation plans within schools for observation,
- Maximize school facility use for communities,
- Provide annual reports, ensure financial statements are audited and maintain bank accounts,
- Appoint chairpersons to review boards for the purpose of appeals on disputes of learning plans

In addition, DEAs must work with principals;

- Development and implementation of school programs,
- Receive monthly or semi-annual reports from principal,
- Direct principals to monitor and evaluate school programs,
- Act as an ombudsman on enrollment for those that are not entitled to be enrolled,
- Approve work plans where student is working and taking high school at the same time,
- Recommend adjustments to individual student support plans,
- Mediate if there is a dispute on the provision of individual student support plans,
- Direct principals to keep communities informed,

- Approve principal rules in schools,
- Ensure student assessments are culturally appropriate,
- Review excessive loss of days and allow extra instructional days compensation and consult with Minister before doing so,
- Recommend principal dismissals as well as report to Minister if there if discipline of principals is warranted,
- Provide direction when a principal is no longer a principal including recommending acting principals and principals acting as teachers in the interim,

Lastly, the DEAs are also responsible for keeping their community informed on the operation of their schools as well as required to consult with their communities on development of their programs and policies.

Although these new tasks should theoretically confer empowerment and ownership of education by Inuit through decision-making and authority of DEAs and the better results these entities may yield, the Department of Education continues to create circumstances where DEAs and the Coalition are subordinately incapacitated.

Each DEA can only have seven members, with four members mandated to hold term for three years and the remainder of one year each, as legislated by the Education Act.^{xlvii} On average, \$526,000.00 of operating budgets is provided per annum.^{xlviii}

The tasks they now hold were once carried globally by the regional boards which are now individually placed upon all of the DEAs, creating significant burden for them to exercise authority to their fullest extent. This is one of the key rationales why regional boards were created.

Inuit learnt quickly how to participate on substantive education delivery through the regional boards in the 1980s and local education committees since the 1970s. They didn't lack capacity in understanding governance and decision-making on education – some even without having full comprehension of English - and they certainly never exhibited dismissive lack of interest.

For example, the Igloodik local education committee almost sued the GNWT way back in 1979 for the Department of Education's refusal to allow it set the school calendar year.^{xliv} Today, it can be scrutinized by the Department of Education;

The Minister may require a district education authority to make such amendments to a school calendar as he or she considers necessary or advisable in order for it to be consistent with this Act and the regulations.ⁱ

It's as if DEAs have been reversed to the time before 1975 when Advisory Education Committees began because they have been uprooted upside down by the Education Act and Ministerial interference.

In another instance, the DEAs now have to provide *annual written reports* on how they infused Inuit Qaujimajatuqangit in their schools, to the Department of Education.^{li} Inuit board members have to exactly spell out how they carried out IQ so that government divisions, who do not understand IQ, are satisfied that the DEAs did.

The Department of Education has only provided one-time training in 2011 to the DEAs on new changes to the Education Act. It also has not produced a Manual or a Guidebook for new DEA members elected after terms have expired.

In some instances, DEAs receive reminders from Headquarters telling them they forgot to fulfill a certain duty when the DEA did not even know it was obligated to do so.

The Department of Education provided a Summary of Changes in the new Education Act but the Coalition had to seek funding out of its' own initiative in 2012 to help the DEAs understand what additional roles they were now required to do under the new Education Act.

12. School Attendance

Recommendation 9: Produce manuals or guidebooks that parents can understand on their rights and responsibilities derived from the Education Act as well as the availability of resources allocated by the Department of Education.

The Education Act mandates DEAs to develop attendance and registration policies and enforce them but the ultimate authority is obscurely retained by the Minister of Education. As in the example above, the Department of Education has therefore 'punished' the Paatsaali School for decreased attendance rates by threatening to withhold finances.

Each individual DEA is now subject to scrutiny in isolation. The DEAs and individual schools suffer even more barriers to improve attendance and enrollment with finance cuts. The Department of Education not taken ownership of overall attendance decreases in Nunavut by developing the initiatives necessary to increase them, especially more so when all of the schools need the leadership of the Department of Education to address disenfranchisement.

In Nunavik for example, the Kativik Regional Government has *worked* with many partners, including the Kativik School Board, to launch a stay-in-school project called 'Esuma' in 2014.ⁱⁱⁱ

The Auditor General stated in its' Report that low attendance rates were circumstances not within the Department of Education's control.ⁱⁱⁱ But this is a narrow analysis that doesn't take into account the culmination of actions the GN has deployed since 2000 and the protracted development of disenfranchisement Inuit began experiencing thereafter the abolishment of regional boards.

The Auditor General didn't take into account the Department of Education's ability to provide guidance and leadership on increasing attendance;

The Minister, working in co-operation with the district education authorities, shall establish programs to encourage regular and punctual attendance.^{iv}

The Department of Education has integrated tracking technology to better record attendance^v but the Department of Education could do more by working with DEAs and the Coalition to combat a universal problem.

Minister of Education Aariak tried to emphasize parental responsibility during the Third Legislative Assembly of Nunavut, as s. 55 of the Education Act mandates parental involvement, but it has proved challenging to increase more successful outcomes because of the layers of

bureaucracy between the Department of Education who collates all attendance and enrollment rates in all schools, the individual principals who are expected to promote regular attendance, and the DEAs who are expected to create and implement attendance policies.

This problem was highlighted by the Auditor General;

We found that information on key elements of the Act, namely assessment and attendance, is not being used to identify the impact of the Act to date and to enhance its ongoing implementation.

Principals do not analyze or document whether these initiatives are making a difference in the involvement of parents or the attendance of students, and the Department of Education does not require them to do so. Further, school initiatives are not consistently shared across regions so that schools can learn about best practices and implement these initiatives in their own school.^{lvi}

There is no effective forum for the Chesterfield Inlet DEA, where Chesterfield Inlet may experience attendance rates as low as 68% to learn from best practices of the Rankin Inlet DEA which has a higher attendance rate of 82%.^{lvii}

Nor is there a forum that could provide analytical tools to help the Chesterfield Inlet DEA and Sanikiluaq DEA understand why their attendance rates fell from 84% in 2002 to 68% in 2011 and 81.9% in 2001 to 60.7% in 2009/10 respectively.^{lviii}

Even if the Coalition may be that forum, its' limited staff and budget make it difficult to be an effective representative forum for all regions.

In its' 2008 Submission on Bill 21, NTI had tried to warn the difficulties of the subordination structure between the Department of Education and DEAs;

Attendance is an enormous problem to deal with. Truancy is a problem everywhere in Canada, but especially so in Nunavut. The district education authorities cannot possibly deal with it effectively unless they have the authority to take creative and flexible measures appropriate for their community. By taking on responsibilities without power the district education authorities will run the political risk of being seen as extensions of the bureaucracy in Iqaluit.

13. Disenfranchisement

At about the time Bill 1 was being introduced in 2000, Statistics Canada found 97% of Inuit strongly believed education should be provided in the Inuit Language.^{lix} It's very likely the same percentage of Inuit would view education as critically important today if it was provided to them in a way they felt attuned to.

The GN must understand the context of disenfranchisement Inuit now feel. Compounded by the inherent *ilirasungniq* (fear or intimidation) that Inuit students and parents feel against a predominantly English school system, they are unable to fully exercise assertion of their rights even if the Education Act, the Inuit Language Protection Act and the Official Languages Act accord them. This is often unfortunately misunderstood as not appreciating the importance of education.

Many are afraid to ask questions or be involved in schools. The Department of Education has not reached out to them by way of helping them understand their rights to education accorded to them under the Education Act.

The decrease of attendance rates from 2001 to 2011 clearly shows one of the top contributing reasons that Inuit feel disenfranchisement stems from the abolishment of regional boards and the diminished authority of DEAs. Attendance in every school was higher before 2001.

This is the reason why regional boards were so effective when they were in operation – it allowed Inuit parents and community members to feel a part of the education system that *listened* to them as well as *understood* them.

14. Bilingual Education

Recommendation 10: Change the Education Act and regulations to ensure students are accorded an enforceable right to education in the Inuit Language irrespective of resources, as well as mandating the Department of Education to fulfill its' duty on providing education in the Inuit Language.

Recommendation 11: Create a bilingual education division to pool resources together and ensure the Department of Education has a centralized division to provide a more consistent delivery of education in the Inuit Language and allow a more concentrated focus on meeting bilingual education goals and targets.

Recommendation 12: Amend the Education Act to allow the Coalition of Nunavut DEAs flexibility for more expansive regional representation, including allowing more resources and concentration on revitalizing Inuit Language use in Kitikmeot daycares, early childhood centres and all schools.

A DEA may choose the bilingual model for its' school but one DEA was discouraged by the Department of Education from choosing a more comprehensive Inuit Language model in 2009 for the lack of Inuit Language resources such as teachers and resource materials. The DEA was also warned that this was a region consisting of a large English-language populace. In previous times, a regional board would have taken steps to support and accommodate bilingual education needs.

In this case, the Department of Education does not appear to have made attempts to find solutions instead of discouraging the DEA from choosing a bilingual model in which it has a right to do

There are 29 elementary schools that provide kindergarten to gr. 5 or 6 instruction, and 14 schools that provide education instruction in middle or high schools in Nunavut.^{ix}

There are three bilingual education models that DEAs can choose for their schools under s. 24 of the Education Act:

a) Qulliq Model	-	K-3	85-90% Inuit Language
		4-6	70-75% Inuit Language
		7-9	55-65% Inuit Language

b) Immersion Model;	K-3	85-90% Inuit Language
	4-6	80-86% Inuit Language
	7-9	65-70% Inuit Language
c) Dual Model		
Inuit Language Stream	Non-Inuit Language stream	
K-3	85-90% I	K-3 85-90% Non-Inuit Language
Gr 4	70-75% I	Gr 4 70-75% Non-Inuit Language
Gr 5	60-70% I	Gr 5 60-70% Non-Inuit Language
Gr 6	55-60% I	Gr 6 55-60% Non-Inuit Language
Gr 7-9	50-60% I	Gr 7-9 50-60% Non-Inuit Language
	40-50% N	40-50% Inuit Language

These percentages are requirements on Language of Instruction on a weekly basis, not on a daily basis.

After making a final decision on a Language of Instruction model, the DEA must submit a report to the Minister containing a copy of a Language Committee's report to DEA under section 16(1), with a copy of an implementation plan prepared under s. 18, attaching a summary on any consultations conducted by the DEA in preparation of choosing which model to use.

Phased-in implementation of bilingual education started in 2013/14 with targets to reach full bilingual education by 2019/2020;

Grade 4 - 2013/2014	Grade 7 – 2016/2017
Grade 5 – 2014/2015	Grade 8 – 2017/2018
Grade 6 – 2015/2016	Grade 9 – 2018/2019
	Grade 10, 11, 12 – 2019/2020

The 2007 Saqqiqpuq Report found only 2 schools provided Inuit Language instruction from Kindergarten to gr. 6.

In its' 2008 Submission on Bill 21, NTI stated;

Bill 21 sets out an expectation that in 12 years all students will receive a bilingual education. *There are no measures, procedures, or activities proposed in the Bill that will ensure that all students will receive a bilingual education in the Inuit Language and another official language to enable graduates to use both languages competently.*

Although there is a statement of purpose of a bilingual education in s.23(2) of Bill 21, there is no certainty that this will be given the weight of an enforceable obligation to achieve the objective of an adequate bilingual education at all grade levels in Nunavut schools by 2020.

Five years later, the Auditor General found only 1 school out of 5 sampled was found to be delivering bilingual education from kindergarten to gr. 3.^{lxi}

The right to education in the Inuit Language is difficult to invoke when all the factors of deficiencies, combined together, create circumstances where students and parents fear voicing them to be enforced.

A DEA may choose the bilingual model for its' school but one DEA was discouraged by the Department of Education from choosing a more comprehensive Inuit Language model in 2009

for the lack of Inuit Language resources such as teachers and resource materials. The DEA was also warned that this was a region consisting of a large English-language populace. In previous times, a regional board would have taken steps to support and accommodate bilingual education needs.

In this case, the Department of Education does not appear to have made attempts to find solutions instead of discouraging the DEA from choosing a bilingual model in which it has a right to do.

NTI recommended in its' 2008 Submission;

There should be a new section to bring the Minister's duty under Bill 21 into conformity with Bill 7 as follows: *The Minister shall, in a manner that is consistent with Inuit culture and societal values, develop and provide curriculum, classroom materials and programs in the Inuit Language relating to the objectives and competency targets established under section 8 of the Inuit Language Protection Act.*

Because s. 25(1) only refers to the Minister's duties to ensure the Inuit Language Protection Act are fulfilled, the Department of Education has not exercised due diligence in meeting bilingual education objectives and targets.

15. Inuinnaqtun

The plight of Inuinnaqtun Language is still at a precarious state in the communities of Kugluktuk and Cambridge Bay, even though the 2007 Saqqipquq Report indicated that only 0.9% of Inuit in the Kitikmeot now speak it. This percentage was derived from the 2001 Statistics Canada Census – 13 years ago.

More than ever, the Department of Education has to fully commit to supporting the DEAs in the Kitikmeot region.

Recently, Kitikmeot Inuit were able to learn Inuinnaqtun through courses provided by Pirurvik.^{lxii} Pirurvik is a company that the Government of Nunavut contracts to provide Inuit Language teaching to its' employees – one aspect where GN is trying to fulfill Article 23.

However, the Kitikmeot residents were only able to take the courses if the GN spaces weren't used up.

The GN can commit more resources and innovative means to revitalize Inuinnaqtun, starting with daycare and early childhood education and integration of Inuinnaqtun curriculum for grades K-3.

NTI showed examples in its' 2007 Saqqipquq Report where revitalization efforts in other cultures were successful if they were built up from early ages.

As well, the Kitikmeot Inuit Association heard from its' delegates that English is more predominant now in the communities of Gjoa Haven, Taloyoak and Kuugaruk.^{lxiii}

Focus on revitalization and promotion of Inuinnaqtun and Kitikmeot dialects' needs its' own specific focus.

16. Inclusive Education

Recommendation 13: Create an Inclusive Education division to pool resources together and ensure support teachers and school teams have a centralized division to assist them with effective implementation of individual learning plans and additional support to students with special needs.

Recommendation 14: Change the Education Act and regulations to ensure students with special needs are accorded an enforceable right to education irrespective of resources, as well as mandating the Department of Education the duty to provide specialist services and qualified teachers.

In 2007, six years before the Auditor General's Report, NTI tried to capture the challenges of students who need additional support, to help formulate providing options for solutions to inclusive education.

NTI requested information from the Department of Education on the following:

- Numbers of suspensions, expulsions, or interschool transfers for behavioural reasons by year since 1999, by school, and by grade.
- Numbers of students requiring student support aides, by school, by grade, and by year.
- The numbers and types of disabilities the student support aides are required to handle.
- Numbers and location of teachers assigned to special education and individualized student learning.

The Department of Education could not or would not provide data on any of these four topics. After Bill 21 was provided to NTI after November 2007, NTI recommended the following in its' 2008 Submission;

Bill 21 has the most restrictive approach on inclusive education than any other jurisdiction in Canada. Nunavut is the only jurisdiction in Canada which would make cost a legislated reason for restricting support for exceptional students. There is a basic, minimum standard for dealing with special needs throughout Canada which has developed as a result of judgments handed down by the Supreme Court of Canada and other lower courts. Bill 21 falls far short of this minimum standard.

Despite this recommendation, the Education Act was passed as follows;

Inclusive education

41. (2) The adjustments and support that a specific student is entitled to under subsection (1) are those adjustments and support that *are reasonable and practical*.
Determination of what is reasonable and practical

(3) In determining what is reasonable and practical for the purposes of subsection (2), regard shall be had to the appropriateness of the adjustments or support and the educational needs of other students, including others who are entitled to adjustments and support under subsection (1).

(4) Without limiting the entitlement of any student under subsection (1), the entitlement extends to students *who are not sufficiently challenged by the education program as well as to those for whom it is too challenging*.

In 1995, the GNWT Standing Committee on Legislation stayed away from adopting legal language based on 'reasonable and practical' support.^{lxiv}

NTI also found Bill 21 did not go far enough to ensure qualified teachers or specialist services;

Dealing with exceptional students requires training beyond what teachers normally receive. An accurate evaluation of whether a student has special needs and the design of an appropriate method for dealing with the student is a specialist skill. In most Canadian jurisdictions teachers of children with special needs have specialist training and qualifications. In Nunavut, the children and teachers do not have regular access to the necessary specialists. To turn this situation around, the GN must *legislate that these services will be provided, and obtain the necessary funding to make it happen*.

Bill 21 does not require specialist support services in the identification process. Special needs children are identified on the *basis of any teacher's opinion* and the response is developed by the "school team". A teacher's subjective "opinion" (s. 43(2)), formed without statutory criteria provides no framework to ensure sound identification of special needs.

43. (1) Teachers *shall identify* those students who are entitled to adjustments or supports under subsection 41(1).

Duty of teacher

(2) *If a teacher is of the opinion* that a student is *entitled to adjustments* or support under subsection 41(1), the teacher shall provide,

- (a) the adjustments, unless they are significant; and
- (b) the support, *if the teacher can reasonably provide it*.

In 2013, the Auditor General found the Department of Education did not create assessment tools for progress against benchmarks and that there was a lack of appropriate resources such as qualified teachers and support teachers which affected the ability to effectively provide education based on individual learning plans;

For the eight schools we audited, we reviewed individual student support plans for 35 students.

Department of Educational officials, including teachers, informed us that implementing inclusive education is difficult for several reasons. One reason we were given is a lack of training for Nunavut teachers and student support assistants in differentiated instruction, which is a key component of inclusive education.

Another reason is that, at times, student support teachers have to perform other functions in schools, limiting the time they have available to assist teachers and students.

Individual student support plans outline the support, services, goals, and expected outcomes for students who need extra assistance. The plans are tools for addressing the specific educational needs of individual students and assisting in their inclusion in the classroom. The plans are to be established with input from parents and monitored thereafter.

We reviewed a sample of monthly attendance reports submitted by schools. Several reports indicated that students attended class less than 50 percent of the time, with attendance dropping as low as 27 percent.

We found that documentation did not state whether the students received the needed services or adjustments about 75 percent of the time. We also found that for 65 percent of the plans we examined, tracking of the student's progress or the plan's effectiveness was not documented.

If the Auditor General sampled 35 Individual Learning Plans out of eight schools, it is possible the actual number of students who needed Individual Learning Plans is five times the number of sampled schools, because there are 43 schools in Nunavut. This would also mean there may be more students who need inclusive education if a teacher or a school team fails to identify students who may need it.

Without a centralized data system to know how many special needs students there are as well as a system to track those who struggle through an inadequate inclusive education support, it is hard to measure and analyse how many are falling through the cracks.

There were 125 Student Support teachers in 2011 and 126 Student Support teachers in 2012. And the Department of Education spent only \$1.5 million dollars for inclusive education, student support and bilingual education compared to \$107 million and \$114 million on K-12 instruction in those same years respectively, less than 2% of its' budget.^{lxv}

It is not known what qualifications the Student Support teachers are required to provide additional teaching measures to students with special needs.

It is unfortunate the Department of Education did not accept NTI's recommendations because those who need additional support are attending school only 50% of the time, and as low as 27% of the time.^{lxvi}

These percentages reflect the Department of Education's lack of priority on ensuring every child is accorded a right to education, which significantly affects students and their morale.

17. Social Promotion

Recommendation 15: Stop the practise of social promotion, more specifically beyond Gr. 3. This will entail significant measures to ensure students who have difficulties and challenges with schooling from Gr. 4 to Gr. 12 are provided additional support and focus for learning, including qualified support teachers, additional teachers and classroom space.

Parents, as well as the Coalition, have been calling for the end of social promotion for years.

In 2014, the Deputy Minister of Education stated that 'continuum progress' was the correct term^{lxvii}, meaning;

The advancement of students through the stages of learning, from early childhood through Grade 12, at their individual rate of learning. The Department of Education assesses their progress against benchmarks. Students move from grade to grade with their peers but are assessed each year to see where they are on a continuum. This helps their next grade teacher to know each student's strengths and areas that need improvement.^{lxviii}

In reality, if the Department of Education *does not* provide qualified teachers or effective means to ensure adequate learning plans are carried out, as evidenced by the Auditor General's Report, *it is* social promotion as defined by the Department of Education;

The practice of allowing a student to proceed from one grade to the next without achieving the required competencies, and without a learning plan that supports remediation or growth.^{lxix}

The 2010/2011 and 2011/2012 Annual Education Report shows the practise of social promotion significantly dispels students, especially more so for those students who are negatively impacted by the practise of social promotion;

9,515 population counts – 5-19 years old: 2011 Statistics Canada Census
8,874 enrollment – 2010/2011 school year
1,011 gr. 10 enrollment – 2010/2011 school year
711 gr. 11 enrollment – 2010/2011 school year
590 gr. 12 enrollment – 2010/2011 school year
239 gr. 12 graduates – 2011/2012 school year

This equates to roughly 1,500 *a year* who are losing out on opportunities of education, the majority of whom are Inuit.

The decrease on enrollment grade by grade mirror the decrease of attendance rates overall between 2001 and 2011 and the decrease of attendance rates between gr. 10 and gr. 12 as found by the Auditor General;

School attendance rates are low. During the 2009–10 school year, students in Kindergarten to Grade 6 attended school an average of 80 percent of the time. Among middle school students (grades 7 to 9), the attendance rate was only 68 percent; among high school students (grades 10 to 12), it was 57 percent.^{lxx}

Children who are taught in the Inuit Language only from Kindergarten to gr. 3 find entering English stream in gr. 4 difficult.

Then they enter middle or high school in gr. 7 with a bifurcated learning comprehension, having learnt Inuit Language for four years and the English language for three years.

After they are passed from grade to grade without learning adequately in either language and without adequate continuum progress support, they encounter almost insurmountable challenges in going beyond gr. 10 – the grade where teachers actually begin assessing them whether they are competent enough to enter gr. 11 and complete gr. 12.

The Department of Education does not appear to have integrated measures to capture those at risk from the effects of social promotion, at different stages of their schooling.

Although the Department of Education introduced Pathway to Adult Secondary School in 2013^{lxvi} – an adult education program to allow students who have quit high school to regain enough credits to earn high school diploma, the underlying connection must be understood that social promotion has now made it more difficult for students to go back to high school after they have quit in the first place.

It is also not clear how these students who attempt to go back to obtain high school credits will be assisted by the school – whether the school would help them contact Nunavut Arctic College or assist them with registration at the College.

The Deputy Minister of Education had hoped at least 200 students a year could benefit from the PASS program.^{lxvii} It remains to be seen whether it will actually improve high school graduates. It was not mentioned how PASS could benefit the remaining 1300 students a year who leave the school system.

While the drop-out rates in Canada has decreased on average by 8-9% to below 20% between 1990 and 2010, Nunavut's drop-out rate was 50% between the years 2007 to 2010.^{lxviii}

As mentioned earlier, parents and Nunavummiut had been calling for the end of social promotion for years but the Department of Education did not listen to these pleas until Premier Taptuna was selected as a Premier.

Minister of Education Paul Quassa announced in March 2014 that new assessment tools would be adopted to ensure there would now be better mechanisms to track student progress on the following principles;

“Formative” means direct assessments that teachers do in class.

“Benchmark” assessments are to be done every three to four months.

“Summative” measure what a student has learned over a year-long course.^{lxix}

NTI recommended that the Department of Education create better assessment tools in NTI's 2008 Submission, *six years ago*.

It is NTI's hope that with the end of the practise of social promotion, this will significantly decrease the number of students who leave school each year out of frustration beginning with gr. 10 through gr. 12.

It is unfortunate the Department of Education has not thoroughly reviewed how severely the practise of social promotion has been on students for the past decade and taken steps earlier to combat the results the practise has had on students.

The Department of Education must understand the human costs of social promotion. Although it would likely entail more funding and resources if social promotion is stopped, the Department of Education must understand the sheer number of students who quit and the sheer number of the population that becomes dependent on the social welfare system in Nunavut.

18. Education Based on Inuit Societal Values

Recommendation 16: Create Inuit Language Arts Curriculum for grades K-6 that teaches proper Inuit Language grammar, including teaching of proper prefix, suffix and endings.

Recommendation 17: Create Inuit Language Arts Curriculum for grades 7- 12 that teaches proper Inuit Language phonology and morphology with the history of the ICI standardized dual writing system to ensure goal of a standardized Inuit Language Orthography is understood and ensure work continues for a common Inuit Writing system.

Recommendation 18: Introduce legislative provisions that would allow the Coalition and the DEAs substantive involvement in reviews of curriculum development and identification of needs on resources and materials.

Education being delivered in Nunavut is not only important to fulfill Article 23 and the private employment sector, it is equally important that Inuit are competent enough to participate in the traditional economy.

The traditional economy is still valid and relevant today as it was 65 years ago when the federal government thought Inuit would survive better through wage employment if Inuit were educated enough in a formal setting.

Ever since then, countless claims have been made that Inuit are losing their subsistence culture, driving the push for formal education. Social media sites such as "Nunavut hunting stories of the day" show this is not the case. The traditional economy is just as strong as it was before the introduction of the school system – subsistence was the Inuit way of life thousands of years before and it will not be eroded in a century.

The NLCA was created recognizing the importance of this traditional economy. Education principled on Inuit societal values is important to allow Inuit be involved in effective governance of the Nunavut Territory, who co-manage the land, water, wildlife, and resources of Nunavut. Building capacity of Inuit to take on these roles should be based on an education system which reflects their values.

Young Inuit men leave the school system more so than young Inuit women. Figure 3 of the 2007 Saqqipquq Report also showed there are more female graduates than there are male graduates – 11% more of females than males graduated between 2001 and 2006.^{lxv} They can be fostered to remain in school if the Department of Education adopts measures to reflect the livelihood they are immersed in, as reported in the 2007 Saqqipquq Report;

It is not easy to take traditional knowledge and teach it in a formal school setting. The knowledge is usually a technique for living on the land that has been passed on from generation to generation by living on the land, and the land is where it has always been learned.

The Inuit language has evolved from this experience of living on the land and one must be able to speak it in order to understand the details and subtleties of the traditional way of life.

The curriculum provided to the majority of students who are Inuit, must be given equal weight to learning how to survive in the traditional economy just as much as formal education emphasizes on the requirement of complete science, math, social studies and English to graduate from gr. 12.

Inuit are better able to understand what learning pedagogy is required than those who develop curriculum within the Curriculum and School Services division. It is evident from the 2004-2008 Bilingual Education Strategy that the Department of Education was ill-equipped to understand how to develop curriculum for Inuit Language of Instruction;

There is no coordinated K-12 curriculum that combines Inuit and Qallunaat perspectives with the supporting teaching materials and student learning resources required to ensure instruction in classrooms meets bicultural expectations.

Our work in developing curriculum and learning resources that reflect two cultures and three languages is a complex and time consuming process. Under the Education Act, all 13 years of schooling must have the appropriate courses and materials. As well, *at this time, there is no collection of materials readily available for teaching tools that reflect an Inuit perspective.*

Yet, NTI highlighted in its' 2010/2011 Annual Report on the State of Inuit Culture and Society that curriculum resources and material were *already developed* before the Department of Education began reviewing curriculum from scratch in 2004:

The Baffin Divisional Board of Education published Piniqtaqavut: Integrated Program, a guide to help teachers move toward culturally responsive teaching by incorporating culturally relevant themes, and in 1996, the GNWT Department of Education of Education, Culture and Employment published Inuuqatigiit: The Curriculum from the Inuit Perspective.

The Department of Education developed the Aulajaaqtut Curriculum (which was eventually developed through the 2004-2008 Bilingual Education Strategy) and Inunnguiniq Curriculum but the pace of delivery to all of the schools has been slow.

19. Nunavut Teacher Education Program

Recommendation 19: Create a specific Inuit Teacher Employment Plan to increase qualified bilingual teachers from Kindergarten to Gr. 12 in all schools, including assessing the current number of Inuit teachers, the Inuit teacher needs of each school and creating short-term and long-term targets how the percentage of bilingual teachers can be met.

Recommendation 20: Review and assess different models of teacher education degree and diploma programs that can significantly produce more qualified Inuit teachers and Inuit Language specialists, including requiring Inuit Language competency.

Recommendation 21: Allocate significant funding to Nunavut Arctic College to expand the Nunavut Teacher Education Program and the Language and Culture Instructor Diploma program, and to allow for extensive recruitment measures as well as ensuring communities access to such programs not based on an 'offer' basis.

Even though Nunavut Arctic College now offers NTEP to several smaller communities (9 communities outside of Iqaluit for the 2014-2015 year^{lxvii}), the number of graduates it has produced out of the 4-Year Bachelor of Education degree has remained low (another year has been added to include College Foundation to allow students to upgrade before entering the 4-year program).

There were two Inuit graduates for the 2013 year^{lxviii} even though there were 98 enrolled in the NTEP in the year 2010/11 and 81 enrolled in the year 2011/12.

As shown by lack of progress on implementation of bilingual education found in the Auditor General's Report, offering NTEP to communities alone has not significantly increased Inuit teachers to meet bilingual education targets.

The 2004-2008 Bilingual Education Strategy also highlighted the need to focus on teacher training to fulfil bilingual educators;

This challenge continues to confront the education system in Nunavut; addressing the urgent need for large numbers of Inuit teachers throughout the school system remains the single most important factor in the success of bilingual education in Nunavut.

In order to ensure successful implementation of the language models, it is essential to ensure high standards for teacher education and a strategic approach to teacher recruitment, training, professional development and retention.

Increasing the number of teachers, improving the quality of graduates and enhancing the breadth of the training program that teachers receive are all essential to the success of the bilingual programs offered students in Nunavut schools.

The Department of Education has also had the Qalattuq 10-Year Education Strategy since 2006, which was supposed to increase the number of Inuit teachers to 304 by 2011.

The percentage of Inuit teachers with a university degree was 25% in 2007.^{lxviii} It is unknown how many qualified Inuit teachers there are now in 2014 because the Department of Education either stopped remunerating the percentage of Inuit teachers in 2007 or stopped publishing the information.

Without measures to count the number of Inuit teachers per year, it is difficult to understand how the Department of Education can target goals without that information, unless it has those figures internally.

The Department of Education needs 470 Inuit employees at 2013 statistics to fill in the representative workforce for Art 23 purposes.

It appears the Department of Education has not substantively reviewed the NTEP delivery model and the finances it requires to provide NTEP to as many communities as can be reasonably accommodated.

Nor does it appear that the Department of Education assessed whether the 5-year degree model may actually be an artificially-inflated barrier to graduating Inuit teachers. It has not engaged in any measures to understand attrition rates nor analyse what support would be needed for better graduation outcomes.

The Department of Education had knowledge of the two-year teacher diploma program that was in operation beginning in 1979 until 1994 when it was expanded to a 4-year degree program.

Unfortunately, it did not review this possibility of re-instating the Inuit Language and Cultural Instructor program when it committed to bilingual education in 2009. It only committed to reviewing that possibility *ten years* after the 2004-2008 Bilingual Education Strategy, after the 2013 Auditor General Report found;

To implement the requirements successfully, the Department of Education needs information about whether it has enough qualified bilingual teachers to meet the current bilingual education requirements for Kindergarten to Grade 3, as well as the number of bilingual teachers who will be needed in the future.

The Department of Education's response. Agreed. The Department of Education is committed to reviewing expectations and training programs for language specialists and individuals on letters of authority (LOA). This will include a review of the certification process for language specialists, as well as a review of how LOAs are issued to educators, and how to track those in teaching positions on LOAs. Both reviews are planned for this coming school year (2013–14).

The Department of Education will work with Nunavut Arctic College to revitalize the Language and Culture Instructor Diploma program to deliver basic instructional programs to language specialists and potential Inuit language instructors.

NTEP is delivered by Nunavut Arctic College and the focus has shifted away from compulsory Inuit Language competency requirements. More and more students who do not speak the Inuit Language are taking the NTEP program, taking away more resources on an already limited budget.

The language competency requirement from the GNWT Education Act was also removed in Bill 21;

Hiring of language instructors

59. Where no teacher is available, an education body may hire a person who is not a teacher to provide the instruction, as part of the education program, of an Official Language, other than English or French, where that person
- (a) is fluent in that language;
 - (b) Successfully completes a test for that language administered by the education body; and
 - (c) Receives orientation in teaching methods as provided by the education body.

The removal of this section from the Education Act has meant that the Department of Education has been haphazardly hiring Inuit as language specialists without a more concerted effort in producing qualified Inuit teachers, as found by the Auditor General of Canada;

The Department of Education does not provide enough training to those hired to fill bilingual educator shortages

43. To address the insufficient number of qualified bilingual teachers, the Department of Education has used letters of authority to hire individuals to meet bilingual education instruction needs. Letters of authority are special authorizations, permitted under the *Education Act*, that allow the Department of Education to hire individuals without teaching certificates on a temporary basis to fill teacher vacancies. The Department of Education hires these individuals to teach early grades in an Inuit language or else to teach these languages in high school. The Department of Education also uses language specialists who are not responsible for a grade level but teach language or cultural skills.

44. These measures have helped the Department of Education to compensate for some of the shortage of qualified bilingual teachers and to deliver Inuktitut and Inuinnaqtun instruction to students. However, teachers and senior management have expressed concern that some individuals hired under a letter of authority lack formal training in areas such as teaching techniques and assessment, and that this practice has had an effect on the quality of education received by students.

Nunavut Arctic College spent approximately \$4.2 million in the 2011 year and \$4.3 million 2012 in Education and Language programs.^{lxix}

This is a small budget compared to the millions of dollars spent on recruiting, importing and retaining vast majority of non-Inuit teachers, as well as the time and effort and funds spent on recruiting new teachers who leave Nunavut after a few years of teaching.

K-12 Instruction within the Department of Education budget's was at \$114 million dollars in 2011/2012. A significant portion of this budget includes teacher's salaries and hiring and importing teachers from outside Nunavut.

Ten years previously, NTEP's budget was roughly \$2.2 million dollars;

In 2003/04, all NTEP programs received a total of approximately \$2,263,000 in funding. Roughly \$686,000 of this came in the form of base funding from the Nunavut Arctic College budget, specifically for the campus-based program. However, there is no base funding for CTEP. Since 2003/04, approximately \$1,879,000 of the total NTEP budget has come directly from the GN's Department of Education, specifically for CTEP.^{lxx}

Meanwhile, the Department of Education hiring of teachers and staff increased by 32% in 2007/2008.^{lxxi} And Nunavut has the second highest salary pay for teachers in all of Canada, after the GNWT.^{lxxii}

In addition to re-introducing the Inuit Language and Cultural Instructor Program, NTEP must be treated as a major investment and stepping stone for successful outcomes.

20. Employment Sector within Department of Education

Recommendation 22: Create an Inuit Employment Plan specifically to increase Inuit employment within the Department of Education in teaching positions, executive, senior and middle management positions

The Department of Education has the highest number of employees than any other Government of Nunavut department at more than 1400 employees.^{bxxiii} Inuit employment has slightly increased to 50% through recruitment of Inuit language specialists and support workers.

The statistics in the Towards a Representative Workforce of Public Service Report of June 2013 show that Inuit are still very much at the lower categories of employment within the Department of Education.

- 1 Inuk out of 18 Executive and Senior Management positions
- 17 Inuit employed out of 90 Middle Management positions
- 161 Inuit employed out of 641 professional positions
- 383 Inuit employed out of 495 paraprofessional and administrative support positions

Only 16.5% of Inuit fill Executive, Senior and Middle Management positions within Department of Education according to the statistics – overall, the percentage of Inuit employed in Executive, Senior and Middle Management positions within all of Government of Nunavut was 24.9%

To increase Inuit employment within the Department of Education to a representative level of the Nunavut population, the following would need to be hired, based on 2013 statistics;

Executive - 3
 Senior Management – 15
 Middle Management – 65
 Professional – 384

A total of 467 Inuit

The statistics show only the number of permanent or full time employees. The Department of Education also routinely hires casual employees, student support teachers, Inuit Language specialists and sub-teachers not reflected in the full-time employment statistics.

The Department of Education has not made any significant efforts to increase Inuit employment in the executive, senior and middle management even though there have been attempts through internal Strategies.

It is an atmosphere where it would be challenging for 91 non-Inuit to fully grasp the importance of bilingual education and curriculum in the Inuit Language and even harder for the 75% of non-Inuit teachers to grasp the importance of Inuit Language delivery within 43 of Nunavut's primary and secondary schools.

As well, with a high turnover rate of teachers, many don't stay long enough to become appreciative of the Inuit social and cultural milieu of Nunavut.

NTI highlighted this problem in its' 2007 Saqqiqpuq Report;

The bureaucracy may be appropriate for maintaining a system that is generally working to the satisfaction of the public, but the concentration of power in the hands of a few senior managers, the self-interest of the bureaucrat, and the secrecy with which they make their decisions, all make government ineffective as the agent of radical change, which Nunavut needs.

This is evident by the Auditor General's Report^{lxixiv},

A working group was formed in 2009, consisting of the Deputy Minister and managers from headquarters and the territory's three regions.

We found that while progress is being made in some areas, the Department of Education is not meeting targets for implementing bilingual education.

When the *Education Act* was passed in 2009, the Department of Education had already been working for almost a decade to develop made-in-Nunavut teaching resources.

We found that the Department of Education has *developed 50 percent of its sets of teaching resources to date*. In our view, the Department of Education will need to reassess its approach to developing the remainder of the teaching resources.

Several educators and Department of Educational officials told us that progress has been particularly slow in producing teaching resources in the Inuit languages, with those in Inuinnaqtun falling the furthest behind. This situation has left a shortage of Inuit language materials for use in classrooms. *To compensate, Inuktitut and Inuinnaqtun teachers are developing their own teaching resources or translating material that is available only in English.* Officials told us that various challenges have limited progress in developing made-in-Nunavut teaching resources. For example, it has been difficult for the Department of Education to hire staff with the required expertise to develop the new resources, particularly in the Inuit languages.

This is a stark contrast to the volumes of Inuit Language materials produced by regional boards in the 1980s and 1990s. These boards, consisting of Inuit members, really cared about the Inuit Language to be provided for in education curriculum.

The result of the Department of Education taking over the responsibilities of regional boards and delegating them to government divisions has meant transparent accountability that was once expected of elected regional board members are now lost to civil servants.

21. Early Childhood

Recommendation 23: Amend the Education Act to make Inuit Language use a minimum of 50-80% compulsory requirement that all daycares and early childhood education centres to comply with.

Recommendation 24: Introduce junior Kindergarten in all schools in Nunavut to increase Inuit Language competency

Recommendation 25: Expand the functions and resources of the Early Childhood Education division to allow more support and resources to all daycares and early childhood centres, as well as to communities that need new daycares or early childhood centres, including administration and operations support.

As of 2011/2012, the Department of Education spent \$5 million dollars for operations and subsidies of 56 daycare centres and early childhood centres as well as limited budgets for Inuit Language and culture resources and ECE training.^{booxv}

According to the 2011 Census, there were 4,000 children between the ages of 0-4 years in Nunavut, which means the number of spaces currently standing at 1,141 is not enough to meet demand.^{booxvi}

The influx of imported Government of Nunavut employees after the creation of Nunavut placed more burdent on daycares and early childhood centres without the supply being adequately met.

There were more than 200 Inuit workers in daycare and early childhood centres across Nunavut according to the 2011/2012 Annual Education Report. Only 64% of Inuit Language use was reported for the 2010-2012 years, in daycares and early childhood centres. This is 21% below the composition of Inuit at 85% in Nunavut.

In its' 2008 Submission, NTI also specifically recommended the Child Daycare Act be amended in order for toddlers to learn the Inuit Language in daycares.

To date, the Child Daycare Act has never been amended to ensure daycares provide Inuit Language programming.

The Department of Education has created early childhood education regulations and now provides funding for daycares to access financial means to provide Inuit Language materials.

But that allocation of funding is not as accessed by DEAs as much as they could. For each year in 2010 to 2012, \$1.6 million dollars was made accessible ECE funding for all of the DEAs. Only \$263,000.00 was accessed in 2010 and \$859,000.000 was accessed in 2011.^{booxvii}

This either means the Department of Education is not informing the DEAs about accessibility of the funding or the DEAs have too many tasks in relation to schools to ensure quality early child programming in the Inuit Language or both.

There are no mechanisms to analyse whether the provision of funding actually improved quality of Inuit Language programming in every daycare or early childhood centre in Nunavut.

Only 31 out of 56 daycares and early childhood centres cited primary Inuit Language use, even though 79% of daycare workers and early childhood centres are comprised of Inuit across Nunavut.^{lxviii} The other 14 daycares and early childhood centres are taught primarily in the English language even if the majority of employees are Inuit.

The operation and maintenance of daycare centres and early childhood centres are also covered through childcare fees, paid by parents. The Government of Canada funnels Inuit Childcare Initiative funding to Inuit development corporations. And the GN provides subsidies to parents and high school parents to assist with daycare and early childhood centre fees.

This shows finances are not the primary reason for the lack of Inuit Language programming in early childhood.

Tumikuluit Saipaaqivik was created by Inuit for lack of Inuit Language daycares in Iqaluit. There were eight daycares and early childhood programs that provided English-only language services in Iqaluit that consist of more than 60% Inuit population. Tumikuluit sets an excellent example of how to deliver early childhood learning effectively. All the employees are Inuit and many are hired even without an ECE diploma. All that they are required to do is speak the Inuit Language 100% of the time and provide singing, reading and teaching in the Inuit Language. Tumikuluit has imported excellent Inuit Language speaking toddlers, making integration into Kindergarten Inuit Language stream much easier. Quality of teaching early childhood concepts has not been diminished by the lack of ECE diplomas. Enrollment demand to Tumikuluit has been very high. Currently, the early childhood regulations only enable DEAs to provide an early childhood program that's consistent with education programs and bilingual models provided by its schools.

The provisions are too vague to provide proper guidance and direction to individual DEAs who do not have the authority, the resources, the capacity and the understanding of how they can ensure daycares and early childhood centres are effectively providing Inuit Language programming.

The DEA must use its *best efforts* to ensure its' early childhood program serves *as many eligible children as possible* while still *making the best use of the available resources to promote fluency in the Inuit Language* and knowledge of Inuit culture as required by section 17 of the Education Act.

Further, a DEA may comply with section 17 of the Act;

- (a) by providing the entire early childhood program itself; or
- (b) by providing support in the form of staff, funding or other resources to a third party to supply,
 - (i) the Inuit Language or Inuit culture component of the program in the case of a district education authority

This means each of the 27 DEAs in Nunavut;

- is expected to understand the education programs and bilingual models of each school,
- all daycares and early childhood centres compete with each other for \$2 million dollars of ECE funding that promotes Inuit Language, to be approved by the DEAs,

- carry out Inuit Language programs with the amount of funding they receive, as well as provide staff (most DEAs have only part-time administrative support) and resources, in addition to carrying out all the responsibilities the DEAs have under the Education Act.

As well, s. 9 of Inuit Language Protection Act only mandates the GN to *promote* early childhood Inuit Language development, *develop* and *provide* materials and programs, *monitor the availability, the use and outcomes* of resources used and *develop* licensing standards, training and certification and professional development to daycares and early childhood centres. There are no enforceable obligations in s. 9 in ILPA.

The result is that daycares and early childhood centres can hire Inuit Language cultural specialists with the amount of funding provided, but there is no way to determine if there have been improvements in increasing Inuit Language proficiency in toddlers and preschoolers entering the Kindergarten streams.

22. Inuit Language Protection Act and Official Languages Act

Recommendation 26: Create a Compliance division within Department of Culture and Heritage to allow the department to monitor and support schools, daycares and early childhood centres to comply with the Inuit Language Protection Act and support government institutions to comply.

Other significant events between 2009 and 2014 were the passing of the Inuit Language Protection Act and the Official Languages Act.

ILPA should have theoretically mandated the provision of Inuit Language services in daycares, early childhood centres and schools and OLA should have theoretically mandated the provision of rights to work in the Inuit Language for teachers and school staff.

But the Uqausivut Plan^{boxdix} that was created to implement ILPA and OLA has yet to produce significant yields of change, even when it aims to enhance the Inuit Language;

In order to respond to the pressures confronting Inuktitut, and to ensure that its quality and prevalence are protected and promoted in Nunavut, this section of the Plan identifies the implementation methods that Departments of the Government of Nunavut and public agencies will employ in order to advance Inuktitut:

As a language of education, by providing children with lifelong oral and writing skills through a bilingual learning environment, enabling them to enter adult life as world citizens and participate in the day-to-day life, development and cultural vibrancy of their communities and homeland;

As a language of work in territorial institutions, by supporting Inuit employment within the territorial public service to a representative level, and the advancement and participation of Inuit in the economic opportunities and development of Nunavut;

As a language in the day-to-day services provided by governments, municipalities, and private sector bodies to the general public in Nunavut.

Implementation will also support the use of Inuktitut in pre-school and adult education, and include special measures to revitalize and promote its use among youth and in communities where there are concerns of language loss or assimilation.

Section 13.1 (1) of OLA created funding vehicle for a Promotion Fund to be accessible for Inuit Language promotion and revitalization, including funding for media output in the Inuit Language. The Promotion Fund can receive moneys from penalties and through donations and bequests as well as from a working capital advance allocated by the Legislative Assembly of Nunavut.

23. TV and Other Media

Recommendation 27: Create a Promotion and Revitalization division within Department of Education and Culture and Heritage to allocate funding and resources for media output and programming in Inuit Language as well as to provide more support and concentration for promotion and revitalization efforts in all schools, daycares and early childhood centres.

In the 1980s and 1990s, Inuit Broadcasting Corporation produced TV programming in the Inuit Language, with popular shows such as Takuginait, which instilled pride for children in learning it.

Loss of Inuit Language use at home, which affects comprehension and competency of language and schooling, is now greatly attributable to the loss of Inuit Language TV programs like Takuginait. TV programming created by IBC is now more difficult to reach Inuit children in Nunavut because of the way it competes with other aboriginal language programming through Aboriginal Peoples Television Network.

Channels like Treehouse and YTV, which are regular Canadian all-English programming channels, are now the choice of shows being watched by children in Nunavut. Loss of Inuit Language is becoming more evident even in the smaller communities.

While the Department of Education has taken more than a decade to decide which standard writing system Nunavut should adopt to uniform Inuit Language teaching, Toopy and Binoo and SpongeBob have been killing the oral Inuit Language behind the scenes for quite some time.

For several years now, IBC has been trying to raise more than \$10 million dollars for a Nunavut Media Arts Centre. IBC understands *Inuit Language is learnt best through oral transmission*. IBC should be supported as much as possible to expand its' limited Inuit Language programming to allow it to produce more Inuit Language content in TV. It currently produces limited hours of Inuit Language programming per week.^{xc}

Canadian Heritage and Official Languages Canada and the Government of Nunavut could contribute to this important Media Arts Centre project with funding. For instance, funding can be accessed through the Canada Media Fund^{xcii}, which provides \$368 million dollars, including contributions for;

Through the Convergent stream the CMF supports the creation of content in four underrepresented genres: drama, documentary, children's and youth, & variety and performing arts.

The programs and incentives that comprise the Convergent Stream are designed to encourage production in all regions of Canada and in the variety of languages spoken by Canadians.

Kalaallit, the Inuit Language of Greenland, is very strong because of the emphasis placed on media programming, including radio and television. The government controlled Kalaallit Nunaata Radioa produces many radio and television shows entirely in Kalaallit.^{xcii} The Government of Canada spent \$172.1 million dollars in the fiscal year 2008/2009 on Language Instruction to 54,000 immigrants to enable them to learn English or French.^{xciii} In 2010/2011, the Government of Canada contributed *only \$1.1 million* dollars through the Promotion of French and Inuit Languages Agreement with the GN.^{xciv} The amount of funding is *insufficient* to promote and revitalize Inuit Language home use up from 53% to 94%, the rate of Inuit Language home use in 1991.

The small size of the Department of Culture and Heritage shows it does not have the capacity to access the millions of dollars provided by the Canadian Heritage and Official Languages Canada and the necessary compliance monitoring of ILPA and OLA across so many individual government institutions and private organizations in Nunavut. The Department of Culture and Heritage is the smallest department within the GN.

References

- ⁱ Tunngavik Federation of Nunavut. (1987) *Language Rights Position Paper*. Ottawa: TFN.
- ⁱⁱ Inuit Control of Education – the Baffin Experience (1986), Thesis by McGill University student Eric F. Colburne - <http://www.collectionscanada.gc.ca/obj/thesescanada/vol1/QMM/TC-QMM-61250.pdf>
- ⁱⁱⁱ Inuit Control of Education – the Baffin Experience (1986), Thesis by McGill University student Eric F. Colburne
- ^{iv} Inuit Control of Education – the Baffin Experience (1986), Thesis by McGill University student Eric F. Colburne
- ^v Education Act, S.N.W.T. 1995, c.28, Government of Northwest Territories
- ^{vi} Learning: Tradition and Change (1982), Department of Education, Government of the Northwest Territories
- ^{vii} Annual Education Reports, Government of the Northwest Territories
- ^{viii} Standing Committee on Legislation Review of Bill 25– Education Act (1995), Twelfth Legislative Assembly of the Government of the Northwest Territories
- ^{ix} Standing Committee on Legislation Review of Bill 25– Education Act (1995), Twelfth Legislative Assembly of the Government of the Northwest Territories
- ^x Footprints 2: A Second Comprehensive Report of the Nunavut Implementation Commission (1996)
- ^{xi} GNWT Response to Footprints 2: A Second Comprehensive Report of the NIC (1996),
- ^{xii} Accountability and Structural Options for Education and Health and Social Services, Boards of Nunavut (1999)
- ^{xiii} 2010/2011 and 2011/2012 Annual Education Reports, Department of Education, Government of Nunavut
- ^{xiv} <http://www.assembly.nu.ca/sites/default/files/May%2021,%201999.pdf>
- ^{xv} <http://www.cndea.ca/i18n/english/helping.html>
- ^{xvi} http://www.eia.gov.nu.ca/PDF/Tamapta%20Action%20Plan_eng.pdf
- ^{xvii} http://www.nunatsiaqonline.ca/stories/article/65674nunavut_premier_highlights_residential_schools_at_ministers_meeting/
- ^{xviii} http://www.nunatsiaqonline.ca/stories/article/65674mlas_choose_xxxxxx_to_serve_as_nunavut_premier/
- ^{xix} http://www.nunatsiaqonline.ca/stories/article/65674social_promotion_a_hot_topic_among_nunavuts_education_authorities/
- ^{xx} Nunavut Attendance Rates, 2001 to 2011 – Department of Education:
<https://view.officeapps.live.com/op/view.aspx?src=http%3A%2F%2Fwww.stats.gov.nu.ca%2FPublication%2FHistorical%2FEducation%2FNunavut%2520Public%2520School%2520Attendance%2520Rate%2C%25202001-2002%2520to%25202010-2011.xls>
- ^{xxi} Auditor General of Canada Report on Education (2013) – Government of Nunavut
- ^{xxii} <http://www12.statcan.gc.ca/census-recensement/2011/as-sa/fogs-spg/Facts-pr-eng.cfm?Lang=eng&GC=62>
- ^{xxiii} Enrollment Statistics, 2010/2011 and 2011/2012 Annual Education Reports, Department of Education, Government of Nunavut
- ^{xxiv} Auditor General of Canada's Report on Education (2013) – Government of Nunavut
- ^{xxv} http://www.nunatsiaqonline.ca/stories/article/65674nunavuts_poor_education_schools_due_to_lack_of_capacity_schools_boss_s/
- ^{xxvi} <http://www.nunavuteconomicforum.ca/public/files/library/EDUCATIO/BILINGUA.PDF>
- ^{xxvii} http://www.gov.nu.ca/sites/default/files/files/Finance/Budgets/2014-15%20budgets/2014-15_Main_Estimates_EN.pdf
- ^{xxviii} 2010/2011 and 2011/2012 Annual Education Report
- ^{xxix} http://www.gov.nu.ca/sites/default/files/files/Finance/Budgets/2014-15%20budgets/2014-15_Budget_Highlights_ENIN.pdf
- ^{xxx} Forty years of struggle and still no right to Inuit education in Nunavut (2009), Derek Rasmussen
- ^{xxxi} Towards a Representative Workforce within the Public Service, Government of Nunavut (June 2013)

-
- ^{xxdi} 2010/2011 and 2011/2012 Annual Education Reports, Department of Education, Government of Nunavut
- ^{xxdii} [http://www.nunatsiaqonline.ca/stories/article/06039_nunavuts_education_Department of Education seeks 18 million budget increase/](http://www.nunatsiaqonline.ca/stories/article/06039_nunavuts_education_Department_of_Education_seeks_18_million_budget_increase/)
- ^{xxdiii} 2010/2011 and 2011/2012 Annual Education Reports
- ^{xxdiv} <http://www.arcticcollege.ca/publications/reports/2011-2012-English-Annual-Report-Small.pdf>
- ^{xxdvi} 2010/2011 and 2011/2012 Annual Education Reports
- ^{xxdvi} 2014 Annual General Meeting Financial Statements – Coalition of Nunavut District Education Authorities
- ^{xxdviii} S. 137(7) and 149(2), Education Act, S.Nu. 2008, c.15
- ^{xxdx} S. 149(2) and s. 190, Education Act, S.Nu. 2008, c.15
- ^{xd} S. 45(2)(a), Education Act, S.N.W.T. 1995, c.28
- ^{xd} Education Act, S.Nu. 2008, c.15
- ^{xdii} Education Act, S.Nu. 2008, c.15
- ^{xdiii} 2007 Saqqiqpuq Annual Report on Inuit Culture and Society
- ^{xdv} http://www.nunatsiaqonline.ca/stories/article/65674prizes_boost_school_attendance_in_sanikiluaq/
- ^{xdv} [http://www.nunatsiaqonline.ca/stories/article/65674nunavut_deputy_education_minister_alarmed at low attendance rates/](http://www.nunatsiaqonline.ca/stories/article/65674nunavut_deputy_education_minister_alarmed_at_low_attendance_rates/)
- ^{xdv} [http://www.nunatsiaqonline.ca/stories/article/65674nunavut_schools_budget_will be reinstated for next year/](http://www.nunatsiaqonline.ca/stories/article/65674nunavut_schools_budget_will_be_reinstated_for_next_year/)
- ^{xdvii} S. 191, Education Act, S.Nu. 2008, c.15
- ^{xdviii} This is only an average based on calculation of \$14.2 million allocated to 27 DEAs in 2011/2012 according to the 2010/2011 and 2011/2012 Annual Education Reports
- ^{xdix} Inuit Control of Education – the Baffin Experience (1986), Thesis by McGill University student Eric F. Colburne
- ⁱ S. 84(8), Education Act, S.Nu.2008, c.15
- ⁱⁱ S. 138.1(1), Education Act, S.Nu.2008, c.15
- ⁱⁱⁱ http://www.nunatsiaqonline.ca/stories/article/65674nunavik_to_launch_stay_in_school_project_in_2014/
- ^{liii} Pg. 2, Auditor General of Canada's Report on Education (2013)
- ^{liiv} s. 36, Education Act, S.Nu., c.15
- ^{lv} [http://www.nunatsiaqonline.ca/stories/article/65674nunavut_installs_new_online_system_to_track_school attendance/](http://www.nunatsiaqonline.ca/stories/article/65674nunavut_installs_new_online_system_to_track_school_attendance/)
- ^{lvi} Pg. 20, Auditor General of Canada Report on Education (2013)
- ^{lvii} 2001-2011 Attendance Rates, Department of Education
- ^{lviii} 2001-2011 Attendance Rates, Department of Education
- ^{lix} Forty years of struggle and still no right to Inuit education in Nunavut (2009), Derek Rasmussen
- ^{lx} 2010/2011 and 2011/2012 Annual Education Reports
- ^{lxi} Pg. 2, Auditor General of Canada Report on Education (2013) – Government of Nunavut
- ^{lxii} http://www.nunatsiaqonline.ca/stories/article/65674cambay_language_students_keen_to_revive_inuinnaqtun/
- ^{lxiii} www.nunatsiaqonline.ca/.../65674western_nunavuts_inuit_languages_need_support_kia_hears/
- ^{lxiv} Standing Committee on Legislation Review of Bill 25– Education Act (1995), Twelfth Legislative Assembly of the Government of the Northwest Territories
- ^{lxv} 2010/2011 and 2011/2012 Annual Education Reports
- ^{lxvi} Pg. 19, Auditor General of Canada Report on Education (2013) – Government of Nunavut
- ^{lxvii} http://www.nunatsiaqonline.ca/stories/article/65674gn_deputy_minister_we_dont_do_social_promotion/
- ^{lxviii} Pg. 17, Auditor General of Canada Report on Education (2013) – Government of Nunavut
- ^{lxix} Pg. 17, Auditor General of Canada Report on Education (2013) – Government of Nunavut
- ^{lxx} Pg. 3, Auditor General of Canada Report on Education (2013) – Government of Nunavut

 lxxi

[http://www.nunatsiaqonline.ca/stories/article/65674nunavut plans a new kind of high school diploma for adults aariak](http://www.nunatsiaqonline.ca/stories/article/65674nunavut_plans_a_new_kind_of_high_school_diploma_for_adults_aariak)

lxxii

[http://www.nunatsiaqonline.ca/stories/article/65674nunavut deputy minister offers more detail on pas s program/](http://www.nunatsiaqonline.ca/stories/article/65674nunavut_deputy_minister_offers_more_detail_on_pas_s_program/)

lxxiii

<http://www.statcan.gc.ca/pub/81-004-x/2010004/article/11339-eng.htm>.

lxxiv

[http://www.nunatsiaqonline.ca/stories/article/65674nunavut jump-starts education reform with three big changes/](http://www.nunatsiaqonline.ca/stories/article/65674nunavut_jump-starts_education_reform_with_three_big_changes/)

lxxv

<http://www.statcan.gc.ca/pub/81-595-m/81-595-m2009078-eng.htm>

lxxvi

<http://www.arcticcollege.ca/en/2014-2015-program-offerings>

lxxvii

[http://www.nunatsiaqonline.ca/stories/article/65674photo ntep graduates six students/](http://www.nunatsiaqonline.ca/stories/article/65674photo_ntep_graduates_six_students/)

lxxviii

Forty years of struggle and still no right to Inuit education in Nunavut (2009), Derek Rasmussen

lxxix

<http://www.arcticcollege.ca/publications/reports/2011-2012-English-Annual-Report-Small.pdf>

lxxx

2007 Saqqipuuq Report on Inuit Culture and Society

lxxxi

<http://www.statcan.gc.ca/pub/81-595-m/2010083/c-g/c-g004-eng.htm>

lxxxii

<http://www.bctf.ca/uploadedfiles/public/bargainingcontracts/teachersalaryrankings2013-14brief.pdf>

lxxxiii

Towards a Representative Workforce within the Public Service (June 2013) – Government of Nunavut

lxxxiv

Pg. 9, Auditor General of Canada Report on Education (2013) – Government of Nunavut

lxxxv

2010/2011 and 2011/2012 Annual Education Reports, Government of Nunavut

lxxxvi

<http://stats.gov.nu.ca/Publications/census/2011/StatsUpdate.%20Nunavut%20Population%20Counts%20by%20Age%20Group%20and%20Sex.%202001.%202006%20and%202011%20Censuses.pdf>

lxxxvii

2010/2011 and 2011/2012 Annual Education Reports, Government of Nunavut

lxxxviii

2010/2011 and 2011/2012 Annual Education Reports, Government of Nunavut

lxxxix

<http://www.ch.gov.nu.ca/en/Uqausivut.pdf>

xc

http://www.inuitbroadcasting.ca/programming_e.htm

xci

<http://www.cmf-fmc.ca/funding-programs/overview/>

xcii

<http://knr.gl/kl/knr-tv>

xciii

http://www.faeyc-adfje.gc.ca/rpt/rep_03_20141015103128.pdf

xciv

<http://www.pch.gc.ca/eng/1357676181116/1357676315338>



**October 31, 2014 submission 2 of 2 to the Government of
Nunavut Education Act review special committee**

Line by line concerns with the *Education Act*

Note: The Government of Nunavut (the GN) has a responsibility to ensure that the Education Act is consistent with and, to the extent applicable, implements Inuit social, cultural, language, education, public service employment and other rights as defined in common law, the Nunavut Land Claims Agreement (NLCA), the Constitution Act 1982, and any other law. The GN is also obligated to ensure that the opportunity afforded to Inuit and to NTI on behalf of Inuit to participate in the development of the Education Act conforms with Inuit aboriginal and NLCA rights.

Nothing contained in or omitted from this submission or any other NTI submission on this Act, and nothing in NTI's participation in the development of the Education Act, limits or in any other way prejudices the scope, substance and enforceability of Inuit social, cultural, language, education, employment or other rights as defined in common law, the Nunavut Land Claims Agreement, the Constitution Act, 1982, or any other law.

Recitals

As a collection of beliefs, recollections, and assertions the recitals do not add enough substance or meaning to the *Education Act*. Where do these beliefs come from? There was no attempt to determine a statement of beliefs during the community consultation. The Education Act Steering Committee discussed a list of recitals but it did not resemble the list in the *Education Act*.

It is NTI's view that, recitals should set the context or explain the facts, values, or problems of concern to the legislature and provide the rationale for presenting the Act to the Legislature.

Thus, since Nunavut is a new jurisdiction it requires new legislation that reflects the aspirations and values of its people it is appropriate that any new statute in Nunavut should begin from this starting point.

Certain fundamental areas of consideration are missing in the section. The following topics should be added to the recitals section:

- The requirement under Article 32 to enable Inuit to participate in incorporating Inuit culture and society into government policy
- The requirement to meet the objectives of Article 23

2nd and 6th Recital:

*Recognizing that a **high quality education** is important for the development of confident, responsible and capable individuals who can contribute to Nunavut society;*

*Believing that **high quality education** is necessary for the effective implementation of the Nunavut Land Claims Agreement and to support Inuit culture;*

It is not clear what is meant by “high quality education.” A system of education is a process which is either effective or not. There are many measures of effectiveness, such as graduation rates, truancy rates, and suspension rates. “High quality” is an abstract term and there are no measures for determining its achievement.

NTI Recommendation:

That the Recitals be amended to set the context for the legislation and to provide the rationale for presenting the Act to the Legislature.

If the 2nd and 6th recitals remain that the term “*high quality*” be replaced with “*effective*”

5th Recital

Recognizing that communities should be significantly involved in the education of their children to reflect local needs and values, that parents have special responsibilities and that Elders can make important contributions;

There are no measures, procedures, or activities proposed in the Act that will enable parents, the communities, and the elders to play key roles in decision-making and the instruction of their children. The Act merely gives the appearance that these are foundation beliefs. All decision-making power is reserved to the Minister.

PART 1 – Fundamental Principles

The Fundamental Principles section purports to list the foundation beliefs which underlie the Act. These are set out below with NTI's comments. As the Act is not, in fact, built on many of these beliefs, the section is misleading.

Inuit societal values and Inuit Qaujimajatuqangit

Section 1(1) of the *Education Act* states:

The public education system in Nunavut shall be based on Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit.

Section 1(2) sets out the guiding principles and concepts of Inuit Qaujimajatuqangit;

The following guiding principles and concepts of Inuit Qaujimajatuqangit apply under this Act:

- (a) Inuuqatigiitsiarniq (respecting others, relationships and caring for people);*
- (b) Tunnganarniq (fostering good spirit by being open, welcoming and inclusive);*
- (c) Pijitsirniq (serving and providing for family or community, or both);*
- (d) Aajiiqatigiinni (decision making through discussion and consensus);*
- (e) Pilimmaksarniq or Pijariuqsarniq (development of skills through practice, effort and action);*
- (f) Piliriqatigiinni or Ikajuqtiigiinni (working together for a common cause);*
- (g) Qanuqtuurniq (being innovative and resourceful); and*
- (h) Avatittinnik Kamatsiarniq (respect and care for the land, animals and the environment).*

Although, section 1 states that the public education system shall be based on Inuit societal values and principles and concepts of Inuit Qaujimajatuqangit the Act does not state what these principles and concepts are in a way that has precise meaning.

Section 1(2) merely sets out the 'guiding principles and concepts' but these are too abstract to be enforceable in law. Accordingly, these sections are worthless to any teacher or principal who tries to comply. Merely stating that Inuit Qaujimajatuqangit must be integrated will not make it happen if it is not possible to know what is expected.

The following formula is repeated at least 19 times throughout the Act:

... shall ensure that the school program (or whatever is the applicable activity) is founded on Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit and respect for Inuit cultural identity.

In spite of this repetition there is no attempt anywhere in the Act to suggest activities or measures that would effectively infuse Inuit societal values and the principles and concepts of Inuit Qaujimajatuqang into the education system. As this formula has no

formal meaning, its senseless repetition seems to intentionally mislead the public about the importance of Inuit-specific content of the Act.

For example, in ss. 7(4) what would delivering the school program “in accordance with Inuit societal values and principles and concepts of Inuit Qaujimajatuqangit” mean in practice? What would be different in a classroom where this was being done, from a classroom where it was not? How will the Minister, the district education authorities, and the education staff measure compliance with this subsection?

NTI asserts that only the parents and communities can effectively infuse their schools with Inuit culture but this Act does not give them the power to do that. If the parents and communities through their district education authorities are given this power then the requirement, repeated 19 times, to integrate and incorporate Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit and respect for Inuit cultural identity into the education system will be unnecessary.

NTI Recommendation: That all current references in the Act to Inuit Qaujimajatuqangit should either be removed or specific activities or measures that will have the effect of remaking the education system into one that actually does reflect Inuit culture and societal values should be added.

Duty of all

(3) It is the responsibility of the Minister, the district education authorities and the education staff to ensure that Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit are incorporated throughout, and fostered by, the public education system.

Section 1(3) creates a duty to ensure that Inuit societal values and principles and concepts of Inuit Qaujimajatuqangit are incorporated and fostered but there is no clarity or certainty about what those are. Therefore the duty will not be enforceable.

NTI Recommendation: That the Act state with precision how this “duty” can be accomplished.

PART 2 – Interpretation

“school” means a school operated by a district education authority; (école)

The definition of school is misleading. The *Commission scolaire francophone du Nunavut* operates its schools but none of the Inuit district education authorities operate schools. They merely carry out the operational instructions of the Minister.

The *Commission scolaire francophone du Nunavut* has power over all issues dealing with selection of teachers and principals (s. 94), curriculum, (s. 168(1)), school program plans (s. 168 (8)), expulsion of students (s. 171), all staffing issues including, evaluation,

dismissal, professional development, etc (ss 89, 91 – 94, 97, 105, 106, 108 – 117) have been transferred to the *Commission scolaire francophone du Nunavut* by “deeming references to the Minister to mean the Director General. Therefore the *Commission* operates its school.

No other district education authority has these powers which are, instead, exercised by the Minister through the department. Therefore, the DEAs, with the exception of the *Commission*, do not operate the schools.

NTI Recommendations: That the necessary changes be made to the *Education Act* to ensure that DEAs do, in fact, operate the school by having the requisite powers set down by the Supreme Court of Canada in the Mahe case.
That the definition of “school” be amended to: “school” means operated by the *Commission scolaire francophone du Nunavut* or equivalent school board representative of Inuit parents.

PART 3 – School Program

Inuit culture and Inuit Qaujimajatuqangit

Part 3 goes to the heart of what children learn and how they learn. If the intent of the *Education Act* is to incorporate Inuit societal values and culture into the schools it is in this Part that the measures to achieve that would appear. However, there is nothing in this Part other than eight sections which repeat the *Inuit Qaujimajatuqangit* formula (see above) which is used everywhere else in the Act:

This formula is repeated in ss. 7(3 and 4), 8(3), 9(3), 11 (2), 17(3), 18(2), 20(3), 21(2).

Exceptions to the requirement for compliance with Inuit Qaujimajatuqangit

The only exceptions to the requirement to ensure conformity with Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit is in the choice of teaching and learning materials (s. 10) and textbooks and other resources (s. 19).

NTI Recommendation: That ss. 7(3 and 4), 8(3), 9(3), 11 (2), 17(3), 18(2), 20(3), 21(2) either be deleted as being misleading or specific activities or measures that will have the effect of remaking this section into one that actually does reflect Inuit culture and societal values should be added.

Section 7 – School Program

In any school system the school program is the act of putting a curriculum into effect. Under the *Education Act*, Part 3, the curriculum is developed by the Minister (s. 8) but the district education authority is responsible for putting it into effect:

7. (1) Subject to subsection (7), a district education authority shall provide a school program for kindergarten and for grades 1 to 12.

While the curriculum is developed by the Minister the district education authority can modify it (s. 9). However, all modifications must be approved by the Minister (s. 9(4) and (5)). Effectively, the Minister is in absolute control of what is taught in the schools and the district education authority, as the servant of the Minister, must implement it.

The influence of the district education authority is further reduced by excluding it from the evaluation of the school program:

s. 7(6) A principal shall conduct, in co-operation with the education staff, a continuing program of evaluation of the school program in his or her school.

It is inconsistent with the intent of the Act, which places broad responsibility on the district education authorities for providing or delivering the school program, to exclude them from evaluating the program.

NTI Recommendation: Amend s. 7(6) as follows:

~~A principal shall conduct, in co-operation with~~ That the district education authority shall conduct, in cooperation with the Principal and the education staff, a continuing program of evaluation of the school program in his or her school.

The Education Act creates a two-tiered education system

Section 8 – Standards

How children are taught varies with different cultures and societies. If Inuit are to integrate their culture and values into the school they must have control over ‘teaching standards’ and the method of delivery of the education program. That cannot be accomplished without control over the education staff. The Francophone community understand this and they have gained effective control of the education staff through section 94(5) which gives them a veto over the hiring of staff and section 168 which gives them control over curriculum development and the school program.

Section 168(1) gives all the powers of the Minister to the *Commission scolaire francophone*:

For the purposes of the curriculum for education provided by the Commission scolaire francophone, (a) the references to the Minister in subsections 8(1) to (3) shall be deemed to be references to the Commission.

In the Inuit schools the parents and communities have no control over how Inuit children are taught. In section 8(5) the Minister has absolute control over ‘teaching standards’ and the method of delivery of the education program.

Section 8(5) The Minister may establish teaching standards and give directions to the education staff with respect to the delivery of the education program.

While the *Commission* must submit the curriculum to the Minister for approval, that would only be for the purposes of ensuring compatibility with national standards in the same way that Provincial ministers establish curriculum guidelines. There is no possibility of the Minister over-ruling the *Commission* on any matter in the curriculum dealing with French language and culture. Further, s. 159 requires the Minister to ensure that French language instruction is available. There is no similar duty with respect to the Inuit language.

In giving directions respecting standards and the delivery of the education program under subsection 8(5) the Minister must deal with *Commission scolaire francophone* and cannot deal directly with the education staff as is the case with non-Francophone schools.

In reporting on the effectiveness of school program under section 8(4) the principal of a Francophone school must report to the *Commission scolaire francophone* and not the Minister.

School program plans prepared by the Francophone schools go to the *Commission scolaire francophone* and not to the Minister.

In the Mahé case¹ in the context of minority control of language, the Supreme Court of Canada identified the essential powers of a local school authority:

- “The minority language representatives should have exclusive authority to make decisions relating to the minority language instruction and facilities, including:*
- (a) expenditures of funds provided for such instruction and facilities;*
 - (b) appointment and direction of those responsible for the administration of such instruction and facilities;*
 - (c) establishment of programs of instruction;*
 - (d) recruitment and assignment of teachers and other personnel; and*
 - (e) making of agreements for education and services for minority language pupils.”*

Inuit language and culture are as important and as threatened as the French language and culture. Inuit must, therefore, have, at least, the same influence and control over their children’s education as the *Education Act* gives the Francophone community.

NTI Recommendation: That in order to infuse Inuit societal values and principles and concepts of Inuit Qaujimajatuqangit into the teaching standards and the method of delivery of the program s. 8(5) should be amended as follows:

The ~~Minister~~ district education authority may establish teaching standards and give directions to the education staff with respect to the delivery of the education program

S. 8(3) (Inuit Qaujimajatuqangit) should either be removed or specific activities or measures that will have the effect of remaking this section into one that actually does reflect Inuit culture and societal values should be added.

Section 9 – Local programs

Local programs are one of the principal means parents and the communities have for bringing cultural programming into the schools. These will amount to local modifications to the Department of Education’s approved curriculum. However, although they are expected to develop them, the only discretion that the district education authorities have with respect to ‘local programs,’ is still subject to the Minister’s approval (ss. 9(4) and (5). Given the bureaucracy’s slowness in approving changes and preference for standardization, this section will prevent rather than encourage local innovation and experiment. Again the Minister has absolute control over what is taught in the school and the district education authorities have no power. The four key sections are:

¹ Mahé v. Alberta, [1990] 1 S.C.R. 342

Section 9(1) A district education authority may establish local programs as modifications to the curriculum for use in one of more of its schools.

(2) Local programs may consist of

- (a) courses that are to be offered in addition to, or instead of, courses in the curriculum; and*
- (b) other modifications that are to be made to the curriculum to reflect the local dialect or local culture.*

(4) The district education authority shall set out in writing the details of any local program developed by it together with the expected learning outcomes and submit them to the Minister for approval.

(5) A district education authority shall not offer a local program to its students unless it has been approved by the Minister.

NTI Recommendation: That in order to infuse Inuit societal values and principles and concepts of Inuit Qaujimajatuqangit into the local programs the requirement for the Minister's approval in s. 9(4) and (5) should be deleted.

S. 9(3) (Inuit Qaujimajatuqangit) should either be removed or specific activities or measures that will have the effect of remaking this section into one that actually does reflect Inuit culture and societal values should be added.

Section 10 – Approval of teaching and learning materials

The type of teaching and learning materials used in the school program is critical to the program's success. If they are derived from the southern based system then the children will learn a southern based culture and values. Consequently, it is vital that the parents and communities, through their elected representatives, should have the right to authorize what materials are used in their schools.

The *Education Act* gives the Minister and not the district education authorities the right to authorize teaching and learning materials:

(10.1) Teaching and learning materials that are referred to in the curriculum, including the curriculum as modified by any local program, or that are necessary to support the education program shall not be used unless they are approved by the Minister.

(2) In considering whether to approve teaching and learning materials, the Minister shall consider whether the materials are relevant to Nunavut culture.

This is a conflict with the *Inuit Language Protection Act (ILPA)* which states:

8(2) The Government of Nunavut shall, in a manner that is consistent with Inuit Qaujimajatuqangit,

(d) *develop and provide*

(i) *curriculum, classroom materials and programs in the Inuit Language relating to the objectives and competency targets established under this section*

There is nothing in *The Inuit Language Protection Act* about “Nunavut culture.” NTI would like the Minister to explain his understanding of ‘Nunavut culture.’ Does it override Inuit culture? Does it include Francophone cultural issues? Why is it necessary, if there is a “Nunavut culture,” to have a separate Francophone school board?

Given that Nunavut has existed only 15 years there is no possibility that it has come to denote a certain system of values or beliefs that would characterize a Nunavummiut.

NTI asserts that the term “Nunavut culture” is meaningless and the use of it is disrespectful to Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit.

NTI Recommendation: Section 10(1) should be amended as follows:

Teaching and learning materials that are referred to in the curriculum, including the curriculum as modified by any local program, or that are necessary to support the education program shall not be used unless they are approved by the ~~Minister~~ district education authority.

The title of section 10(2) should read “Relevance to Inuit culture”

Section 10(2) *In considering whether to approve teaching and learning materials, the Minister shall consider whether the materials are relevant to ~~Nunavut culture~~ Inuit culture and societal values.*

There should be a new section to bring the Minister’s duty under the *Education Act* into conformity with the *Inuit Language Protection Act* as follows: *The Minister shall, in a manner that is consistent with Inuit culture and societal values, develop and provide curriculum, classroom materials and programs in the Inuit Language relating to the objectives and competency targets established under section 8 of the Inuit Language Protection Act.*

Section 11 – Other activities, programs, and services

The *Education Act* requires consultation with the community rather than the district education authority with respect to a program for moral and spiritual instruction:

Section 11(4) In developing a program for moral or spiritual instruction, a principal shall consult with the community.

As “community” is not defined and has no standing with respect to the *Education Act* and it is the district education authority which is the elected representative body for the purposes of education, it is the district education authorities who should be consulted.

NTI Recommendation:

S. 11(2) (Inuit Qaujimagatugangit) should either be removed or specific activities or measures that will have the effect of remaking this section into one that actually does reflect Inuit culture and societal values should be added.

S.11(4) should be amended as follows:

In developing a program for moral or spiritual instruction, a principal shall consult with the ~~community~~ district education authority.

Section 14 – Effectiveness of the school program

The principal must report to the district education authority and to the Minister as to the effectiveness of the school program but, since the curriculum is established by the Minister (8(1)) it is the Minister who, for all practical purposes, establishes the criteria for determining effectiveness. The district education authority is a partner without power.

(14) A principal shall, in accordance with the regulations, report twice each year to the district education authority and the Minister on the effectiveness of the school program.

Measuring the effectiveness of the school program is the essential and critical activity that those in control of the schools perform. Accurate measurement of effectiveness is dependent on the establishment of appropriate benchmarks, such as proficiency in an Inuit language and how we know what proficiency sounds like. It is a matter of knowing whether the curriculum is being learned and whether the teaching methods being used actually work. The benchmarks for measuring the effectiveness of schools based on Inuit culture and values will be quite different from those used to measure the effectiveness of Qallunaat schools.

Since the parents and communities have no control over the curriculum, the teaching methods, or the choice of instructional materials the parents and communities have no control over whether their children's schools are effective. In spite of this lack of power, section 16 of the *Education Act* requires the district education authorities to direct the delivery of the school program to assure the highest possible standards.

Section 16- A district education authority shall monitor, evaluate and direct the delivery of the school program.

Thus, this section ensures that if the school program is a failure it is the district education authority and not the Minister which can be blamed.

NTI Recommendation: As it is the district education authority that must do the work of collecting the data to measure the effectiveness of the school program and, as parents, it is they who have the greatest stake in the program, it is the district education authority which should set the curriculum and the criteria for measuring the effectiveness of the

program. In other words the Act must be amended to give control of the schools to the district education authority.

ECE programs

Section 17 of the *Education Act* is weaker than section 9 of the *Inuit Language Protection Act*. It also places the responsibility for determining the size of the Early Childhood Education program. However, in the absence of control over resources the district education authorities will be dependent on the will of the Minister.

In keeping with NTI's recommendations for the *Inuit Language Protection Act*, quality Inuit Language acquisition in the very early stages of life must be the cornerstone for achieving full bilingualism in the Inuit language and English/French. The *Education Act* must ensure Inuit Language services in Early Childhood Development programs and daycares are delivered in the Inuit language.

NTI Recommendation:

Section 17 should be amended to conform to s. 9 of the *Inuit Language Protection Act*.
S. 17(1) In addition to the school program, the Minister will ensure that a district education authority shall have the necessary resources to provide an early childhood program that promotes fluency in the Inuit Language and knowledge of Inuit culture. In particular, the Minister shall, subject to the advice and approval of the district education authorities:

- (a) develop and provide early childhood education materials and programs in the Inuit Language so as to allow Early Childhood Development programs and daycares to deliver the program in the Inuit Language;*
- (b) monitor the availability, use and outcomes of the materials and programs referred to in paragraph (a); and*
- (c) develop and implement licensing standards, training, certification and professional development for child day care and other early childhood education providers.*

S. 17(3) (Inuit Qaujimajatuqangit) should be removed or specific activities or measures that will have the effect of remaking this section into one that actually does reflect Inuit culture and societal values should be added.

That the Day Care Act be amended to require day cares to deliver services in the Inuit language.

Section 18 – Other programs

NTI Recommendation: S. 18(3) (Inuit Qaujimajatuqangit) should either be removed or specific activities or measures that will have the effect of remaking this section into one that actually does reflect Inuit culture and societal values should be added.

Section 20 – School program plans

The district education authority may give direction to the Principal who shall develop the school program.

Section 20(1) Subject to such direction as the district education authority may give, a principal shall develop an operational plan for the school for the school year, to be known as the "school program plan".

(2) A school program plan shall cover how the school program will be delivered to the students of the school and any other matters necessary for the operation of the school.

However, the Principal must **consult** with the **community** (not district education authority):

(4) In developing a school program plan, a principal shall consult with school staff and the community.

Community is not defined and has no standing with respect to the *Education Act*. It is the district education authority which is the representative body for the purposes of education and it is they who should be consulted.

However, the community (or the district education authority) will have very little influence. In practice, under s. 20(5) can override the community's wishes as the school program must conform to the regulations.

20(5) A principal shall develop a school program plan in accordance with the regulations, in the prescribed format and with the prescribed content.

(17(4)) The Commissioner in Executive Council may make regulations respecting programs provided under subsection (1), including regulations related to the content and standards for the delivery of the program.

20(11) The Commissioner in Executive Council may make regulations (a) in relation to the development of school program plans and amendments to them; and (b) prescribing the format and content of school program plans.

There is the appearance of community input but it is the Minister that has the power.

It is NTI's view that there should be local control of education and that the Minister's role with respect to the school program should be one of issuing guidelines in order to ensure Nunavut-wide standards. Accordingly, there should not be regulations which "prescribed content".

NTI Recommendation: Section 20 should be amended as follows:

Section 20(1) Subject to such the direction as of the district education authority ~~may give~~, a principal shall develop an operational plan for the school for the school year, to be known as the "school program plan".

S. 20(3) (Inuit Qaujimajatuqangit) should either be removed as having no force or effect or specific activities or measures that will have the effect of remaking this section into one that actually does reflect Inuit culture and societal values should be added

(4) In developing a school program plan, a principal shall consult with school staff and the ~~community~~ district education authority and ~~follow~~ consider any ~~directions~~ guidelines that the Minister may give.

S. 17(4), S. 20(5) & (11) Delete

Section 21 – Home Schooling Programs

Even where a child is being home schooled, the *Education Act* requires the “home” to prepare a program in conformity with Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit (s. 21(2)), although, it is difficult to see how this will be accomplished if the child is non-Inuit and being schooled by its non-Inuit parents.

NTI Recommendation: S. 21(2) (Inuit Qaujimajatuqangit) should be removed as having no force or effect nor any practical use in this particular section.

Under s. 21(4) requires that parents who home school their children should be reimbursed their education costs.

Reimbursement of costs

(4) Subject to any regulations respecting the amounts to be paid, a district education authority shall reimburse the student's parents for the education program costs that are incurred by or on behalf of a student who is registered in a home schooling program.

This is an unusual provision and it is certainly not the case, for example, in Ontario. It will be a drain on public resources and will favour a small and privileged minority of parents who have the leisure and resources to teach their children at home.

NTI Recommendation: Delete S. 21(4)

PART 4 – Language of instruction

Bilingual education

Education is the primary means for protecting and promoting the Inuit language and yet, in the *Education Act* the rights and duties respecting Inuit language instruction are weaker than those set out in the *Inuit Language Protection Act*.

The *Inuit Language Protection Act* states that there is a right to instruction in the Inuit language:

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

However, the *Education Act* does not recognize any ‘right’ to instruction in the Inuit language:

23. (1) Every student shall be given a bilingual education and the languages of instruction shall be the Inuit Language and either English or French as determined by a district education authority with respect to the schools under its jurisdiction.

This omission is important because it is only by recognizing that the right to instruction in the Inuit language exists that Inuit parents can ensure that the government makes it happen. The constitutional right to instruction in the French language is the reason why the Francophone community can today insist on their own French language school system.

Section 23(2) states that *the purpose of the bilingual education required under subsection (1) is to produce graduates who are able to use both languages competently in academic and other contexts.*

This is too broad a statement to be useful in the context of education. “Bilingual education” should be defined in order that the schools have clarity about the outcomes they are expected to achieve. In particular, the definition should track the “fully proficient” language in the *Inuit Language Protection Act* section 8(2)(a).

The commitment of the Department of Education set out in the *Inuit Language Protection Act* is further diluted in the *Education Act* because the introduction of bilingualism is time dependent. Thus, in theory, all students will have fully bilingual instruction by 2019 – 20 but the timing of the introduction is determined by regulation.

NTI recommendation: that “bilingual education” be defined and that the definition track the “fully proficient” language in *The Inuit Language Protection Act*, s. 8(2)(a)

Duties of the Government concerning the education program

The *Inuit Language Protection Act* also sets out a list of **Ministerial duties with respect to language instruction which are omitted from The Education Act**. While s. 25(1) of the *Education Act* incorporates these duties by reference various sections of the *Education Act* conflict with those duties. Accordingly, it is important to restate them.

The *Inuit Language Protection Act*:

8.(2) *The Government of Nunavut shall, in a manner that is consistent with Inuit Qaujimajatuqangit,*

- (a) design and enable the education program to produce secondary school graduates fully proficient in the Inuit Language, in both its spoken and written forms;*
- (b) develop and implement appropriate Inuit Language competency targets necessary for the achievement of full proficiency*
 - (i) for all stages of learning within the education program, consistent with paragraph (a), and*
 - (ii) for an individual student support plan, consistent with the adjustments and supports provided for by the plan;*
- (c) develop and use measures of assessment, and maintain records concerning individual attainment and education program outcomes overall, in relation to the competency targets established under subparagraph (b)(i); and*
- (d) develop and provide*
 - (i) curriculum, classroom materials and programs in the Inuit Language required to implement this section, and*
 - (ii) the training, certification and professional development for educators and others, including Inuit Language training and upgrading, that are necessary to produce the number, type and quality of educators required to implement this section.*

The *Inuit Language Protection Act* also sets out important duties for the Minister with respect to **Early Childhood Education** which **The Education Act** ignores:

9. *To address the pre-school stage of learning, consistent with the significance of this developmental stage for language acquisition and revitalization, the Government of Nunavut shall promote early childhood Inuit Language development and learning involving children and their parents at the community level, and shall*

- (a) develop and provide early childhood education materials and programs in the Inuit Language;*
- (b) monitor the availability, use and outcomes of the materials and programs referred to in paragraph (a); and*
- (c) develop and implement licensing standards, training, certification and professional development for child day care operators and staff under the Child Day Care Act, or other early childhood education providers, that are required to implement this section.*

Section 25(2) of the *Education Act* requires the Minister to “support the Inuit Language”:

In administering this Act, the Minister shall ensure that the education program supports the use, development and the revitalization of the Inuit Language.

This is too vague to be useful in an Education Act. Education staff require more guidance and precision and the section should track the requirement set out in the *Inuit Language Protection Act*. Similarly section 25(6) dealing with learning materials should also track the *Inuit Language Protection Act*.

NTI recommendation:

That s. 25(2) be amended as follows:

In administering this Act, the Minister shall ensure that the education program is delivered primarily in the Inuit Language and is adequate to produce secondary school graduates fully proficient in the Inuit Language.

That s. 25(6) be amended as follows:

The Minister shall make available learning materials that are adequate enable the school program to produce graduates who are fully proficient in the Inuit language

The generally weaker treatment given to language in the *Education Act* than is the case in the *Inuit Language Protection Act* strongly suggests that the Department of Education is not as committed to the protection and promotion of the Inuit language as are Inuit themselves. During the community consultation, language and culture were together the most important issues of concern.

General Comment on Effective Dates

Section 28 of the *Education Act* provides the following effective dates for the phased implementation of bilingual education:

28. This Part applies with respect to kindergarten and grades 1 to 3 for the 2009 - 2010 school year

It should be noted that in most Nunavut communities Inuit language instruction had always been delivered in grades 1 to 3, so the commitment did not amount to much additional work in regard to implementation.

28. ...with respect to all other grades it shall be phased in, in accordance with the regulations, so that it applies to all grades by the 2019 - 2020 school year.

It should be noted that there was no implementation date set in the legislation with respect to early childhood and adult education materials and programs (section 17).

Considering the urgency of the Inuit language of instruction problem, NTI believes that these dates provided too leisurely a schedule or, in practice, no schedule at all.

More and more young people are English-only speakers, or speak a simplified version of Inuktitut. In some communities young parents are primarily raising their children in English and the language of children on the streets is primarily English. These are all signs of language shift and loss.

Research² concludes that current choices about language use at the personal, school, and societal levels will determine whether Inuit are able to reach and maintain stable bilingualism, or whether Inuktitut will decline significantly in favor of majority languages.

There is a real danger that the decline of the Inuit Language is close to becoming irreversible. In that case it will be rendered non-transferable, and relegated to language revitalization, as is now the case for Inuinnaqtun. Essentially, the Kitikmeot experience will be the experience throughout Nunavut unless the GN takes the serious steps that are needed as quickly as possible.

Making the Inuit language the language of work has been GN policy since Nunavut was founded but the government has done little to ensure that it happens. The *Education Act* is an example of that reluctance to act vigorously in defence of the language.

NTI believes that there should be annual benchmarks for Inuit Language education in order to make progress more readily measurable and achievable.

Role of the District Education Authority

Section 24(4) – Before making a decision under this section, including a confirmation or change under subsection (3), a district education authority shall consult with the community in accordance with the regulations.

The district education authority is the representative body for all matters relating to the *Education Act*. The members are all elected according to the regulations. It is inappropriate for the *Education Act* to instruct the district education authorities when the district education authorities should consult with their community.

NTI Recommendation: Delete S. 24(4)
--

PART 5 – Registration and attendance

Registration is compulsory (section 30(1)) as it is under the former *Education Act* (see section 34(1)). Under the former Act it was the Minister who enforces attendance. Under the *Education Act* it is the district education authority which has the responsibility but it can do nothing without the Minister's approval.

Key sections:

² *The future of Inuktitut in the face of majority languages: Bilingualism or language shift?* Shanley Allen, Applied Psycholinguistics (2007), 28: 515-536 Cambridge University Press

Section 37(1) requires the district education authority to develop a registration and attendance policy.

S. 37(3) states that the purposes of the policy are to **promote** the registration and attendance of children in the district.

S. 37(4) states that the policy shall set out **measures to promote** registration and attendance and to encourage parents in promoting regular and punctual attendance.

S. 37(5) states that **the policy must include provisions to deal with parents who do not register their children or whose children do not attend**. In addition the district education authority must provide programs, counselling, involve the elders, etc.

While it is the responsibility of the district education authority to develop and implement the policy, it must be done according to the Minister's regulations and instructions.

S. 37(6) Among other things **the policy must be developed pursuant to the directions of the regulations**.

S. 37(10) states that the **Commissioner in Executive Council may make regulations respecting the content** and process for developing and amending the policy.

The district education authority carries all the responsibility for the policy but the Minister has all the authority. Enforcement of school attendance is unpopular. The punitive aspects of the current registration and attendance policy were in the top three issues of concern expressed by parents in the community consultation.

In the *Education Act*, the Minister has transferred this difficult responsibility to the district education authority without the power to make the policy appropriate to the needs of their schools. The Minister reserves the right to tell them what must go into the policy. Thus, the Minister could tell the district education authorities to impose unpopular or ineffective policies aimed at improving attendance and, if the mandated policies do not improve attendance, the Minister can blame district education authority's for having failed to design and implement an adequate policy.

Attendance is an enormous problem to deal with. Truancy is a problem everywhere in Canada, but especially so in Nunavut. The district education authorities cannot possibly deal with it effectively unless they have the authority to take creative and flexible measures appropriate for their community. By taking on responsibilities without power the district education authorities will run the political risk of being seen as extensions of the bureaucracy in Iqaluit.

If the district education authorities are to take on this responsibility they should also have the power to control resources and the power to design the school program in a way that they believe is more appropriate and appealing to their children. The Act does not give them the power to do either.

NTI Recommendation: Delete subsections 37(6) and (10)

That the Act be revised to give the district education authorities or similar bodies representative of the communities the powers set out by the powers set down by the Supreme Court of Canada in the Mahé case (see page 11)

Traditional activities

One of the opportunities created by the development of a “made-in-Nunavut” Education Act is that learning and the activities on which will give expression to Inuit culture can be incorporated into the education program and given credit by the Act as being an integral part of the student’s learning and development. The *Education Act* fails to do this. While acknowledging that students may be absent from school because they are *participating in traditional activities on the land or in other learning experiences away from the community* (s. 34(3)(b)) and (c) or they happen to be *living at an outpost camp* (s.34(3)(g)) the Act does not recognize the value of such activities as being part of an Inuit students educational development nor does it provide for these learning experiences to be included and evaluated in the student’s assessment.

NTI Recommendation: A made-in-Nunavut *Education Act* must recognize the educational and developmental value of traditional activities on the land and include measures to evaluate these activities and incorporate them into a student’s final assessment

PART 6 – Inclusive Education

In April 2006, a presentation was given to the Education Act Steering Committee by the Department of Education, which described inclusive education as having a foundation in a belief:

- that all children and youth can learn and belong together;
- in a team approach to addressing students' needs;
- that education programs must be adapted and modified to provide a variety of learning opportunities;
- that there must be resources for materials and equipment, training, staffing and other services; and
- that there must be ongoing staff development in knowledge and skills related to meeting the diverse needs and abilities of students.

Thus, inclusive education means that **all students in a school, regardless of their strengths or weaknesses in any area, become part of the school community**. They are included in the feeling of belonging among other students, teachers, and support staff.

In general, most Canadian legislation includes the following measures:

- a) The right of all students to an education.

The *Education Act* recognizes this right in section 2(1)

- b) Recognition that certain students may have “special needs” which cannot be met in the mainstream classroom.

The *Education Act* does not recognize that students may have “special needs” but sets out a process in s. 43 for teachers to identify those students who, in the opinion of the teacher, may be entitled to adjustments or support.

- c) A definition of “special needs” (or similar terms) or a process for determining what they are.

There is no definition of “special needs” or any other similar term. The process commences with a teacher’s “opinion” (s. 43(2)) which is highly subjective and it will be made without any statutory guidance.

- d) A process for determining whether a student does have “special needs.”

The Act sets out a process (s. 43) for providing “adjustments or support,” but as in (c) the Act gives no guidance.

- e) A process for developing, usually in consultation with the parent, an individual education program (IEP) to meet those needs.

The Act sets out a process (s. 43) for developing in consultation with the parent, an “individual student support plan.”

- f) A process for the parent or school board to appeal either the determination of “special need” or the IEP.

The Act sets out a process for mediation (s. 49) and review by a Board appointed by the Minister (s. 51).

In contrast to the Inuit district education authorities, under s. 170, the *Commission scolaire francophone du Nunavut* is given all the powers of the Minister with respect to Inclusive Education and how it will work in their school. Thus, the Commission, unlike the Inuit district education authorities, can develop a less restrictive approach better suited to the needs of Francophone students.

Identifying and addressing students with special needs is a critical issue in Nunavut. According to Thomas Berger’s “*The Nunavut Project*” between 30 and 50 per cent of students suffer some degree of hearing impairment. Fetal Alcohol Syndrome and other conditions that affect the ability of a student to participate productively in the school program are largely undiagnosed, and thus the school system cannot provide support for students with such conditions. It is essential that the education system respond to these issues and not attempt to limit its responsibility for them. Lack of resources is an unacceptable excuse.

NTI Recommendation:

Add the following new sections to Part 2:

“*exceptional pupil*” means a pupil whose behavioural, communicational, intellectual, physical or multiple exceptionalities are such that he or she is considered to need placement in a special education program.

“*special education*” and “special education program” means, in respect of an exceptional pupil, an educational program that is based on and modified by the results of continuous assessment and evaluation and that includes a plan containing specific objectives and an outline of educational services that meets the needs of the exceptional pupil.

“*special education services*” means facilities and resources, including support personnel and equipment, necessary for developing and implementing a special education program.

Add the following new section to Part 6:

The Minister shall ensure that all exceptional children in Nunavut have available to them, in accordance with this Act and the regulations, appropriate special education programs and special education services without payment of fees by parents or guardians resident in Nunavut, and for these purposes the Minister shall,

- a) implement procedures for early and ongoing identification of the learning abilities and needs of pupils, and shall prescribe standards in accordance with which such procedures be implemented; and

b) define exceptionalities of pupils, and prescribe classes, groups or categories of exceptional pupils, and require schools to employ such definitions or use such prescriptions as established under this clause.

PART 7 – Student and parental participation

Student and parent responsibilities:

Part 7 places an unfair and unusual responsibility on the parents and students. An education statute should primarily be directing government and its employees and agents on their responsibilities. In general, including what purport to be obligations on citizens, but which have no legal consequences, is inappropriate in legislation and is better suited to policy.

In particular, the responsibilities related to Inuit Qaujimajatuqangit attempt to set students and parents up for blame if they fail to accomplish a learning task which the statute itself cannot define with precision.

Section 54(3)(d) requires:

In fulfilling their responsibilities, students shall learn about Inuit Qaujimajatuqangit and contribute to and support Inuit Qaujimajatuqangit in the school;

Nevertheless, the *Education Act* does not provide any useful explanation of what Inuit Qaujimajatuqangit is nor what measures or activities are suitable to enable students to learn about it and practice it.

NTI Recommendation: That the Act state with precision how this “responsibility” can be accomplished and provide specific measures and activities that will enable students to carry out this responsibility.

That all parental and student responsibilities having no legal consequence be deleted from the *Education Act*.

That section 54(3)(d) be amended as follows:

In fulfilling their responsibilities, the education staff ~~students~~ shall learn about Inuit Qaujimajatuqangit and contribute to and support Inuit Qaujimajatuqangit in the school;

Alternatively s. 54(3)(d) should be deleted.

Parent responsibilities:

Section 55(2)(f) also requires a parent:

...to support and encourage the student to learn about Inuit Qaujimajatuqangit and to contribute to and support Inuit Qaujimajatuqangit in the school.

Nevertheless, the *Education Act* does not provide any useful explanation of what Inuit Qaujimajatuqangit or what measures or activities are suitable to enable parents to support their children to learn what Inuit Qaujimajatuqangit is and how they can practice it.

NTI Recommendation: That the Act state with precision how this “responsibility” can be accomplished by parents and provide specific measures and activities that will enable parents to carry out this responsibility.

That section 55(2)(f) be amended as follows:

In fulfilling their responsibilities, the education staff ~~students~~ shall learn about Inuit Qaujimajatuqangit and contribute to and support Inuit Qaujimajatuqangit in the school;

Alternatively s. 55(2)(f) should be deleted.

Discipline

The Principal, an employee of the Minister, has the authority to suspend students (s. 62.) without reference to the district education authority.

Suspension is very unpopular with the communities (see the Community Consultation). In-school suspension is considered the most useful and appropriate in education systems elsewhere in North America and the United Kingdom but, in the *Education Act*, that option has been made dependent on the availability of staff, and space, etc. (s. 64) In practice these will be determined by the Principal. This is a matter of sufficient concern to the communities and parents (see Community Consultation) that resources should be provided to the schools to ensure *the availability of space and the availability of someone to supervise the student which would be consistent with the recommendations of the Education Act Steering Committee.*

NTI Recommendation: Section 64 should be amended to read:

64. A suspension shall be served in the school unless the ~~principal~~ district education authority decides, in accordance with any guidance on such a decision in the Inuuqatigiitsiarniq policy, that it is not practical for the suspension to be served in the school having regard to the safety of the student and others ~~the appropriateness of having the student in the school, the availability of space and the availability of someone to supervise the student.~~

S. 58(6), 59(6), and 61(6) – (Inuit Qaujimajatuqangit) should either be removed or specific activities or measures that will have the effect of remaking this section into one that actually does reflect Inuit culture and societal values should be added.

PART 8 – Assessment of students

Nunavut-wide assessments

The assessment of students and the maintenance of records are vital in providing students and parents with feedback on student progress and in evaluating the effectiveness of the school program.

The Minister’s duties with respect to assessment are weaker in the *Education Act* than in the *Inuit Language Protection Act*:

74. (1) The Minister shall establish and maintain a program of Nunavut-wide assessments to assess the literacy of students in each language of instruction and their numeracy skills.

The duty under the *Inuit Language Protection Act* is more specific:

S.8.2(c) develop and use measures of assessment, and maintain records concerning individual attainment and education program outcomes overall, in relation to the competency targets established under subparagraph (b)(i);

NTI Recommendation: That section 74(1) shall be amended as follows:

(a) The Minister shall establish and maintain a program of Nunavut-wide assessments to assess the written and oral proficiency of students in each language of instruction and their numeracy skills.

(b) In addition, the Minister shall maintain records concerning individual attainment and education program outcomes overall, in relation to the competency targets established under subparagraph 8(2)(b)(i) of the Inuit Language Protection Act;.

NTI asserts that it is essential that the district education authorities are fully informed about the progress of students in the school and the effectiveness of the school program. All local, regional, and Nunavut-wide assessments should be made immediately available to the district education authorities.

NTI Recommendation: That a new section 74(3) should be added as follows:

All assessments including local, regional, and Nunavut-wide should be made immediately available to the district education authorities.

Culturally appropriate assessments

The term “culturally appropriate” in s. 76 is vague and subjective and therefore will have no force and effect.

The Minister, district education authorities, principals and teachers shall ensure that assessments of students are culturally appropriate for Nunavut.

NTI Recommendation: “Culturally appropriate” should be defined with sufficient precision that it can be applied uniformly and consistently by all Principals of Nunavut schools.

PART 10 – Instructional hours and school calendars

Role of district education authorities, school calendar, etc.

While the district education authority has the responsibility for establishing the school calendar under the *Education Act* the Minister can over-ride it and require changes:

84(1) Before the beginning of each school year, a district education authority shall establish a school calendar for the school year for each of its schools.

(7) The district education authority shall immediately on establishing a school calendar forward a copy to the Minister.

(8) The Minister may require a district education authority to make such amendments to a school calendar as he or she considers necessary or advisable in order for it to be consistent with this Act and the regulations.

In as much as there should be Nunavut-wide standards, NTI believes that the Commissioner in Executive Council (s. 87(1)(a)) should make regulations prescribing the minimum number of instructional days, but it is the district education authority, and not the Minister, who should decide how those days are allocated in the calendar year.

NTI Recommendation: s. 84(7) and (8) should be deleted.

Amend 84(1) as follows:

Before the beginning of each school year, a district education authority shall establish a school calendar for the school year for each of its schools incorporating the number of instructional days prescribed in the regulations.

S. 84(3) – (Inuit Qaujimajatuqangit) should either be removed or specific activities or measures that will have the effect of remaking this section into one that actually does reflect Inuit culture and societal values should be added.

Holidays

Determining school holidays may be an issue of cultural significance. For example, there may be times in the year when the majority of the community are engaged in a pursuit such as clam-digging, whaling, etc. It may be appropriate for the convenience of the community and to accord significance to the traditional activity to declare specific times in the year school holidays. Nevertheless, because teachers are public servants schools must follow the holidays set out under the *Public Service Act*.

Section 86 Any day that under the Public Service Act is a holiday for that part of the public service that includes teachers is a holiday for schools.

NTI asserts that it is the community through the district education authority and not the teachers who should determine school holidays.

NTI Recommendation: s. 86 should be amended as follows:

Any day that under the Public Service Act is a holiday for that part of the public service that includes teachers is a holiday for schools. The district education authority, having regard to (s. 87(1)(a), (the number of instructional days), shall determine which days are holidays for the school.

and necessary changes made to this Act or the Public Service Act to ensure that this Act prevails over the PSA

S. 84(3) – (Inuit Qaujimajatuqangit) should either be removed or specific activities or measures that will have the effect of remaking this section into one that actually does reflect Inuit culture and societal values should be added.

Other authorities

Days lost for teachers' professional development or other in-school, professional activities during which students cannot attend, cause a significant disruption to parents and the communities. Decisions about when these days occur, when the schools are closed for inclement weather or health and safety, the development of school calendars, and decisions respecting the overall number of instructional hours should be the sole responsibility of the district school authority.

NTI Recommendation: NTI asserts that the following authorities allocated to the Commissioner in Executive Council under S. 87(1) should be devolved to the district education authorities:

(d) providing for time within the instructional hours that, in the discretion of the principal, is to be used for school improvement during which students are not required to attend and governing the use of that time;

(e) governing non-instructional school days in the school year, including the purposes for which the days are allocated as non-instructional school days and who must attend at the school on those days;

(f) governing the development of school calendars and their amendment and prescribing their format and content;

(g) prescribing matters that shall be considered in determining, for the purposes of subsection 85(2), whether an excessive number of instructional hours have been lost because of unplanned school closings; and

(h) respecting the closure of schools for reasons related to weather, health or safety and delegating the authority to close a school for any such reason to a district education authority or principal or to an appropriate public authority.

PART 11 – School staff

Who hires the teachers?

The employment of teachers and principals is one of the key determinants of local control of education because it is through that direct control that the parents and the communities can directly influence the school program in a way that reflects their values and culture. In almost every other jurisdiction in Canada teachers and principals are employees of the school boards.

Section 88 (1) of the *Education Act* confirms the teachers and principals as employees of the government. Only the Minister can hire and terminate the education staff.

Teachers, principals and vice-principals are members of the public service and, subject to subsection (2), the other members of the school staff are also members of the public service.

Placing teachers and principals in the public service will make it more difficult in the future for the people of Nunavut to get any form of local control. Teachers and principals in the Francophone board are also public servants. However, the Minister has very little control as the *Education Act* delegates the Minister's powers to the *Commission scolaire francophone du Nunavut*. Section 94(5) states that the Minister can only make offers of employment to their teachers on the recommendation of the *Commission scolaire francophone du Nunavut*. There is no similar restriction on the Minister for all other teachers.

Section 178 also gives the Minister's powers with respect to establishing the terms and conditions of employment of education staff to the *Commission scolaire francophone du Nunavut*. Accordingly, unlike the Inuit district education authorities, the *Commission scolaire francophone du Nunavut* has effective control of its education staff.

The *Commission scolaire francophone du Nunavut* sought control of their teachers and principals because they understand how vital that control is to ensuring the French language and culture are taught in their schools as they believe they should be taught.

NTI Recommendation: It is inappropriate that the *Education Act* creates two systems of education for Nunavut- one system for *Commission scolaire francophone du Nunavut* and another for everyone else. The *Education Act* must be amended to give the powers that are accorded to the *Commission scolaire francophone du Nunavut* and its Director General over the employment and termination of education staff to all district education authorities

Orientation

Section 96 provides for orientation programs for teachers and that these should comply with Inuit Qaujimajatuqangit. As Inuit Qaujimajatuqangit is not defined and is too abstract a concept the Minister should provide adequate resources to the district education

authorities work under their guidance to develop suitable orientation programs for teachers.

Non-Inuit teachers must be given a more complete and helpful orientation delivered from the community perspective. A Nunavut Sivuniksavut paper called *Recommendations on Issues Raised for Public Consultations for the proposed Nunavut Education Act* calls for an improved approach that focuses more on community integration through interaction between teachers and a wide range of community members— not only elders, but also people who are active hunters, sewers, people who know how to throat sing, make tools, or just simply parents and residents of communities. In supporting these activities, non-Inuit teachers would become more integrated into the Inuit communities, which would benefit everyone.

NTI Recommendation:

S. 96(2) – (Inuit Qaujimajatuqangit), respecting orientation programs for teachers, should be either removed or specific activities or measures that will have the effect of remaking this section into one that actually does reflect Inuit culture and societal values should be added.

The Minister should provide the resources and work under the guidance of the district education authorities to develop suitable orientation programs for teachers.

Appointments and re-appointments

Principals and Vice-principals are appointed by the Minister for a three year term. Their appointment and re-appointment is made on the recommendation of a panel appointed by the district education authority.

Section 107(1) An appointment or reappointment of a principal or vice-principal may only be made on the recommendation of a panel appointed by the district education authority that has jurisdiction over the principal or vice-principal.

The Minister may reject the recommendation of the district education authority or make an appointment without a recommendation if the district education authority has failed to follow the directions of the Minister.

(2) The Minister may reject a recommendation under subsection (1) and he or she may act without such a recommendation if the panel has failed to act in accordance with this Act, the Public Service Act, the applicable regulations under either Act or the directions of the Minister.

The presence of a department employee on the panel is designed to ensure that the panel follows the Minister's directions.

(3) A panel appointed for the purposes of subsection (1) shall consist of (a) an employee of the department appointed by the Minister; and (b) such other persons as the district education authority may appoint.

In spite of the district education authority panel recommendation, subsections 107(2) and (3) give the Minister effective control over the appointment of principals and vice-principals.

Only the Minister can dismiss the Principals, Vice Principals, and teachers

108. (1) Subject to subsection (2), a principal or vice-principal may be dismissed without cause during the two-year period after he or she has taken up the duties of his or her position.

Section (3) says only the Minister can dismiss, on the recommendation of the district education authority. But under 108(5) that recommendation must conform to the Minister's directions.

The Minister can ignore the district education authorities

Section 108(7) allows the Minister to dismiss without a recommendation from the district education authority.

As with appointments the Minister has effective control over dismissals.

NTI Recommendation: Amend s. 107(2) as follows:

The Minister may reject a recommendation under subsection (1) and he or she may act without such a recommendation if the panel has failed to act in accordance with this Act, the Public Service Act, the applicable regulations under either Act ~~or the directions of the Minister.~~

S. 107(3) Delete

Amend s.108(5) as follows:

The Minister shall act on a recommendation of the district education authority under subsection (3) if the district education authority has acted in accordance with the applicable law ~~and the directions of the Minister.~~

S.108(7) Delete

As elsewhere stated the requirement to ensure that the principal's duties are carried out in accordance with Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit (s. 114(2)) can best be achieved by making the principal answerable to the district education authority.

It is vital for the district education authority to have a directing role over the vice-principal and principal evaluations in order to have effective influence over the school program.

NTI Recommendation:

S. 114(2) – (Inuit Qaujimajatuqangit), respecting the duties of a principal, should either be removed or specific activities or measures that will have the effect of remaking this section into one that actually does reflect Inuit culture and societal values should be added.

Amend s. 115 to ensure the district education authority has the sole responsibility to enforce compliance.

Amend s.117(1) as follows:

The Minister shall ensure that the overall performance of a principal and vice principal is appraised by an employee of the department under the direction of the district education authority at least once in each school year during the period in which the principal or vice-principal may be dismissed under section 108 and in the final year of the contract of the principal or vice-principal.

S. 117(2) Delete – ~~The Minister shall ensure that each appraisal under subsection (1) incorporates an assessment by the district education authority which the district education authority shall make in accordance with the directions of the Minister.~~

Amend s. 118(1) as follows:

If a district education authority is of the opinion that disciplinary action against a principal or vice-principal may be warranted, ~~it may bring the matter to the attention of the Minister~~ shall act on the recommendation of the district education authority.

PART 12 – Administration

Nunavut Land Claims Agreement

In Section 121, the *Education Act* acknowledges the Nunavut Land Claims Agreement but does not go far enough.

In carrying out the Minister's responsibilities under this Act, the Minister shall comply with the Nunavut Land Claims Agreement and in particular with the obligation under section 32.2.1 of Article 32 of that agreement:

- (a) to provide Inuit with an opportunity to participate in the development of social and cultural policies and in the design of social and cultural programs and services, including their method of delivery; and*
- (b) to endeavour to reflect Inuit goals and objectives where the Government of Nunavut puts in place such social and cultural policies, programs and services.*

Article 23 should receive a special commitment, particularly, as the Act makes a point of making teachers public servants in section 88(1). Teachers are critical to placing Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit at the heart of the education system and to the achievement of a bilingual system of instruction. It is essential that achieving the objective of Article 23 in the education system should be foremost of all the objectives of the *Education Act*.

The Act should also take special note of the obligation under Article 2.1.1 – *to encourage self-reliance and the cultural and social well-being of Inuit*.

NTI Recommendation: *Section 121 must be amended as follows:*

121. In carrying out the Minister's responsibilities under this Act, the Minister shall comply with the Nunavut Land Claims Agreement and in particular with:

- (a) the obligation under section 23.2.1 to increase Inuit participation in government employment in the Nunavut Settlement Area to a representative level: and*
- (b) the obligation under section 23.2.2 of the agreement:*
 - (i) In pursuit of this objective, Government and the DIO shall cooperate in the development and implementation of employment and training as set out in Article 23 and section 32.2.1 of the agreement:*

- (i) to provide Inuit with an opportunity to participate in the development of social and cultural policies and in the design of social and cultural programs and services, including their method of delivery; and*
- (ii) to endeavour to reflect Inuit goals and objectives where the Government of Nunavut puts in place such social and cultural policies, programs and services.*

Quality of education program

Section 122(1) The Minister shall use his or her powers under this Act to ensure that the

education program is of the highest quality possible.

This is a redundant statement as it is already implied in the role of the Minister, as with any Minister of government, all ministers have a public duty to do the best job possible. Nevertheless, NTI is concerned about the limitations implied by the term “possible” and seeks clarification from the Minister.

As noted above in the section on the Recitals, the term “highest quality” is abstract and meaningless in the context of a statute. There are no accepted measures of “highest quality.” Statements of this sort do not appear in the Education Acts of other jurisdictions. Other Acts typically set out the duty of the minister as follows, for example, in the Ontario *Education Act*:

Section 170(6): provide instruction and adequate accommodation during each school year for the pupils who have a right to attend a school under the jurisdiction of the board

(6.1) operate kindergartens;

It should be noted that the *Commission scolaire francophone du Nunavut*, which has control of the Francophone education system is responsible under section 163 for the provision of public education in the French language for the children of rights holders in Nunavut. Again, it is implied that the Commission will provide the best possible education. It is unnecessary to say it.

NTI Recommendation: That section 122(1) be more specific and that the standard expected of the Minister be such as is consistent with standards and practices elsewhere in Canada

Student to educator ratio

The most important factor in the administration of the school system is the student/teacher ratio because it determines how resources will be allocated. The person or body which sets the ratio is the person or body which has real control over the system. It is NTI's position that the parents and communities must have the ability to allocate resources to their schools and within their schools.

The *Education Act* gives the Minister absolute power to determine the allocation of resources to all schools:

Section 123(1) The Minister shall ensure that the student-educator ratio for each education district for a school year is lower than the most recently published national student educator ratio.

This is an important ratio because it determines the size of classes. In practice, because the salaries of the education staff are more than 80 per cent of the department of Education's budget the Minister can, by manipulating the ratio, disguise the shift of resources from the classroom into other areas. The effective of that is to increase the pressure on the classroom teacher and this leads directly to high teacher turnover.

Section 123(2) of the *Education Act* defines the ratio as:

For the purposes of subsection (1), "most recently published national student educator ratio" means,

- (a) the national student-educator ratio as set out in the report of the Pan-Canadian Education Indicators Program most recently published before the beginning of the school year; or*
- (b) such ratio as may be prescribed by the regulations.*

This section means that in calculating the ratio the Minister can make a regulation saying that it is whatever the Minister wants it to be.

In Section 123(3) of the *Education Act* the ratio will be calculated as follows:

For the purposes of subsection (1), the student-educator ratio for an education district shall be calculated as of the first instructional day of the school year using the same methodology as was used to determine the student-educator ratio to which it is being compared except that instead of actual student enrolment an estimate, determined by the Minister as of April 1 preceding the school year, shall be used.

This section allows the Minister to ignore the actual student enrolment and use "estimates."

The ratio, as set out in the *Education Act* is a worthless piece of information because it does not define what is an "educator." Does it include the principal, the vice-principal, the librarian (if there is one), the counsellor, teachers aide, etc, or is it only a class room teacher?

In order for the public to be informed about how resources are being applied in the education system and to make the system of financing responsive to actual student numbers the formula must be based on actual enrolments.

NTI Recommendation:

1. Define "educator"
2. Amend section 123(1) as follows:
The Minister shall ensure, in consultation with the district education authorities, that the student-educator ratio for each education district for a school year is lower than the most recently published national student educator ratio
2. Amend section 123(2) as follows:

For the purposes of subsection (1), "most recently published national student educator ratio" means,

- (a) the national student-educator ratio as set out in the report of the Pan-Canadian Education Indicators Program most recently published before the beginning of the school year; or*
- ~~(b) such ratio as may be prescribed by the regulations.~~*

3. Amend section 123(3) as follows:

For the purposes of subsection (1), the student-educator ratio for an education district shall be calculated as of the first instructional day of the school year using the same methodology as was used to determine the student-educator ratio to which it is being compared ~~except that instead of actual student enrolment an estimate, determined by the Minister as of April 1 preceeding the school year, shall be used.~~

Duties of the District Education Authorities

Section 138(1) sets out additional duties of the district education authorities as follows:

The Commissioner in Executive Council may make regulations

- (a) assigning additional duties and responsibilities to a district education authority;*
- (b) governing the carrying out of the duties and responsibilities referred to in paragraph (a); and*
- (c) removing any additional duties or responsibilities imposed under paragraph (a).*

NTI asserts that the Minister should provide for the training to support the duties of the district education authorities and not merely assign additional duties.

Section 149 – Structured dialogues

According to the *Education Act* all communications between the Minister and district education authorities respecting decisions of the Minister must be by way of a “structured dialogue.”

Section 149(2) A district education authority may request a structured dialogue with the Minister in respect of (a) any decision of the Minister that affects the district education authority or any of the schools under its jurisdiction;

The “dialogue” cannot take place until after the Minister has made the decision.

(7) The right to request a structured dialogue arises only after the Minister has made the decision or given the direction.

In practice, it is extremely difficult to change a Minister’s decision because it represents a position of the bureaucracy and is not merely the position of one person. Accordingly, a change of decision would require several levels of bureaucracy to accept the change and there would be great resistance.

It is NTI's position that a "dialogue" after the Minister has issued a decision is not a dialogue and this section of the *Education Act* fails to comply with GN's own guiding principle "aajiiqatigiinaq": decision making through discussion and consensus.

Further, the concept of a "structured dialogue" is a violation of Article 32 of the Nunavut Land Claims Agreement which requires the government to:

- 32.2.1 *Government obligations under Section 32.1.1 shall be fulfilled by Government:*
- (a) *providing Inuit with an opportunity to participate in the development of social and cultural policies, and in the design of social and cultural programs and services, including their method of delivery, in the Nunavut Settlement Area;*

A "structured dialogue" after a decision has been taken fall far short of s. 32.2.1(a). NTI would also refer the committee to the GN Department of Justice explanation of the meaning of "participation" in this section³.

NTI Recommendation:

In consultation with NTI write a new section 149 which will bring the formal relationship between the Minister and the district education authorities into compliance with Article 32 of the Nunavut Land Claims Agreement

³ "participation" is a higher level of involvement than "consultation." See presentation to the Nunavut Implementation Contract Working Group by Doug Wallace, Director, Legal and Constitutional Law, Department of Justice, Government of Nunavut, Iqaluit (February 2002)

PART 15 – DEA Coalition

NTI notes the complete absence of Divisional Boards of Education in the *Education Act* despite multiple resolutions from the NTI Board of Directors calling for the return of divisional boards and near unanimous support for the return of an adequate replacement by the Education Act Steering Committee members.

Abolishing the Boards in 2000 cut off an effective method by which parents and the community exercised influence over the schools and the decision has created problems which are unique to Nunavut, and NTI hopes the *Education Act* review can rectify this problem.

NTI Recommendation: Part 15 should be deleted and the Government of Nunavut should meet with all stakeholders, including the DEA Coalition to create adequate provisions in the *Education Act* to replace the abolished Divisional Boards of Education.

CULTURE

In the *Education Act* the only clause actually prescribing cultural programming deals with French language in section 102:

180. Teachers, including principals and vice-principals, in schools or classrooms under the jurisdiction of the Commission scolaire francophone shall promote fluency in the French language and knowledge of Francophone culture.

Accordingly, the *Education Act* is weaker than the previous *Education Act* with respect to protecting and promoting Inuit culture.

NTI Recommendation: Any revised *Education Act* must contain at least the same measures to promote and protect Inuit language and culture as the Act provides for the French language and culture.

CONCLUSION

There are two fundamental issues at the heart of a solution to the problems associated with Nunavut's education system. These are, first, changing the schools so that they incorporate Inuit culture and societal values into the education of Nunavut's children and into the method of learning, as required by Article 32 of the Nunavut Land Claims Agreement. Second, and absolutely connected to the first, ensuring that all students receive a fully bilingual education. In his report, *The Nunavut Project*, Thomas Berger identified the Inuit language and culture as the critical issues in Nunavut's education. In addition, language and culture were together the single most important issues of concern to the parents and communities during the Community Consultation conducted for the revision of the former *Education Act*.

In spite of this, the principal effect of the *Education Act*, and the only major change from the former *Education Act*, is to place significant responsibilities on the district education authorities. However, the Act does not provide the district education authorities with the power or authority to decide for themselves the best way to exercise those responsibilities. They will be seen to be the 'servants' or 'tools' of the Department of Education.

Other than repeating a meaningless and unenforceable sentence requiring that the school program (or whatever is the applicable activity) is founded on Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit and respect for Inuit cultural identity, the Act is silent about Inuit culture and it makes no meaningful commitments on language.

For more than 40 years it has been the position of the federal government, every provincial government, and the Northwest Territories government that local control of education by the communities is an essential element in reforming Aboriginal education. NTI has referred in numerous Report on the State of Inuit Society and Culture documents to the numerous government, academic, and professional studies that have been released since the 1960s which have made this point. The Steering Committee on the Education Act was made aware of those studies in detail in the summer of 2006. Recognizing this overwhelming body of opinion, DIAND devolved control of all of its schools to the Aboriginal people and today the graduation rate of aboriginal schools in Canada is 54% compared to Nunavut's 25% (2001 Census)

It is the position of NTI that the district education authority (or some other form of local authority) and not the Minister, which should control the school program. The Minister's role should generally be confined to certification of teachers, establishing curriculum guidelines and ensuring Nunavut-wide standards, allocating block funding to the district education authorities, exercising arms-length supervision over the district education authorities, and providing intellectual and administrative support.

It is also NTI's position that the Government of Nunavut must make a strong and credible commitment to achieve a bilingual system of education for all students. Nothing in the

Education Act gives NTI any assurance that a bilingual system of education will be in place in Nunavut's schools within a measureable period of time. NTI is also concerned that the commitment to the Inuit language in the *Education Act* falls short of the commitment set out in the *Official Languages Act* and the *Inuit Language Protection Act*.



Nunavut Teachers' Association

2738 Abe Okpik Cres

Iqaluit, NU

867 979 0750

www.ntanu.ca

Nunavut Teachers' Association Submission Government of Nunavut Education Act Review

Table of Contents

<u>FORMAT FOR THIS REPORT</u>	2
<u>NTA STRATEGIC PLAN ITEM 1</u>	4
<u>STUDENT TO EDUCATOR RATIO AND INCLUSION: CLASS SIZE AND COMPOSITION ISSUES</u>	5
<u>DECISION MAKING REGARDING STUDENT PROMOTION</u>	8
<u>BILINGUAL EDUCATION TARGETS</u>	9
<u>DISCIPLINARY MATTERS: "IN SCHOOL" SUSPENSIONS</u>	11
<u>NTA STRATEGIC PLAN ITEM 2</u>	12
<u>PROFESSIONAL DEVELOPMENT: IN-SERVICE AS AN ESSENTIAL PIECE OF THE PUZZLE</u>	13
<u>NTA STRATEGIC PLAN ITEMS 3 AND 4</u>	14
<u>DEFINING SCHOOL STAFF</u>	15
<u>ADMINISTRATION - DISTRICT EDUCATION AUTHORITY RELATIONSHIP</u>	17
<u>EDUCATION STAFF - DISTRICT EDUCATION AUTHORITY RELATIONSHIP</u>	20
<u>NTA STRATEGIC PLAN ITEM 5</u>	23
<u>TEACHER TRAINEE PLACEMENTS</u>	24
<u>TEACHER CERTIFICATION</u>	25
<u>TEACHER CERTIFICATION - SUBSTITUTE TEACHERS</u>	26
<u>NTA STRATEGIC PLAN ITEM 6</u>	27
<u>ISSUES OF CONSISTENCY: STUDENT RECORDS AND SCHOOL START AND END DATES</u>	28
<u>CONCLUSION</u>	30

Format for this Report

According to the NTA Act, the objectives of the Nunavut Teachers' Association (NTA) are as follows:

- A) to promote and advance the cause of education, particularly in Nunavut;
- B) to promote high ethical standards in the teaching profession;
- C) to promote the continuing education, training, skill and proficiency of its members;
- D) to encourage the entry of residents of Nunavut into the teaching profession;
- E) to advise, assist, govern and discipline its members;
- F) to unite the members of the Association for their mutual improvement, socially, mentally and physically and for their protection and common and individual welfare;
- G) and to enter into collective bargaining negotiations for the purpose of concluding collective agreements with the employers of its members.

This submission for the review of the Education Act will focus on these 7 objectives of the Nunavut Teachers' Association, in conjunction with 6 areas of NTA responsibility as outlined by NTA Members in the NTA Strategic plan;

- 1. To provide membership protection and support*
- 2. To provide relevant, student centered, teacher – driven Professional Development*
- 3. To represent the membership with affiliates, the employer, and the public*
- 4. To promote solidarity with an informed, active membership within the Association*
- 5. To promote teacher orientation, mentorship and retention*
- 6. To negotiate and safeguard the NTA – GN Collective Agreement*

The items in our submission are organized under sub headings that correlate to the items in our strategic plan, which has been directed by input from teachers across Nunavut.

It should be noted that in some places in this submission, we have chosen to raise issues that teachers have identified as problematic. We have not offered specific suggestions on new language for all of these issues, but have offered suggestions for what NTA feels should be the intent of these changes or additions to a new or revised Nunavut Education Act.

Much of the research on what our members want cited in this submission has come from responses to a survey carried out in the spring of 2014 by the NTA in cooperation with the Canadian Teachers' Federation (CTF).

The top five areas in which NTA members surveyed cited that they need more support to carry out their responsibilities as educators were;

- Increasing time available for planning and preparation,
- Improving support for children with special educational needs,
- Increasing and improving resources,
- Improving support for ESL/ FSL students and programs, and
- Increasing support from school administration.

These survey results echo the issues raised by our membership in conversations we continue to have on an ongoing basis. It is with these concerns in mind that we present our submission for the 2014 – 15 review of the Nunavut Education Act.

NTA Strategic Plan Item 1

“To provide membership protection and support.”

Under this item, our members have asked us to provide guidance and protection for them on many issues, including teacher rights and responsibilities.

NTA believes that the following sections of the Nunavut Education Act have a pivotal role to play in the ability of our members to provide the best possible education to their students. This section of our submission centers on issues surrounding teachers in their everyday work with students in classrooms.

As we all know, the working conditions of teachers are the learning conditions of students. The learning environment of students plays a pivotal role in how welcome, successful and supported they feel in school and in classrooms.

Teachers, as front line education professionals, need to be given the trust and responsibility of delivering educational opportunities to students. They need to be given precise and consistent support, direction, tools, and input into educational decision-making. With this, teachers will be able to use their professional skills to enhance the learning experiences of Nunavut students, and assist their students in achieving educational goals. As the education staff in most contact with students, NTA believes our members should be among the foremost sources of information when it comes to making educational decisions affecting the school lives of their students.

Student to Educator Ratio and Inclusion: Class Size and Composition Issues

In a recent study done by the Canadian Teachers' Federation on the work – life balance of teachers, carried out in the spring of 2014, 93.1% of Nunavut teachers surveyed identified that their class composition contributes significantly, or somewhat to their stress level. In that survey, 48.3% of Nunavut teachers surveyed identified large class sizes as a stressful aspect of their work. From that, one could conclude that class composition does seem to be a deciding factor in the work environment of teachers, which as we know, is the learning environment for students.

41.3% of Nunavut teachers surveyed estimated that 30% or more of students in the classes they taught last year had individualized education programs. Nationally, Only 16.5% of Canadian teachers (including Nunavut teachers) surveyed identified their classes as having 30% or more of their students with individualized education programs.

Further, 70.7% of Nunavut teachers surveyed identified the development and implementation of Individualized Education Programs (IEPs) as somewhat or significantly contributing to their work stress. 93.1% of Nunavut teachers surveyed identified program adaptations or modifications for students who do not necessarily require, or have not been identified as needing an IEP to be a stress factor in their work life. Section 41 of the Nunavut Education Act references that adjustments and support provided to students should be reasonable and practical. This type of language is not included in the section of the Education Act that discusses Student – Educator ratio. 89.7% of Nunavut educators surveyed cited Classroom composition, specifically individualized education programs, somewhat or significantly contributed to their feelings of stress about their jobs.

NTA believes that the adjustments and supports each student requires in order to meet the appropriate curriculum outcomes (ie., class composition) should be a deciding factor in class size. If it is reasonable and practical to consider the needs of all students when deciding on individual adjustments and supports, does it not follow then that it would be reasonable and practical to consider the average required individual adjustments and supports when deciding on an appropriate student – educator or student – teacher ratio?

Inclusive education 41.

(1) A student who requires adjustments to the education program or support to meet his or her learning needs or to achieve appropriate curriculum outcomes is entitled to such adjustments and support.

Entitlement to what is reasonable and practical

(2) The adjustments and support that a specific student is entitled to under subsection (1) are those adjustments and support that are reasonable and practical.

Determination of what is reasonable and practical

(3) In determining what is reasonable and practical for the purposes of subsection (2), regard shall be had to the appropriateness of the adjustments or support and the educational needs of other students, including others who are entitled to adjustments and support under subsection (1).

NTA has had recent communication from members, parents, and members of District Education Authorities. We are confident that if these same CTF survey questions were to be asked in this current school year, class composition and size issues would be even less favorable for our students.

Currently, the manner in which the introduction of the Literacy Coach position was done in most schools is a contributing factor to teacher stress related to class composition and class size. The current Nunavut Education Act and regulations do not account for the introduction of this most often non-teaching position in our schools. In many schools, teachers were partially or fully removed from classroom teaching duties in order to carry out the new role of school Literacy Coach. These schools did not receive extra classroom staff allocated to counteract the effect that removal had on overall class size and composition in each school.

Nunavut communities largely do not suffer from declining enrollment. So, though there are fewer classroom teachers in these schools since last year, there are the same or more numbers of students. The remaining classroom teachers are left to pick up the workload the departure of those identified as Literacy/ Learning Coaches left in their absence from classroom teaching duties.

It is in this context that the NTA must express our deep concern with the manner in which student-educator ratios are calculated and carried out currently in Nunavut's Education Act;

Student to educator ratio

123. (1) The Minister shall ensure that the student-educator ratio for each education district for a school year is lower than the most recently published national student-educator ratio.

Definition

(2) For the purposes of subsection (1), "most recently published national student-educator ratio" means

7. (a) the national student-educator ratio as set out in the report of the Pan-Canadian Education Indicators Program most recently published before the beginning of the school year; or

8. (b) such ratio as may be prescribed by the regulations.

Calculation

(3) For the purposes of subsection (1), the student-educator ratio for an education district shall be calculated as of the first instructional day of the school year using the same methodology as was used to determine the student-educator ratio to which it is being compared except that instead of actual student enrolment an estimate, determined by the Minister as of April 1 preceding the school year, shall be used.

Consistent terminology (3.1) For the purposes of subsection (1), "student" and "educator" have the same meaning as was used to determine the student-educator ratio to which the student-educator ratio of an education district is being compared.

This ratio is confusing – it does not consider how the educator/ teacher is deployed. It does not consider the additional supports many Nunavut students need in their classrooms. **It does not tell anyone what the student teacher ratio in Nunavut classrooms is expected to be, or should be. It does not even tell us what the student educator ratio for a singular school should be, unless the school is the only school in their district.**

The Student Educator ratio as published by the Pan Canadian Education Indicators Program distinguishes between student educator ratio, and student teacher ratio. They define an "educator" as teachers and non-teaching staff (personnel outside of the classroom, such as principals, counselors and specialists). There are members of education staff, therefore, included in the "educator" ratios that are not assigned classroom duties. Administrators, SSTs, and Learning/ Literacy Coaches in many Nunavut schools are not teaching in classrooms for the majority of the school day. They are carrying out other duties as prescribed, and as needed in the school.

Following the act as currently written, Student- Educator ratios in Nunavut are calculated per school district, instead of per school, or per classroom, and take no consideration of class composition factors. In the opinion of the NTA, this makes these highly publicized, oft-touted Student-Educator ratio numbers irrelevant and ineffective. Following this formula does not ensure that teachers and students have the safest, most effective, efficient learning environments that the Department of Education could provide.

Decision Making Regarding Student Promotion

Sections 15 and 168 (6) of the Nunavut Education Act call into question the role of the professional classroom teacher in making decisions regarding student promotion.

Promotion decisions

15. The school team, in accordance with the directions of the Minister, is responsible for determining the promotion of students.

Promotion decisions

(6) Directions under section 15 shall, in respect of school teams under the jurisdiction of the *Commission scolaire francophone*, be given to the *Commission* and not directly to the school teams.

NTA believes that there should be a defined role for classroom teachers in decision-making regarding student promotion. Indeed, recent statements in the Legislative Assembly made by the Minister of Education would lead one to believe that he also expects that education staff to play an important role in the determination of which students at the end of the year will be promoted, retained, placed on a continuous growth plan, or accelerated. Decisions regarding student promotion, retention, or acceleration should be made with the academic, social and emotional needs of the student in mind. What is best for the student should be the top priority of everyone involved in such decision-making, including those that set forth the regulations and directions by which these decisions are to be made in schools.

Currently, in most Nunavut schools, this type of decision-making is delegated to the School Team. We believe that in some schools, School Teams, as defined in section 90 of the Act, have not been established and meeting on a regular basis. In schools that have established the School Team, those school teams are required in the Act to consult with classroom teachers when making decisions about inclusive education supports for students (Section 43(7)).

In Section 75 (2) of the Education Act, teachers have the responsibility to assess the progress of their students, and inform the students and parents of the progress, attendance and behavior of the student, and advise them of what the student must do to advance in the education program. Following that, NTA questions why, at the end of the school year, when it is time to assess whether or not a student should be promoted, retained or accelerated, arguably one of the most important decisions of each school year for a student, why there is no requirement set for the School Team to consult with the classroom teacher(s) in their decision making process.

Further, when it comes to school(s) under the jurisdiction of the *Commission scolaire francophone du Nunavut* (CSFN), this decision making process is not delegated to the School Team, but to the Commission, potentially removing the decision making even further from the classroom teacher, who, in our opinion, is the most knowledgeable individual on a particular student's progress, as they have had the responsibility of monitoring and reporting on that student's progress all year.

This crucial decision-making should be done through a consultative process that by design includes the classroom teacher(s), and is consistent throughout the territory.

Bilingual Education Targets

The Nunavut Teachers' Association, like all other stakeholders in the Nunavut education system, is aware that problems exist within our system. We are also aware that some of the goals and deadlines set, and amended in the Education Act are not likely to be met as they are currently written. NTA does not propose to hold all the answers for meeting these targets, or how to create all the change necessary is the system in order to improve. We believe our membership has a vital role to play in the system, and can be an important partner in the improvement of the system. We also believe that our members often feel Department or Legislative goals are set, and that they, as front line staff, bear the brunt of trying to make these goals happen.

Section 23 of the Nunavut Education Act sets the goal of having all Nunavut students receive a bilingual education. NTA has in the past, and will continue to support this goal, through various initiatives. Despite our shared goal of Nunavut's education system being fully bilingual, we would be doing a disservice to our members if we were not to take issue with the 2020 deadline in Section 28 of the Nunavut Education Act.

Phased implementation

28. This Part applies with respect to kindergarten and grades 1 to 3 for the 2009-2010 school year and with respect to all other grades it shall be phased in, in accordance with the regulations, so that it applies to all grades by the 2019-2020 school year.

What we would like to reinforce is that teachers, if given appropriate curriculum goals, resources, support, time, and safe spaces to teach their students, can create tremendous positive change in the system. Teachers are the primary means of delivering bilingual education to Nunavut students. Without qualified, professional, dedicated teachers, this goal will not be met.

Currently, the teaching staff in Nunavut schools are not equipped with the language skills, curriculum outcomes, nor the curriculum support resources required to meet these system wide goals by any deadline. In the CTF Work Life Report referenced earlier, 72.4% of Nunavut educators surveyed stated that Continuous change in curriculum direction either somewhat or significantly contributes to the stress they feel in relation to their jobs. 93.1% of Nunavut educators surveyed stated that insufficient human and material resources to support the curriculum somewhat or significantly contributes to the stress they feel at work.

Arguably, a review of all approved Nunavut teaching resources, curriculum, and guides would reveal a severe lack of resources and documents ready to use in the early grades in the Inuit Languages. These supports and teaching tools should be of primary importance to a system which purports to be working toward a goal of bilingual education, with the Inuit Languages having top priority, and either English or French as the second language. It is our locally trained, Inuit educators who are most often told to find resources on their own, or create them. It is these teachers who are so often given documents or resources in a language other than the one they are instructed to teach in, and are expected to act as translators/ interpreters in their classrooms, and sometimes for other staff members at school as well. This is on top of the time they spend planning, assessing, teaching, and reporting on the progress of their students.

NTA would like to suggest that rather than an external review of some of these barrier issues to bilingual education, perhaps there could be consideration made or entrenched in the Nunavut Education Act, or its regulations, for a review process for goals such as these that formally includes input from Nunavut educators. It would need to be carried out in a manner that would not preclude them from giving honest, open feedback for fear of repercussions related to the status of their employment.

To review, with respect to the bilingual education goal, and the timeline associated with it, NTA is of the opinion that all education staff, but especially those charged with delivering these bilingual programs, need to be an integral part of setting, reviewing, and implementing these goals. Further, if these goals are to be set out in the Nunavut Education Act or regulations, the tools necessary to achieve these goals must also be recognized in the Legislation or regulations.

Disciplinary Matters: “In School” Suspensions

NTA has concern with the language in respect to decision making regarding the suitability of “in school” versus out of school suspensions.

In school suspension

64. A suspension shall be served in the school unless the principal decides, in accordance with any guidance on such a decision in the Inuuqatigiitsiarniq policy, that it is not practical for the suspension to be served in the school having regard to the safety of the student and others, the appropriateness of having the student in the school, the availability of space and the availability of someone to supervise the student.

Due to the fact that the above section of the Nunavut Education Act creates “in school” suspensions as the default method for student suspensions, NTA must raise a capacity issue with the latter part of section 64.

When deciding whether the school has the necessary availability of space or someone to supervise the student on an “in school” suspension, NTA has concerns.

In first addressing the space issue, we would question that the type of space, and not just the availability of space should be considered when making these decisions. A student on an in school suspension, for example, serving that suspension in a staff room, or a staff work room, could be privy to conversations or information that he or she should not have access to. Likewise, if a student is to serve an in school suspension in an office where support staff or guidance or school community counselors may be working, the issue of confidentiality must be considered.

With respect to the availability of supervision for the student, we question whether the student serving an in school suspension would be taking the valuable resource of staff time away from the other students. Staff members are already using their time and skills to provide work for the suspended student, so the student does not fall behind on schoolwork. To charge them with supervising the student further directs their attention away from the other students under their charge. In the teacher work-life balance survey carried out by the Canadian Teachers’ Federation, 82.7% of Nunavut educators surveyed cited constant interruptions to teaching by students to be a source of stress for them.

There also needs to be the question of suitability of the staff member(s) assigned to supervise the “in school” suspension. School staff members that are not education staff members are arguably not qualified to supervise students. NTA also questions the safety of having possibly one staff member and one student in a room alone while the student is serving an “in school” suspension.

In short, NTA would like to see legislated circumstances that prohibit decision makers from overtaxing staff with the responsibility of caring for students who are serving “in school” suspensions, presumably because of some action or behavior on the part of the student that makes it necessary for them not to be included in their classroom for a period of time.

NTA Strategic Plan Item 2

“To provide relevant, student centered, teacher – driven Professional Development.”

NTA members value their PD Fund, and the opportunities for growth it affords them. The NTA provides many opportunities for teacher choice in their Professional Development opportunities. NTA also takes steps every year to inform our membership of the differences between their Professional Development programs offered by our PD Fund, and in-service opportunities, which are not choice driven, or teacher or classroom specific, but directed by the Employer.

We believe that Employer driven in-servicing plays a vital role in preparing teachers to use curriculum and resources that the Department of Education provides. We are hearing from teachers that they want and need support in carrying new Department initiatives into their classrooms. Recently, there seems to be a move on the part of the Department of Education to provide fewer mandated in-service planning and opportunities, leaving teachers to feel abandoned, and charged with developing and using new resources and curriculum in their classroom with little or no direction from the department other than having a binder or a box of books dropped off to them in their classrooms.

Likewise, when the Department has initiated changes with technology, such as the new Student Information System (SIS) software our education staff is now mandated to use, we are being told there is little to no preparation given to administrators and teachers. In the case of the new SIS database, delivered through Maplewood software, we are told education staff in some schools had a half-day of formal training, some had no formal training, and all formal training was offered in English only.

NTA feels that in order for our members to carry out their professional responsibilities as mandated by the Department of Education, there needs to be an in-service plan, consistent across the territory, carried out prior to the new curriculum and/ or resources being introduced in the classroom.

Professional Development: In-service as an essential piece of the puzzle

Professional development

97. (1) Under the direction of the Minister, a principal shall ensure that professional development activities and in-service training are available to teachers, including vice-principals and himself or herself and that they participate in those activities and take that training, as appropriate.

Same (2) If there is more than one principal in a school, the principal responsible for this section shall ensure that professional development activities and in-service training are available to the other principal or principals and that the other principal or principals participate in those activities and take that training, as appropriate.

Nunavut teachers and administrators, when asked, and feeling safe to speak openly about their working conditions, will undoubtedly mention curriculum as a foremost issue on their agendas. As we know, curriculum guides, and the curriculum resources that accompany them, are essential pieces of today's education system. The curriculum document is a guide for teachers to understand what they are expected to teach their students in a given class over a certain period of time. The Minister of Education, according to the Education Act, is also responsible for approving resources to be used in the teaching of those curricular outcomes.

Long-term Nunavut teachers, especially those Nunavut teachers who have been teaching since before division, can lament on many changes not only in approved curriculum and resources, but in the whole vision for curriculum in Nunavut. Often these changes in vision come with personnel changes within the Curriculum and School Services Division of the Department of Education.

Teachers are generally not opposed to change, and are not only willing, but often use their own personal time and resources to continually explore ways in which they can professionally improve their practice. But when the Department is mandating the changes, and these new mandates are not coming with a transparent, logical sequence of training and a clear communication of expectations to the classroom teachers who will manage the changes, there is a problem in the implementation process.

When the Canadian Teachers' Federation surveyed Nunavut teachers last spring in regard to their work – life balance, and what stressors they experience as part of their work, 72.4% of Nunavut teachers surveyed identified continuous change in curriculum direction as somewhat or significantly contributing to their work stress. Insufficient in-service and other professional development to support curriculum implementation was identified as somewhat or significantly adding to stress levels by 72.4% of Nunavut teachers surveyed. Indeed, in some cases, even when teachers have found Professional Development opportunities on their own that would assist them in teaching, such as attending the Teachers' Institute on Parliamentary Democracy in Ottawa, if those opportunities do not fall within the school's Professional Development week, the Employer is denying leave requests by teachers to take part in those types of opportunities.

NTA raises no issue with what is currently contained in section 97 of the Education Act. We are, however, very concerned with the lack of support our members are feeling when changes in direction occur that they are to carry out. They are feeling this lack of support because there are no clear plans for direction and training being communicated to them. When the Minister recently spoke about new initiatives the Department of Education is embarking on in order to meet recommendations set out by the Office of the Auditor General, he listed all the education staff that had been trained in various new initiatives. Conspicuously absent from his list was any mention of teachers. **We recognize that perhaps other staffs are being charged with passing on their training to teachers, but we question whether this is in fact happening. It is for this reason, we would like to see language entrenched in the act or regulations to ensure that classroom teachers will be properly trained prior to be required to put those new initiatives into practice with their students.**

NTA Strategic Plan Items 3 and 4

“To represent the membership with affiliates, the employer, and the public.”

“To promote solidarity with an informed, active membership within the association.”

As an organization, the leadership of NTA takes all of our obligations very seriously. Our members have raised the two objectives above as being of utmost importance to them. Given information about employment issues or concerns with their Employer or the public raised by our members, we advocate for them with their employer and various stakeholder groups and organizations on a continual basis.

Questions often arise, partially from issues raised in the Nunavut Education Act, out of concern about who is the Employer for teachers in Nunavut. NTA's response is the Government of Nunavut is the Employer of education staff. This is whom we collectively bargain our terms and conditions of employment with. There are numerous sections of the Nunavut Education Act currently that raise questions on a regular basis about the expectations or misconceptions on the part of other groups or organizations that they are the Employer of NTA members, or that NTA members are directly responsible to them in some capacity. What follows in this section are issues we would like to raise with particular sections of the Education Act that could be misconstrued and lead people and organizations in Nunavut to believe that groups or people other than the Nunavut Department of Education are the real, or “de facto” employers of NTA members.

Defining School Staff

The complexity that is raised when discussing the Employer of NTA Members begins with the definitions of School and Education Staff in the Education Act.

"school staff" means education staff, secretarial staff, custodial staff and all other individuals employed or hired to assist in the delivery of the school program but does not include an individual employed by a district education authority under subsection 144(1); (*personnel scolaire*)

and

Education staff

89. (1) The following are education staff:

- (a) principals;
- (b) vice-principals;
- (c) teachers, including student support teachers;
- (d) Ilinniarvimmi Inuusilirijiit, being individuals who perform the functions of school community counsellors;
- (e) Innait Inuksiutilirijiit, being Elders employed under section 102;
- (f) teaching assistants;
- (g) teacher trainees; and
- (h) such other positions as may be set out in the regulations.

NTA has a few concerns with these definitions. Student support teachers are teachers, there is no question about this. They may not be regularly assigned full time classroom teaching duties, but they hold teaching positions. Their teaching assignments are not separate teaching positions. **NTA would like to see the specific reference to student support teachers removed from the definition.**

We would question why unpaid teacher trainees are considered to be education staff. Section 101 of this act specifically states that teacher trainees are not employees of the Department of Education, nor are they employees of a district education authority. Further, Section 88 (2) specifically states that teacher trainees are not members of the public service. **NTA recommends for clarity that teacher trainees be removed from the definition of school staff, and their role within a school staff be defined separately.**

If NTA Members are indeed Department of Education employees, and not District Education Authority Employees, then presumably the relationship between Education Staff and DEAs that the Act supposes is one of mutual consultation and advice, shared leadership within Nunavut's education system, and essentially meant to be a collegial model of decision-making. After all, we reiterate that Education staffs, particularly classroom teachers, are undoubtedly pivotal in the delivery of education to Nunavut students. **We believe that it is the welfare of students that should be at the center of all decision making affecting their educational experiences.**

In this context, there are concerns we must raise on behalf of our members with the section that follow. Some of these sections raise issue with the way communities, DEA's and Education staff are expected to communicate with each other according to the act. Other sections raise issue with the decision making power seemingly granted to DEAs following the letter of the current act.

NTA takes this opportunity to express concern as well for the definitions of the relationship between the CSFN, the Department of Education, and the staff working under the umbrella of the CSFN. We have found that our members working under the CSFN umbrella have often been made to feel that they are in fact CSFN employees, and not employees of the department of education. As such, they are at times made to feel as though they are considered to be part of the NTA bargaining unit in name only, and that CSFN is under no obligation to adhere to the terms and conditions of employment outlined in the NTA – GN Collective Agreement. They are often made to feel as though they are caught in the middle of a struggle between the CSFN and the Department of Education, and sometimes the NTA.

NTA recommends that the role of CSFN as it relates to NTA members be reviewed in the various aspects of the Nunavut Education Act where that role is defined, and we strongly recommend that the role of CSFN be clarified and better defined within the act.

Administration – District Education Authority Relationship

We will begin by looking at the Nunavut Education Act as it relates to the relationship between school administration and District Education Authorities.

Tenure 106. (1) A principal or vice-principal may be employed for an initial term not exceeding three years and may be employed for additional terms not exceeding three years each.

NTA recommends, to provide greater continuity and administrator retention, the maximum administrator term be five years. School administrators in Nunavut schools choose to make a commitment to their schools and communities. NTA believes that the Government of Nunavut should be making a commitment to these administrators.

Condition on re-appointment (2) A principal or vice-principal may only be re-appointed for an additional term if his or her performance appraisal under section 117 for the final year of his or her current contract is satisfactory.

Appointments and re-appointments

107. (1) An appointment or reappointment of a principal or vice-principal may only be made on the recommendation of a panel appointed by the district education authority that has jurisdiction over the principal or vice-principal.

Same (2) The Minister may reject a recommendation under subsection (1) and he or she may act without such a recommendation if the panel has failed to act in accordance with this Act, the *Public Service Act*, the applicable regulations under either Act or the directions of the Minister.

Composition of panel

(3) A panel appointed for the purposes of subsection (1) shall consist of

- (a) an employee of the department appointed by the Minister; and
- (b) such other persons as the district education authority may appoint.

Appraisal of principals and vice-principals

117. (1) The Minister shall ensure that the overall performance of a principal and vice-principal is appraised by an employee of the department at least once in each school year during the period in which the principal or vice-principal may be dismissed under section 108 and in the final year of the contract of the principal or vice-principal.

Same (2) The Minister shall ensure that each appraisal under subsection (1) incorporates an assessment by the district education authority which the district education authority shall make in accordance with the directions of the Minister.

There is conflicting information within sections 107 and 177. Section 107 (1) gives the power to a DEA to decide whether or not administrators will be appointed or reappointed to their positions. The Minister does, in Section 107 (2) have the power to act with or without that recommendation, or to reject the recommendation, so NTA must call into question the language present in 107(1) which seems to grant the ultimate authority to the DEA, an elected community body, not part of the staff of the Department of Education. Sections 107 (3) and

117 (1) seems to have as its intent to make it clear that the Department of Education, not the District Education Authority, is the Employer of school administrators.

For greater clarity, NTA recommends that section 107 (1) and 107 (2) be deleted.

Dismissal during initial period of employment

108. (1) Subject to subsection (2), a principal or vice-principal may be dismissed without cause during the two-year period after he or she has taken up the duties of his or her position.

Shorter period if previously employed (2) The two-year period described in subsection (1) shall be a one-year period if the principal or vice-principal, at the time of taking up his or her duties, has already completed two years of employment in Nunavut as a principal or vice-principal.

NTA recommends that the two year period in Section 108 shall be a one-year period if the Principal or Vice Principal, at the time of taking up his or her duties, has already completed two years of employment in Nunavut as a member of Education staff.

Discipline **118.** (1) If a district education authority is of the opinion that disciplinary action against a principal or vice-principal may be warranted, it may bring the matter to the attention of the Minister.

Role of Minister (2) On being notified by a district education authority of its opinion that disciplinary action against a principal or vice-principal may be warranted, the Minister shall deal with the matter under the *Public Service Act* and shall decide whether disciplinary action is warranted in respect of the principal or vice-principal and what disciplinary action, if any, is warranted.

Report to district education authority (3) The Minister shall advise the district education authority about how the Minister has dealt with the matter and what disciplinary action, if any, has been taken.

Minister's general power to discipline not affected (4) The Minister may take disciplinary action against a principal or vice-principal under the *Public Service Act* even if the district education authority has not brought the matter to the attention of the Minister but the Minister shall consult with the district education authority before taking such action.

NTA recommends that any report on disciplinary action taken against a Principal or Vice Principal not contain particulars about the discipline taken. Personnel file information of Department of Education employees should not be released to anyone outside of the Department, including District Education Authorities. The DEA is not the Employer of the school administration.

Notice of inconsistencies (4) A principal shall notify the Minister and the district education authority if, in the principal's opinion, there is an inconsistency between a Minister's direction and a direction of a district education authority.

School administrators are required throughout the course of their employment, to collaborate and provide guidance and consultation with the DEAs. If the principal is required to notify the Minister of conflicting instructions given by the DEA, this puts the principal's relationship with the DEA in a very tenuous position should the DEA disagree with direction of the Minister. In practical terms, administrators should report inconsistencies in direction to their immediate supervisors. **NTA recommends it is these immediate supervisors that should be reporting the inconsistencies to the DEA, not the principal.** This recommendation is with the intent of keeping the relationship between principals and DEAs from being unnecessarily damaged.

Education Staff – District Education Authority Relationship

NTA presumes that school administrators are acting as liaisons between staff and DEAs, and that type of relationship is working for our members.

There are some instances in the current Nunavut Education Act that would assist in solidifying and maintaining this positive relationship between teachers and DEAs, if they were to be amended or reconsidered.

Language of Instruction Model Choices by DEAs

Consultation (4) Before making a decision under this section, including a confirmation or change under subsection (3), a district education authority shall consult with the community in accordance with the regulations.

NTA believes that education staff is most knowledgeable when it comes to providing information on how Language of Instruction Model (LOI) choices actually affect students in classrooms. We recognize that the wishes of the community in terms of what language(s) they would like their students to be educated in, and how, are of utmost importance. We believe the DEA should consult extensively with the community to ensure their wishes with respect to LOI choices are met whenever and as possible.

Once again, as with decisions about student promotion, retention, continuous progress and acceleration, we question the exclusion of professional education staff in the consultation process on decisions DEAs make with regard to LOI choices. Once again we feel the need to reiterate that the education professionals employed in our schools are the ones charged with delivering education to Nunavut students, according to the LOI model chosen. Education staffs are necessary stakeholders in the education system in Nunavut. **It is because of this fact that NTA recommends that a consultation with education staff should be entrenched in this process of choosing Language of Instruction models by District Education Authorities.**

Lost hours (2) If, as the result of a review, the district education authority is of the opinion that an excessive number of hours have been lost, it shall amend the school calendar for that year to make up for lost hours that it considers to be excessive.

Consultation (3) Before amending a school calendar under subsection (2), the district education authority shall consult with the Minister with respect to the proposed amendments.

Application of section 84 (4) Section 84 applies with such modifications as the circumstances require to an amended school calendar.

Under the current school calendar regulations, the DEA has a requirement to consult with school staff and students and the community before setting the school calendar dates. **NTA believes these same stakeholders should be consulted in any decision about changing the school calendar. Further, if the proposed changes were to add instructional days to the school calendar, and require teachers and administrators (NTA members) to work beyond the 195 days in their contract, NTA, as the official bargaining unit for teachers, must be consulted during the decision making process.**

Reporting to community (2) A district education authority shall, regularly and in accordance with the regulations, provide the community with information on attendance at schools in the community.

It has come to the attention of NTA that some District Education Authorities have chosen to implement this requirement to report attendance to the community in what we consider to be an extreme manner. We would caution that these community reports should be done in such a manner as to protect the identities of individual students, families and teachers. NTA sees this duty to report as a means for the DEA to keep the community at large informed about school attendance issues. We do not believe that the intent of this report is to have students, families or teachers in specific classrooms or grades singled out and publicly shamed.

School visitation plan **139.** A district education authority shall develop a plan providing for members of the district education authority to visit the schools under its jurisdiction from time to time to observe the schools in operation.

NTA believes that in the interest of protecting students and staff, the visitation plan for DEA members described in Section 139 should reference the criminal reference check issue raised in Section 136.

Additional duties and responsibilities

138. (1) The Commissioner in Executive Council may make regulations

- (a) assigning additional duties and responsibilities to a district education authority;
- (b) governing the carrying out of the duties and responsibilities referred to in paragraph (a); and
- (c) removing any additional duties or responsibilities imposed under paragraph (a).

Considerations

(3) Before recommending that a regulation be made under paragraph (1)(a), the Minister shall consider the effect that the assignment of additional duties and responsibilities would have on

- (a) the quality of the school program;
- (b) the incorporation of Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit into the school program;
- (c) the responsiveness of decision making to local needs and circumstances; and
- (d) the efficiency of the public education system.

NTA recommends that in addition to the considerations listed in Section 138 (3), the Minister should also consider the effect that the assignment of additional duties and responsibilities to DEAs would have on compliance with existing legislation such as the NTA Act, Public Service Act, the Safety Act, as some examples. We recommend this be implicitly stated in this section.

Under no circumstances should the district education authorities of Nunavut be assigned Employer status for NTA members. **NTA strongly recommends that all teachers and administrators (NTA members) in the K-12 education system in Nunavut remain Government of Nunavut employees, and members of the public service.**

Enrollment of Underage and Adult Students

Currently, district education authorities have the ability within the Nunavut Education Act to register adult students.

Enrolment of others **32.**

(1) A district education authority may allow an individual who is not entitled to be registered with a school under its jurisdiction to register with a school under its jurisdiction (for example, someone over 21 years of age or a child whose parents want to register the child with a school in an education district despite the fact that the child does not reside in that education district).

Terms and conditions (2) A district education authority may impose terms and conditions in respect of a registration under subsection (1).

NTA agrees that adult education in Nunavut is important. We believe in supporting adults who may be interested in upgrading their qualifications and skills. NTA also believes that Early Childhood Education is essential in preparing children for participation in our school system.

NTA does not believe either of these aspects of our education system are the responsibility of our K – 12 schools.

NTA recommends that the exception to age limitations on enrollment in Nunavut schools in Section 32 be deleted from the Nunavut Education Act.

NTA Strategic Plan Item 5

“To promote teacher orientation, mentorship and retention.”

NTA believes that orientation; mentorship and retention are concepts that are intertwined. We recognize the effort the Department of Education has made to provide orientation to new teachers. We have partnered with stakeholders in our education system to aid in supporting new hires, whether those new hires originate from within or outside of Nunavut.

The recommendations that follow center largely on new education staff and their introduction to teaching in Nunavut.

Teacher Trainee Placements

NTA believes it is essential for teacher education students to be provided with authentic opportunities to practice the skills they have learned through their Education degree. The guidance and direction an experienced teacher can provide can often be a very important factor in a positive introduction to the teaching profession.

Conversely, should the teacher trainee be assigned with a professional teacher that is not prepared for, nor interested in supervising and or guiding the teacher trainee, the overall experience for the trainee can be one of frustration, isolation, and an overall negative experience. The experience for the supervising teacher may also be one of frustration if they have been assigned the duty of supervising a teacher trainee they do not feel they are prepared to support.

Teacher trainees **101.**

(1) Principals shall cooperate with Nunavut Arctic College and other institutions that provide teacher training to facilitate the placement of teacher trainees in their schools.

Principal's decision

(2) A principal may accept or refuse to accept the placement of an individual as a teacher trainee in his or her school.

Access to school

(3) Subject to the directions of the principal, a teacher trainee is entitled to have access to the school or schools to which he or she is assigned for the purpose of his or her placement.

Not employees

(4) A teacher trainee is not an employee of the Government of Nunavut or of a district education authority. S.Nu. 2011,c.27,s.16(4).

NTA recommends that principals may accept or refuse to accept the placement of an individual as a teacher trainee in his or her school, and that a teacher may accept or refuse to accept the placement of a teacher trainee in his or her classroom.

Teacher Certification

Many NTA members have experienced issues and frustration with the process of teacher certification, salary placement and re-certification over the past number of years, and NTA believes the regulations with respect to teacher certification are not currently being implemented as they are written. **NTA believes processes and protocols for certification, renewal, and suspension or cancellation of a teaching certificate need to specifically be reviewed and updated, as our current regulations were carried over from the Northwest Territories. We believe that an extensive review of these regulations, outside of the review of the Education Act as a whole is necessary, and that NTA and its membership should have a role in that review process.**

Specific to the Nunavut Education Act itself, NTA would like to raise a concern with Section 119 (2);

Appeal of decision (2) A decision by the registrar to refuse to issue a certificate or to suspend or cancel a certificate may be appealed in accordance with the regulations.

NTA recommends that there be a requirement entrenched in the Nunavut Education Act for the Registrar, upon making the decision to refuse to issue a certificate or to suspend or cancel a certificate, to inform the teacher in writing of the process they must follow to appeal the decision.

Teacher Certification – Substitute Teachers

NTA strongly agrees with parts (1) and (2) of Section 103.

Certification

Certification required, teachers

103. (1) An individual shall not be employed as a teacher unless he or she holds a teacher's certificate.

Other members of education staff

(2) In addition to teachers, such other members of the education staff as are set in the regulations must hold a certificate issued under this Act in order to be employed in a school.

Exceptions (3)

Subsection (1) does not apply to an individual who is employed to substitute for a teacher on a temporary basis or who is employed for part of a school year to fill a vacancy as a teacher.

In the interest of having the most qualified, committed education staff possible providing instruction to students, **NTA recommends that the phrase “or who is employed for part of a school year to fill a vacancy as a teacher” be deleted from the Nunavut Education Act.** The reason for this recommendation is that we believe that if a vacancy exists, the position should be advertised. If a teacher is making a commitment to be in a classroom teaching students for a portion of the school year, NTA recommends that the Government of Nunavut also make a commitment to provide that teacher with certification and a contract.

The Department of Education should not be hiring people to perform the duties of a teacher if they do not believe the individual should be issued a teaching certificate.

NTA Strategic Plan Item 6

“To negotiate and safeguard the NTA – GN Collective Agreement.”

Many of the aforementioned recommendations and suggestions directly affect the terms and conditions of work of teachers and relate to issues in the NTA – GN Collective Agreement.

NTA believes the following sections and regulations of the Nunavut Education Act, as they are currently written, can directly affect the ability of teachers to perform their duties and fulfill their professional responsibilities.

Issues of Consistency: Student Records and School Start and End Dates

NTA believes in consistency for Nunavut students and educators across the territory. With the new territorial Student Information System, we believe the Department of Education has begun to implement consistent practice across the territory with regard to student record keeping.

Teacher's records **78.** Teachers shall keep accurate records related to the progress, behaviour and attendance of each of their students and principals shall ensure that those records are kept.

Student record **79.** (1) The principal of a school shall, in accordance with the regulations, establish and maintain a student record for each student registered with the school.

Contents of student record (2) A student record shall include

- (a) all information that affects decisions made about the education of a student that is collected or maintained by the school staff or the district education authority;
- (b) records of the decisions referred to in paragraph (a); and
- (c) any other information prescribed by the regulations.

NTA recommends that the content of student records as prescribed in the regulations be consistent throughout the territory. We know that the administrative workload of our teachers with respect to student cumulative files varies a great deal between the three Regional School Operations (RSOs). We recommend that the content of those cumulative student files be specifically prescribed so as to be consistent throughout the three regions, to allow for ease of mobility for students that transfer from one region to another.

District Education Authorities, following guidelines from the Minister, are responsible for setting the start and end dates for school year calendars. NTA recognizes the community value in DEAs having the ability to schedule their school calendar according to community wishes. However, this practice as currently carried out has a negative effect on many of our high school students when it is time for them to write their Diploma Exams. We believe that the success of our Nunavut graduates should be of utmost importance when setting school calendar dates.

Students in Nunavut schools that have start and end dates that are significantly earlier than those of the Alberta education system, through which the Diploma Exams are administered, are at a distinct disadvantage when they write these exams. Some students may have a time gap as large as 4 to 6 weeks between the time their classes end and when they are to report to write their June Diploma Exams. This can have a negative impact on their ability to prepare and stay prepared for these exams. This gap can also cause issues for school administrators in finding appropriate individuals to administer and supervise these exams.

NTA believes that our high school students should be afforded every advantage we can provide them. Having school end dates inconsistent with scheduled Diploma Exams is a distinct disadvantage to our students.

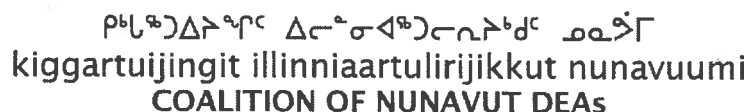
Nunavut families and students also frequently relocate during the school year from one community to another. Having significantly different school start and end dates can negatively impact these students and their families if they are relocating, as some school start dates within the territory vary by as much as 4 to 5 weeks.

NTA recommends that school start and end dates be prescribed by the Minister of education each year, and that District Education Authorities retain the ability to set their calendar within those territory wide start and end dates as they see fit.

Conclusion

On behalf of the members that make up the Nunavut Teachers' Association bargaining unit, we would like to express our gratitude for the opportunity to participate in this review process. We have presented our suggestions, recommendations and raised issues of concern that we have. We would be grateful to have the opportunity to speak to our written submission, or respond to questions, should the committee wish to engage in discussion regarding the teacher perspective on education in Nunavut.

Our members have brought these issues to our attention. Our members have the best interests of their students at heart. It is with our students in mind that we endeavor to collaborate with the Education Act review committee and in turn the Legislative Assembly of Nunavut. It is in this spirit of collaboration that we wish to continue to play a role in providing the best possible educational opportunities for all Nunavut students.



P.O. Box 2488 Iqalunni, NU X0A 0H0 (867)979-5396 Fax: 979-5395 www.cndea.ca

There has never been a review request under Part 6 by a parent (or student) – that we are aware of – likely because parents are not advised that they have this right, and possibly because DEAs do not know they have this responsibility.

There have been limited instances where the Coalition was invited to participate in the hiring of senior regional staff under s. 190 (1) or given the opportunity, "on an on-going basis, to review the funding process for district education authorities" under s. 190(2).

We have been working to fill this knowledge gap and to find ways to collect and focus the concerns of our members DEAs. We have held conference calls, visited many communities, developed presentations, collected data and encouraged participation.

What we see is the beginnings of participation and understanding, but we also see high levels of frustration with the current system and its participants – not individually or to suggest that anyone in the Education system is badly motivated – but frustration at the educational outcomes in our schools.

We are still collecting information, surveys and data from members, and as they become available we will contribute these to your review. We have used the Coalition's Annual General Meeting and our Executive Meetings to compile concerns, and a basic statement of these concerns is attached as our Preliminary Report.

We are just at the stage of getting DEAs engaged in the process and we already find ourselves at the deadline date you advised us. At this year's AGM some DEAs reported that they were unaware of the Education Act Review, while others noted that they received notice in late June as operations were winding down for the summer. We hope that as you move forward in your deliberations you will allow DEAs to make further submissions from their own community discussions on the Act.

Our Member DEAs remain committed and concerned around issues that impact the quality of education in Nunavut. We appreciate your willingness to continue this dialogue as you work your way through this very important process around the future of education in Nunavut.

Sincerely,

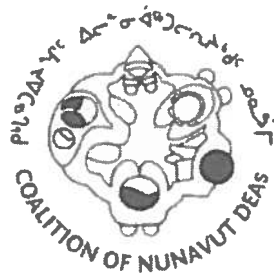


Willie Nakoolak
Chairperson

cc. Chairs of Nunavut DEAs
Coalition Members

Coalition1@northwestel.net

P.O. Box 2488 Iqalunni, NU X0A 0H0 (867)979-5396 Fax: 979-5395 www.cndea.ca



PRESENTATION TO THE

SPECIAL COMMITTEE

LEGISLATIVE ASSEMBLY OF NUNAVUT

ON THE REVIEW OF THE

NUNAVUT EDUCATION ACT

P.O. Box 2488

Iqaluit, NU

X0A 0H0

OCTOBER 31, 2014

OPPORTUNITY

The Nunavut Education Act is an extra-ordinary document. It is a unique expression of the goals of Nunavummiut in the area of Education. It has strengths and compromises, but there is no doubt that it is an ambitious and genuine effort to speak to the education structures and goals we want for our communities and children.

Nunavut legislation, for reasons of time or resources or inclination, can look like a cookie-cutter version of the corresponding Act from another Canadian legislature. This is not true of the Education Act on any level. This Act is a massive revision of the roles and rules that our schools operated under in the past, and a considered plan designed to guide learning and society in Nunavut.

It is ambitious. It demands change. It is hopeful in expecting that educators, administrators and communities will commit to taking up this change. It is evident that a great deal of thought and compromise went into its provisions. While the compromises are not always perfect, they are a real statement of how Nunavut does operate and how we would like to see ourselves and our children in the future.

Even the requirement for a Review, built into the Act, demonstrates this forward-thinking approach. We have been given a valuable opportunity to look at ourselves, examine what we are and are not achieving, and define any needed re-direction, strengthening or realignment of our Education system.

COALITION OF NUNAVUT DEAs – HOW WE COLLECTED INFORMATION AND ISSUES FOR THE 5 YEAR REVIEW

The Coalition of Nunavut DEAs was established in 2006. . The emergence of the Coalition as a voice in education resulted in it being incorporated into the 2009 Education Act (Sec. 15) with funding provided through an annual contribution from the Department of Education. The objects of the Coalition are provided as Appendix “A” to this presentation, and they demonstrate the range of issues the Coalition addresses.

In addition to working on behalf of DEAs on a daily basis, the Coalition holds an Annual General Meeting each year to examine issues in education from a DEA perspective. Workshops are held on specific topics, training sessions are held, and there is roundtable on DEA issues. The issues identified by DEAs at the AGM become the education issues that are researched, promoted and advocated for in the year following the AGM.

At the 2014 Annual General Meeting, the Coalition prepared a presentation for DEAs on the 5 Year Education Act Review, and gave notice to DEAs that they would be asked for their opinion on “the administration and implementation of the Act, the effectiveness of its provisions and the achievement of its objectives”.

To facilitate discussion with DEAs on the Education Act Review, the Coalition has prepared and conducted surveys with the DEAs and with individual members, and some of these efforts are still under way. We have compiled the information in this report from our member DEAs and from the experiences of the Coalition over the past 5 years in working on DEA issues.

The most obvious conclusion from these consultations with DEAs is that there is a great deal of implementation work still to be done. Specifically, there is considerable work to be done to empower DEAs with their roles and authorities contemplated under the Act. Many DEA and Coalition Members are still adjusting to the shift in roles that the Act mandates.

We are not yet where the Act envisions Nunavut or the role of DEAs as partners in education.

We hope that your work will lead to a review, rethinking and realignment of resources and energies that will give renewed optimism to our education system and all our efforts for children and learning in Nunavut.

Here are the key areas for renewal as seen by Coalition Members:

Issue # 1: Partnership with Government

The Education Act is designed as a **partnership**, increasing the authority of people in communities, with safeguards at the Departmental level. It anticipates that most of the decision-making in schools will be done by the people who live there, and that each school will be a slightly different expression of the values and knowledge of that community.

The role of administration is designed as a supporting resource for teachers, for the principals and for the DEAs. It is an effective way to consolidate resources for larger tasks, for setting standards and as a back-up in the event that a community runs into issues or loses focus. We do not see the department as having a daily role in the operation of schools.

Concerns:

- ▶ This partnership with DEAs is not developing.
- ▶ The partnership expected with the Coalition of Nunavut DEAs has not evolved.
- ▶ DEA members, with some exceptions, remain fundamentally **uninformed** about the Education Act, their authority and their ability to impact education.

- ▶ DEA coordinator positions in the Department of Education are often vacant. These positions are not given hiring priority and are generally not placed in the structures where they would have impact.
- ▶ There is a very low expectation of communications flow. Many DEAs are convinced that their resolutions are not read by RSOs and there is a very low expectation that there will be any response. *(There is some regional variation in this as well as some people in the system who work hard to make this happen.)*

The Act encourages schools to take initiatives and to develop community resources. Every time a DEA makes a decision it will be slightly different from a neighbouring community. Wherever there is a discussion about consistency in education we need to ask: is this consistency valuable for the schools and students, or is this designed to make the task of administration simpler?

A diversity of approaches will permit new ideas to form, and the good ones will spread.

NEED: The Department of Education needs to focus resources on developing and supporting its relationship with DEAs including empowering DEAs with knowledge of their authority and responsibilities.

The Department of Education needs to view the Coalition as a true partner in education. DEAs need ongoing learning and development opportunities similar in concept to what is provided to Nunavut municipalities.

Issue # : Consultation and Collaboration :

The new Education Act is intended to strengthen the partnership between the Department and DEAs, with consultation and collaboration on local education goals. There are many areas where consultation is part of the Act itself - to the extent that the Act prescribes the creation of a consultation registry (Sec. 203 (1)). However, the Act is silent on what constitutes fair and reasonable consultation.

The concept of collaboration is found throughout the Act which is unusual since collaboration is not typical of legislation. One of the key tools in the Education Act for collaborative planning with schools is the School Program Plans (Sec. 20), which are to be developed by Principals under the direction of DEAs - 20 (1). DEAs have never received training from the Department on how to direct or shape a School Program Plan for their community.

The collaborative approach set out in the Education Act is very desirable, but when it is not functioning well it can lead to frustration and inaction.

Concern:

- ▶ Many aspects of the Act intended for collaboration have not been used.
- ▶ Consultations on new regulations have been weak and fairly mechanical from the perspective of DEAs and regulations seem to be a high priority item for the Department, while for the DEAs they tend to be more rules and imposed structures.
- ▶ The use of “Directives” in the Act has meant more control and less collaboration.
- ▶ Priorities identified by DEAs such as increasing programs on suicide prevention and addressing the issue of social passing have been ignored by the Department, yet these issues are fundamental expressions of community concerns.

NEED: There need to be additional resources directed at DEAs learning about and using the tools available in the Act - beginning with the provisions of the Act that are directed at the quality of education in their community (e.g School Program Plan under s. 168 and s. 20(1)). Consultations need to take place BEFORE text is created. DEA concerns need to be seen as important expressions of community aspirations for education. Consultation processes should be fair and reasonable and ensure that sufficient background information is provided to DEAs in a timely manner before they are consulted.

Issue # 3: Fulfilling DEA Responsibilities under the Education Act:

Since the introduction of the 2009 Education Act DEAs have consistently reported difficulty in meeting expectations of their role with resources provided by the Department of Education. In response to these concerns, in 2010, the Coalition of Nunavut DEAs conducted an external review of DEA budgets. This review demonstrated that the 2009 Education Act introduced an expanding range of rules and expectations for DEAs. The text of this review is provided as Appendix “B”.

The Government of Nunavut set aside \$8.6 million in 2009 for the introduction of the *Education, Official Languages, and Inuit Language Protection Acts*. DEA operating budgets did increase by approximately 4% per annum in subsequent years, but these increases did not address the root problem of insufficient operating funding to adequately address the new responsibilities under the Act:

- Since 2009 there has been a 43% increase in DEA responsibilities.
- DEAs have responsibility for 49 different tasks. 21 of these tasks were added in the new Act.
- Many DEAs don’t have full-time staff to deliver their new responsibilities.

- In addition to inadequate staffing budgets for their new responsibilities, DEAs are obliged by the system to attend to administrative requirements, at the expense of focusing on improving the quality of education in the community.
- DEAs are held responsible for budgets and overspending when the most common source of deficits is spending directed by school principals (who are department employees) and by bad communications with or absences in bookkeepers.
- Multi-year planning or spending is not provided for and surpluses are not permitted.
- Government funding can arrive late or be focused on goals that the DEAs do not share or prioritise. In effect the government uses funding to direct the DEAs to government priorities, and gives almost no resources for the DEAs to address the DEAs own goals.
- Occasional training provided by the Department has focused on bookkeeping but not on effective use of DEA budgets to further the community 's goals in education.
- Consultations with the Coalition on funding (as required in the Act) have been at a very minimal level, and have not looked at the fundamental issues of structure and mandate.
- DEAs and the Coalition have not been provided with funds to participate in the Education Act Review.

Need: The DEAs need to take up the role envisioned in the 2009 Nunavut Education Act. In a true partnership DEAs would negotiate levels of responsibility and resources with the Department. This empowering of local authority needs to be a shared goal in the Education system

The Coalition and DEAs should be provided with funding to effectively consult and participate in the Education Act review.

Issue # 4 : Inuit Teachers

DEAs agreed with the 2013 findings of the Auditor General that Nunavut is not producing the Inuktitut curriculum and teachers needed to meet the goals of the Education Act. DEAs have asked for information on the number of Inuit teachers in schools, and the recruiting efforts, but this information has not been forthcoming. Trained teachers with high levels of skills in Inuktitut and Inuinnaqtun and in other subjects are not available to be hired.

Concern:

- We know that children and societies have the capacity to be excellent in more than one language, but we do not see this as a result of our current structures.

- The need for Inuit teachers and curriculum and the levels of training and skill required by all teachers have not been effectively addressed.
- We need unilingual Inuktitut teachers and spaces in our schools.
- It is important that Inuit ways of teaching and learning become part of every school program plan and principal and teacher evaluations.
- We need unilingual people on our DEAs to support this kind of learning.
- These needs are fundamental to the survival and development of Inuit culture and community in an era when southern and English pressure are everywhere.

DEAs want our children to learn and be challenged and valued in school. No one wants a “baby sitting service” to be the standard for schools at any level. To do this we need to train, support and monitor all our teachers, have high expectations, commit the resources needed for this process...and get results.

NEED: The GN needs to identify and train Inuit language teachers and measure and monitor quality standards for ALL teachers. We need to pursue subject learning and language specific learning for everyone in the system, and progress toward these goals needs to be reported on regularly.

Issue # 5: Resources should be focused on all students, classrooms and teachers

The purpose of DEAs and of the Department of Education is to build the future we want by helping our children to learn the skills they need. The Education Act is simply a tool to achieve that. It is a complicated, multi-party, hard-to-get-a-grip-on tool, but it is only a tool. A great deal of focus and energy was spent since the creation of Nunavut in putting this tool in place.

While a review is useful, tinkering with authorities and wording are likely not an important focus for the Education system. A renewal of relationships and a common discussion of how we are going to use this tool to achieve our education goals is a more valuable and effective way to use our scarce resources.

Concern:

- Much of the Act is not implemented or used. Attached as Appendix “C” is a spreadsheet of the Education Act sections related to DEAs, each with an notation of “F” – full implemented, “P” - partially implemented and “M” – minimally implemented and “N” – not implemented.
- If small changes are needed, that is fine. Some overlaps, like the ECE rules and the Daycare rules can be confusing and contradictory – they can be realigned.
- The system has more serious problems than the words of an Act, and most of what needs to be done is within the capacity of one or the other actors in the system.
- Overall attendance rates in Nunavut declined for the period 2002 to 2011. (Statistics for the 2011-2014 period have not been released). Improving attendance should be an aspect of every School Program Plan developed as a collaborative effort between parents and schools.

WE ALL NEED to acknowledge that the needs and gaps in the system are great and that a plan to address them seriously is essential. Mental health needs of students, confidence, ambition, growing capacity – these are the big goals that an education system needs to focus on. Too much time spent re-dividing the responsibilities may well mean we are avoiding facing the main issues; competent qualified graduates, and healthy students and communities.

Issue # 6: Inclusive Education

Part 6 of the Nunavut Education Act deals with Inclusive Education defined as: “a student who requires adjustments to the education program or support to meet his or her learning needs or to achieve appropriate curriculum outcomes is entitled to such adjustments and support”. (Sec. 41.1).

Under the Act, DEAs are given the oversight authority for this aspect of education .(Sec. 42.2).

Concern:

- DEAs report that they have not been provided with any direction on using this oversight authority, or with the information on which to base any oversight decisions.
- DEAs see that Individual student support plans - Sec 43 (5) – have been used in schools for students with a physical disability (e.g. hearing or sight impaired), mental impairment or disorder, or developmental or learning disability (e.g. FAE/FAS or EBD – emotional behaviour disorder), but not for students who have been ‘socially passed’.
- The cumulative effect of social passing is students who may be eager to learn, but have not been provided with adequate supports to succeed at higher grade levels, resulting in

a high push-out rate. The system is viewed by parents as failing the student, as opposed to the student 'failing'.

- With all the challenges facing students in school, and the various levels of learning in any given classroom, there are many students who require 'adjustments to the learning program to meet learning needs and to achieve curriculum outcomes' and these supports should be provided.

NEED

DEAs need to be empowered with their oversight authority in inclusive education, and provided with regular reporting on the scope of inclusive education in their schools.

Interpretation of 'Inclusive Education' by school administrators and teachers should include all students who require adjustments to the learning program to meet learning needs and to achieve curriculum outcomes.

Issue # 7: Focus on quality of education

At our Annual General Meetings, DEAs share examples that speak to quality of education in their communities. One of the most frequently raised concerns is social passing. The Department has invested time and resources in developing new assessment systems, but these are poorly understood by parents. At the 2013 AGM DEAs rejected the student assessment system put in place by the Department.

The overall issue the DEAs raise is that the quality of education of our students needs to be higher. Nunavummiut need to be successful in our home communities, in employment and in the world, and all of this requires skills and qualifications. We want Nunavut students to access high-quality learning, however it is achieved.

DEAs speak to the long vision in Nunavut education. Most Members went to school (or did not) in the Nunavut system. Most children of DEA members are in school or are graduates (or not graduates) of the Nunavut system. Papers and reports do not change the DEAs view of education, only real on the ground change over time will be real to DEAs.

- We have common goals in fewer drop-outs, no social passing rules, mental health knowledge and support - for students and teachers, literacy, good math skills, enhanced sciences, more career planning and pathways.

Happy healthy learning children are everyone's goal.

MATERIALS OUTSTANDING

The Coalition is still collecting materials and positions from our members and will continue to submit these to the Committee over the next months.

DESIRED OUTCOME

From the perspective of DEAs and the Coalition, our goal in this process is to promote that this review lead to a revised and collaborative Education Act Implementation Plan (Part II) with appropriate staffing and funding and a common focus on quality education in our schools and qualified graduates.

APPENDIX "A"

OBJECTS OF THE NUNAVUT COALITION OF DEAS

The Objects of the Society are:

- a) The Society will be the voice of the parents of Nunavut as represented through the member District Education Authorities (DEAs) ;
- b) The Society will act as a means of communication between the member DEAs;
- c) The Society will be an advocate for the advancement of education as identified by the member DEAs;
- d) The Society will assist, inform and represent DEAs individually and collectively;
- e) The Society will collect knowledge, do research, prepare and present information on education issues in Nunavut;
- f) The Society will coordinate with other territorial, national, Inuit and international groups with similar objects
- g) The Society will develop materials and present training and development to member DEAs on issues they identify.
- h) The Society will monitor, inform DEAs and advocate for: early childhood education, K – 12 education, adult learning, and post-secondary schooling issues.

APPENDIX "B"

**An Evaluation of the Operating Costs and Responsibilities
of
Nunavut District Education Authorities**

Discussion Document

October 10, 2012

Prepared by Aarluk Consulting Inc.

**on behalf of the
Coalition of Nunavut District Education Authorities**

APPENDIX "C"

**An Inventory of Provisions of the
of
Nunavut Education Act**

**With assessed Implementation Levels
Discussion Document**

October 2014

Coalition of Nunavut District Education Authorities

An Evaluation of the Operating Costs and Responsibilities of Nunavut District Education Authorities

Discussion Document

October 10, 2012



**Prepared by Aarluk Consulting Inc. on behalf of the Coalition of Nunavut District
Education Authorities**

Contents

Executive Summary.....	3
Highlights of Key Findings	3
Key findings include:	3
Lesson Learned:	4
Highlights of Our Findings.....	5
Background	6
Methodology and Project Update	6
Summary of Findings.....	8
DEA Responsibilities as Described in the Nunavut Education Act	8
Summary of Findings: Interviews with District Education Authorities	15
Summary of Interviews: Department of Education	19
Summary of Findings on DEA Financial Data	20
Examination of Pressures within One DEA	20
DEA Main and Actual Budget Estimates	22
Qikiqtaaluk Budget comparison.....	23
Kivalliq Budget Comparison	23
Kitikmeot Budget Comparison	24
Total Budget Comparison	25
DEA Funding under the GN Funding Formula.....	25
Analysis of Increased DEA Responsibilities under the Existing DEA Funding Formula	26
Conclusions	28
Appendix A – Main Estimates	32
Appendix B – Community 1 Budgets.....	36
Appendix C – DEA Funding Formula	37

Executive Summary

District Education Authorities (DEAs) in Nunavut play an essential role in supporting the education system in communities. DEAs provide an important voice in the education system in the territory by representing parents enabling them to add their voices to those of the Department of Education and school officials. Aarluk Consulting Inc. was retained by the Coalition of Nunavut District Education Authorities (CNDEA) to examine the operational costs of three Nunavut District Education Authorities (DEAs) and to examine the change in CNDEA's responsibilities under the Nunavut Education Act.

The methodology for the project included:

- 1) A review of documents provided by the CNDEA, the Department of Education (DoE) and various DEAs.
- 2) An analysis by Aarluk of old and new responsibilities of DEAs under the Nunavut Education Act.
- 3) Interviews with a number of key informants from the CNDEA, Department of Education (DoE) and three pre-selected DEAs.
- 4) A review of financial information on DEAs.
- 5) An analysis of the Department of Education's Funding Formula for DEAs.

Highlights of Key Findings

The report summarizes the findings of research, which has been completed to date. It is broken down into three parts: a summary of DEA responsibilities as described in the Nunavut Education Act's reference guide, a summary of findings from interviews conducted with DEA members, and a summary of findings from interviews conducted with members of the Government of Nunavut's Department of Education.

Key findings include:

- Since 2008 there has been a 43% increase in DEA responsibilities under the new Act. The chart below shows the percentage of increase under each area of duties.

School program	6.2%
Language of institution	6.2%
Registration and attendance	4.1%
Inclusive education	4.1%
Student participation	4.1%
School calendar	2.0%
School staff	10.1%
Responsibilities for funds	6.2%
General duties	0.0%
Total	43.0%

- DEA operating budgets have not kept pace with expanding responsibilities

- The scope and complexity of DEAs responsibilities has increased without sufficient levels of training and development
- The increase in administrative reporting has come at the expense of DEAs being proactive in their communities
- Existing DEA staffing levels are insufficient for delivering new DEAs responsibilities
- Existing GN funding formula for DEAs needs to more adequately reflect the Increase in DEA responsibilities

Lesson Learned:

The difficulty in obtaining financial information from DEAs and scheduling interviews with DEA staff for this project, suggests that DEAs have a poor understanding of the role that advocacy and research plays in supporting their role. It also reflects the fact that the DEAs seem to be overwhelmed with their attempts to fulfil their current responsibilities and thus feel additionally overwhelmed and unable to respond quickly or effectively to additional requests for modest levels of assistance on research projects.

Highlights of Our Findings

Nunavut's District Education Authorities (DEAs) have their role and authority identified in the Education Act. In 2008, a new Act was passed that in effect increased the role and responsibilities of the DEAs.

As DEAs took on their new responsibilities under the Education Act, DEAs increasingly reported an inability to meet their expanded responsibilities. DEAs were concerned that resources, both financial and human were being taxed to the limit. In response to these concerns, the Coalition of Nunavut DEAs undertook to examine the experiences of DEAs in detail to determine if an analysis of DEA financial performance, along with interviews with DEA representatives, would provide a greater understanding of the pressures within the DEA operational budget. This examination produced the following findings:

- **Since 2008 there has been a Significant Increase in Responsibilities:** Based on an analysis of tasks before and after the introduction of the 2008 Nunavut Education Act there has been a 43% increase in DEA responsibilities.
- **DEA Operating Budgets have not Kept Pace with Expanding Responsibilities:** While responsibilities have increased by 43%, budgets have not increased accordingly. There has been a marked increase in demand for participation in regulatory reviews, policy development and program delivery without a corresponding increase in administrative budget to meet these new responsibilities.
- **The Scope and Complexity of DEAs Responsibilities has Increased Without Sufficient Levels of Training and Development:** DEAs report that there has been a marked increase in demand for participation in regulatory reviews, policy development and program delivery without corresponding training and development to support the introduction of these new responsibilities.
- **The Increase in Administrative Reporting has Come at the Expense of DEAs Being Proactive in Their Communities:** DEAs report that the increase in administrative reporting since 2008 has occupied them so much they were unable to perform other key tasks.
- **Existing DEA Staffing Levels Not Sufficient to Deliver new DEAs Responsibilities.** Recent budget increases have been directed at program delivery and not to help with the administrative burden of added responsibilities.

Existing GN Funding Formula for DEAs Needs to More Adequately Reflect the Increase in DEA Responsibilities. The DoE funding formula for DEAs is largely based on enrolment, and although some adjustments were made in 2008, they have not adequately addressed the burden of the increased scope and complexity of DEA duties. *Currently the funding formula is one of the primary pressures facing the DEA*

Background

District Education Authorities (DEAs) in Nunavut play an essential role in supporting the education system in communities. DEAs provide an important voice in the education system in the territory by representing parents enabling them to add their voices to those of the Department of Education and school officials. Aarluk Consulting Inc. was retained by the Coalition of Nunavut District Education Authorities (CNDEA) to examine the operational costs of three Nunavut District Education Authorities (DEAs) and to examine the change in CNDEA's responsibilities under the Nunavut Education Act. The project work was conducted under the direction of a Project Advisory Group identified by the CNDEA. The work to be completed included listing the both new and existing responsibilities of DEAs under the Act and reviewing and assessing a number of DEA budgets, cost projections, funding formulas, and financial pressures that are facing the DEAs.

Methodology and Project Update

The methodology for the project included:

- 1) A review of documents provided by the CNDEA, the Department of Education (DoE) and various DEAs.
- 2) An analysis by Aarluk of old and new responsibilities of DEAs under the Nunavut Education Act.
- 3) Interviews with a number of key informants from the CNDEA, Department of Education (DoE) and three pre-selected DEAs. In all, twenty key informants were contacted and interviewed successfully.
- 4) A review of financial information on DEAs.
- 5) An analysis of the Department of Education's Funding Formula for DEAs.

The intent at the beginning of the project was to conduct interviews in the three different sized DEA communities¹ (Communities 1, 2 and 3²) and Iqaluit (DoE). Despite the best efforts by the project team and the CNDEA, it was exceedingly difficult to gain information from most of the DEAs involved. Documents were either simply not provided or those that were provided were incomplete. Multiple efforts as setting up interviews with DEAs were frustrated. Currently interviews have been conducted with DEAs in Communities 1 and 3. Difficulties related to the interviewing of the DEA Office Manager in Community 1 resulted in a substitution of the DEA Office Manager in Community 4, which was successfully completed. Efforts to complete interviews in Community 2 have ceased and an interviewer had been confirmed to conduct interviews and gather budgets from the DEA in Community 5. However, this interview was

¹ Community names have been omitted at the request of the CNDEA.

cancelled by the community member and efforts to re-establish another time and date have been frustrated over the summer. A back-up plan was put in place to gain further information from the Community 5 DEA however even these extended efforts were frustrated.

Financial reports from the DEAs have also been elusive due to some confusion on the part of DEAs and the agencies responsible for reviewing and auditing their financial statements. To date, financial results and budgets have been received from Community 1, are in the process of being forwarded from Community 3 (greatly delayed). Community 5 provided trial balances sheets without providing any financial statements on how revenues and expenditures had been allocated. A great deal of effort was spent trying to get copies of financial statements from the Auditors and the Government of Nunavut but without avail. The DoE provided copies of contribution agreements for all the DOEs of interest along with Main Estimates and pertinent information from these have been placed in charts within this document.

Lesson Learned: The difficulty in obtaining financial information from DEAs and scheduling interviews with DEA staff for this project, suggests that DEAs have a poor understanding of the role that advocacy and research plays in supporting their role. It also reflects the fact that the DEAs seem to be overwhelmed with their attempts to fulfil their current responsibilities and thus feel additionally overwhelmed and unable to respond quickly or effectively to additional requests for modest levels of assistance on research projects.

Summary of Findings

The following section of the report summarizes the findings of research which has been completed to date. It is broken down into three parts: a summary of DEA responsibilities as described in the Nunavut Education Act's reference guide, a summary of findings from interviews conducted with DEA members, and a summary of findings from interviews conducted with members of the Government of Nunavut's Department of Education.

DEA Responsibilities as Described in the Nunavut Education Act

The following responsibilities are broken down in the table below, according to the headings found in the Nunavut Education Act. This will help provide context for the following sections of the report, where DEA members and Department of Education staff discuss the issues related to the new responsibilities. Each responsibility is categorized as being new, old, and/or shared. It is important to note that DEA's are still responsible for completing old responsibilities, which are coupled with the new responsibilities identified in the Nunavut Education Act. In rows that have more than one "X", these indicate both kinds of responsibilities are in place.

Responsibility	New	Old	Shared
<i>School Program</i>			
The DEA, working with the principal, monitors, evaluates and directs the delivery of the school program. The DEA is to ensure that the school program, including any local program, is based on Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit.	X		X
The DEA is responsible for providing students with textbooks and other learning materials to support the school program. It is also responsible for library, audiovisual and other resource materials required.		X	X
The DEA may establish local programs for the use of one or more schools. The DEA provides direction, as necessary, to the principal regarding other activities, programs and services necessary to support students.		X	X
The DEA supports the principal to develop ways to involve parents and promote community involvement in the school program.	X		X
The DEA may provide early childhood education programs to promote Inuit language fluency and adult education programs to meet local needs.	X		X
The DEA evaluates, supervises and provides support for children being home schooled.		X	X
<i>Language of Instruction</i>			
The DEA decides whether English or French will be used along with the Inuit language in its schools. The DEA also decides on the model or models of bilingual education to be used. This will determine things such as what is taught in each language and how much instructional time will be devoted to each language.	X		X
The models and options for bilingual education are set out in the regulations. They also set out the requirements to consult their community	X		X

Responsibility	New	Old	Shared
before the DEA decides on the model of bilingual education to be used.			
The DEA is required to review the decisions it makes on bilingual education every five years. Based on the review, changes can be made to the bilingual program. A proposal to change requires further community consultation.	X		X
Registration and Attendance			
The DEA is required to develop a registration and attendance policy for its schools based on the Act and regulations. The policy should reflect the advice of parents, students, school staff, Elders and community members.		X	X
The DEA will consult with adult educators when considering registration of students aged 21 or older.	X		X
As soon as it is adopted, the policy is to be sent to the Minister. The Minister may require amendments in order to ensure it is consistent with the Act and regulations.		X	
The DEA regularly reports to the community on attendance in its schools.	X		X
Inclusive Education			
Inclusive education is important to meeting the needs of all students. The DEA should work with its principals to get a full understanding of how inclusive education works and what the current issues are in its schools.		X	X
The DEA has the responsibility for supporting, providing learning materials and funding inclusive education in its schools. Specialized staff and capital equipment needs are acquired through special funding requests to the Department.		X	X
The DEA is to ensure that an assessment is carried out each school year on each student who is on an individual student support plan. This is to measure progress and make recommendation on any adjustments required to the plan.	X		
The DEA is responsible for mediating disputes between parents and the school team on inclusive education issues. If the mediation is not successful and a proper request for further review is received, the DEA is to establish as special review board.	X		X
The DEA and all others involved are to base their inclusive education decisions on Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit.		X	X
Student Participation			
The DEA develops and adopts the Inuuqatigiitsiarniq policy for its schools consistent with the regulations. The policy is to ensure a positive, safe and supporting school environment. The DEA also develops programs to support the policy.	X		
The Policy and supporting programs are developed using Inuit Qaujimajatuqangit, particularly the principles of Inuuqatigiitsiarniq and Piliriqatigiinni. They are submitted to the Minister who may request amendments to ensure the policy is consistent with the Act and regulations.		X	X
As outlined in sections 63 and 65, the DEA may suspend or expel a student.		X	
Suspension can be for up to 20 school days. The DEA carries out this responsibility consistent with Inuit Qaujimajatuqangit, particularly the principles of Inuuqatigiitsiarniq, Tunnganarniq and Piliriqatigiinni.	X		

Responsibility	New	Old	Shared
<i>School Calendar</i>			
Before the beginning of the school year the DEA establishes the calendar for each school in its district. In preparing the calendar, it consults with the principal, school staff and the community and considers local cultural practices and the regulations. The DEA is guided by the principles of Inuit Qaujimajatuqangit, particularly Pijitsirniq and Aajiqatigiinni, in this work.		X	X
Unplanned school closing due to weather or for other reasons may result in lost instructional hours. If the DEA determines that too many hours have been lost they consult with the Minister and the community regarding options for making up lost instructional time.	X		X
A copy of each school's calendar is provided to the Minister. The Minister may require changes to be consistent with the Act and regulations.		X	X
<i>School Staff</i>			
Teachers: The DEA has the right to appoint at least one member to participate on each teacher hiring panel established for a school under its jurisdiction.		X	X
Innait Inuksiutilirijiit: The DEA is responsible to identify individuals with the skills, knowledge and abilities for these positions in their schools. They recommend these persons to the Minister to receive a certificate of their expertise.	X		
Principals: The DEA establishes a panel to recommend a principal for a school. The panel consists of one or more members appointed by the DEA, plus an employee of the Department appointed by the Minister. The persons appointed by the DEA may be members of the DEA. The panel makes its recommendation to the Minister, who makes the appointment of the principal. Re-appointment of a principal follows the same process.	X		X
The DEA provides direction to the principal. Direction should be written and from the DEA, not individual members. They should not conflict with the Act, regulations or directions from the Minister authorized by the Act. For instance, the Minister can give directions related to teaching standards, the delivery of the education program, the promotion of students and teacher professional development. The DEA has the primary authority to give directions to principals on all other topics, unless its direction conflicts with the Act or regulations.	X		X
The DEA and an employee of the Department assess the performance of each principal and vice-principal. That is done in every year during the initial appointment and in the final year of each re-appointment period.		X	X
The DEA may recommend to the Minister that a principal be disciplined. The Minister decides if action is required and informs the DEA of how the matter was dealt with.	X		
The DEA may, as outlined in section 108 if the Act, recommend to the Minister that a principal be dismissed. This is only during the initial period of employment. That recommendation must be made at least 90 days before the last day the principal is to work in the school year.	X		
<i>Responsibilities for Funds</i>			
The funds provided to the DEA are used to carry out its responsibilities	X		

Responsibility	New	Old	Shared
under the Act and regulations. Funds provided without a specific designation or purpose can be allocated or re-allocated by the DEA in the manner it decides is appropriate. Funds provided by government for a specific purpose must be used for that purpose.			
The DEA holds its funds in a bank and uses them in accordance with the regulations. The Minister may give the DEA direction regarding financial management.	X		
The accounts of the DEA are audited every year. In addition, the Minister may require the auditor to do additional examinations or reports related to financial or other matters.	X		
General Duties of the DEA			
The DEA is responsible for providing public education in its district. As described in sections 137-148 of the Act, that involves a number of specific responsibilities including the following:		X	
<ul style="list-style-type: none"> Working with all those interested in the education system to achieve excellence and quality in education, support students and contribute to life-long learning 		X	X
<ul style="list-style-type: none"> Carrying out its Inuit Qaujimajatuqangit duties under the Act including supporting the use of Inuit Qaujimajatuqangit in its school 		X	X
<ul style="list-style-type: none"> Conducting its business and administering its schools using good management principles including: <ul style="list-style-type: none"> Keeping full and accurate records, 		X	
<ul style="list-style-type: none"> <ul style="list-style-type: none"> Considering comments and recommendations provided by students, student representatives, parents and school staff, 		X	X
<ul style="list-style-type: none"> <ul style="list-style-type: none"> Establishing committees for Inuuqatigiitsiarniq, attendance, finance and human resources, 		X	X
<ul style="list-style-type: none"> Providing direction to the principal to ensure school facilities are properly maintained, in good condition and accessible for use including: <ul style="list-style-type: none"> Making the schools available for use by community organizations and for community events when they are not needed for school purposes, 		X	X
<ul style="list-style-type: none"> <ul style="list-style-type: none"> Ensuring the appropriate people and organizations in the community know how to access and use school facilities, 		X	X
<ul style="list-style-type: none"> <ul style="list-style-type: none"> Ensuring property is well maintained and, if owned by the DEA, is insured to the reasonable extent; 		X	X
<ul style="list-style-type: none"> Inform the public in its district about public education and provide the Minister with reports and the information the Minister requires; 		X	X
<ul style="list-style-type: none"> Provide an annual report, as required under section 96 of the Financial Administration Act including information on the administration and operation of the DEA and its schools and the carrying out of IQ duties. The annual report shall be made public. 		X	
DEA members need to be familiar with the staff and operation of schools. The DEA need to develop a school visitation plan so that members can visit schools from time to time to observe. DEA members who need to be present during the school day without a school staff member must have had		X	X

Responsibility	New	Old	Shared
a criminal reference check done and filed with the Minister. When children are present it is best for DEA members to be accompanied by a school staff member.			

The responsibilities identified in the following table are the “new” responsibilities that were identified in the previous table or new, old and shared responsibilities. The table below identifies whether these “new” responsibilities are policy responsibilities, program responsibilities or administrative responsibilities.

Summary of Responsibility	Policy	Program	Admin
<i>School Program</i>			
The DEA, working with the principal, monitors, evaluates and directs the delivery of the school program. The DEA is to ensure that the school program, including any local program, is based on Inuit societal values and the principles and concepts of Inuit Qaujimajatuqangit.		X	
The DEA supports the principal to develop ways to involve parents and promote community involvement in the school program.		X	
The DEA may provide early childhood education programs to promote Inuit language fluency and adult education programs to meet local needs.		X	
<i>Language of Instruction</i>			
The DEA decides whether English or French will be used along with the Inuit language in its schools. The DEA also decides on the model or models of bilingual education to be used. This will determine things such as what is taught in each language and how much instructional time will be devoted to each language.	X		
The models and options for bilingual education are set out in the regulations. They also set out the requirements to consult their community before the DEA decides on the model of bilingual education to be used.	X		
The DEA is required to review the decisions it makes on bilingual education every five years. Based on the review, changes can be made to the bilingual program. A proposal to change requires further community consultation.	X		
<i>Registration and Attendance</i>			
The DEA will consult with adult educators when considering registration of students aged 21 or older.	X		
The DEA regularly reports to the community on attendance in its schools.	X		
<i>Inclusive Education</i>			

Summary of Responsibility	Policy	Program	Admin
The DEA is to ensure that an assessment is carried out each school year on each student who is on an individual student support plan. This is to measure progress and make recommendation on any adjustments required to the plan.		X	
The DEA is responsible for mediating disputes between parents and the school team on inclusive education issues. If the mediation is not successful and a proper request for further review is received, the DEA is to establish as special review board.			X
Student Participation			
The DEA develops and adopts the Inuuqatigiitsiarniq policy for its schools consistent with the regulations. The policy is to ensure a positive, safe and supporting school environment. The DEA also develops programs to support the policy.	X		
Suspension can be for up to 20 school days. The DEA carries out this responsibility consistent with Inuit Qaujimajatuqangit, particularly the principles of Inuuqatigiitsiarniq, Tunnganarniq and Piliriqatigiinniq.	X		
School Calendar			
Unplanned school closing due to weather or for other reasons may result in lost instructional hours. If the DEA determines that too many hours have been lost they consult with the Minister and the community regarding options for making up lost instructional time.	X		
School Staff			
Innait Inuksiutilirijiit: The DEA is responsible to identify individuals with the skills, knowledge and abilities for these positions in their schools. They recommend these persons to the Minister to receive a certificate of their expertise.			X
Principals: The DEA establishes a panel to recommend a principal for a school. The panel consists of one or more members appointed by the DEA, plus an employee of the Department appointed by the Minister. The persons appointed by the DEA may be members of the DEA. The panel makes its recommendation to the Minister, who makes the appointment of the principal. Re-appointment of a principal follows the same process.			X
The DEA provides direction to the principal. Direction should be written and from the DEA, not individual members. They should not conflict with the Act, regulations or directions from the Minister authorized by the Act.			X

Summary of Responsibility	Policy	Program	Admin
For instance, the Minister can give directions related to teaching standards, the delivery of the education program, the promotion of students and teacher professional development. The DEA has the primary authority to give directions to principals on all other topics, unless its direction conflicts with the Act or regulations.			
The DEA may recommend to the Minister that a principal be disciplined. The Minister decides if action is required and informs the DEA of how the matter was dealt with.			X
The DEA may, as outlined in section 108 of the Act, recommend to the Minister that a principal be dismissed. This is only during the initial period of employment. That recommendation must be made at least 90 days before the last day the principal is to work in the school year.			X
Responsibilities for Funds			
The funds provided to the DEA are used to carry out its responsibilities under the Act and regulations. Funds provided without a specific designation or purpose can be allocated or re-allocated by the DEA in the manner it decides is appropriate. Funds provided by government for a specific purpose must be used for that purpose.			X
The DEA holds its funds in a bank and uses them in accordance with the regulations. The Minister may give the DEA direction regarding financial management.			X
The accounts of the DEA are audited every year. In addition, the Minister may require the auditor to do additional examinations or reports related to financial or other matters.			X

These charts show the areas of responsibility for the DEAs under the former and new Education Act. As can be noted, there has been a significant increase in the number of responsibilities the DEAs have under the new Act. As will be noted later in this report, these responsibilities have increased 43% since the enactment of the new Act.

Summary of Findings: Interviews with District Education Authorities

This section summarizes the findings from interviews completed thus far including interviews with the DEAs in Community 1, Community 3 and additional interviews with the DEA in Community 4³.

Challenges

DEAs have varying degrees of difficulties and challenges meeting the new responsibilities being placed on them by the new Act. Most of these challenges place a number of pressures on the DEAs including budgetary pressures as the DEAs don't have sufficient financial support to extend the hours worked by DEA administrators and support staff. As a result, both staff and DEA members have to put in more hours to meet the new requirements than was initially anticipated under the old Act. For the majority of DEAs contacted, there was a feeling that they were at, or exceeding, the maximum amount of effort they could expend. In particular:

1. Regulatory reviews have strained DEA capacity: Explanation & implications.

- There are increasing demands on DEAs for responses and input into a number of policies etc. by the GN DOE⁴. One DEA noted that it was asked to create new policies for the community but they found that this took a lot of time and sometimes required specialized knowledge and research straining the resources available to the DEA.
- With each new program delivered by DEAs there is a corresponding requirement for funding reviews, approvals, and meeting the terms of contribution agreements etc.. This includes some of *Ilisaqsivik's* programs, as they oversee early childhood/daycare programs.
- The requirement for new regulations under the Education Act has placed a great degree of strain on DEAs to participate in the development and review of these regulations.

³ A total of 20 people were interviewed or consulted as members of a DEA.

⁴ The DEA noted that it had been responsible for dealing with and creating new regulations since the new Act came into place. At first, there was a new regulation introduced every six weeks, but the frequency increased to the point where they were becoming overwhelmed with the workload. The DoE has put this process on hold until they see that the DEAs are able to handle the increase in their responsibilities.

- DEAs reported that they have to hold more meetings to get all their work done. This has increased sharply under the new DEA.
- One DEA reported that they used to have informal approvals of their decisions under the old Act. Under the new Act, they require formal motions and approvals or it is not recognized by the DOE. This has increased the administrative burden and requires quorum to make decisions which can be difficult to achieve as members are busy.
- Under the Bilingual Education Policy, a DEA is responsible for the inclusion of Inuinnaqtun into the daily learning of students who are expected to be fluent by 2020. This is unrealistic since the DEA is only starting to implement the Act and it has been four years since it was passed.
- The DEA is dealing with language barriers between the school and the parents. The students will not achieve fluency if the parents are not using Inuinnaqtun at home. The government needs to expand the implementation of the Language Act to the community, including Inuit Qaujimayatuqangit, and Inuit Societal Values.

2. Increased administrative requirements of DoE have strained DEAs' ability to be proactive - Explanation and implications.

- All DEAs reported issues relating to the fact that the office administrators were overworked and that there was an overreliance on these key people. Several sources noted that the DEA would be in a dire situation if these people left as they had such extensive knowledge and experience and there would be great difficulty in finding someone to replace them. New responsibilities have only exacerbated this situation which appears dire in some DEAs.
- The office administrator's time was almost completely taken up by dealing with paperwork and documentation. It was noted that this wasn't the case under the old Act and the level of paperwork has been increasing every year.
- DEAs recommended that the office administration/manager position be full-time and be seasonally supported by an administrative support person/receptionist. In DEAs where there are full-time administrators, it may be necessary to have full-time support staff available.

- Administering the ECE program has somewhat hindered the administrative process, since the DEA has to rely on other agencies to provide DEA with their financials before they can submit theirs.
- Due to limited resources, the “DEA chair is spending so much time on administration that she is not spending time on planning for the future”.
- In one community, the Aboriginal Head Start (AHS) Program currently has no functioning Parent Advisory Committee (PAC), so the DEA is delivering the program, and providing administrative services.
- One DEA commented that the DEA should be promoting education and lobbying for better education but instead they have become administrators due to lack of support from the KSO and GN expectations from DEA's in regards to the implementation of the IQ and Inuit Societal Values.
- One DEA noted that the DEA needed to do more promotional campaigning, and forming partnerships with other agencies, however they don't have the resources to do this.
- Reporting requirements have increased. For example, one DEA reported that they had to submit a preliminary report to the Department of Education on the school's progress towards its goals in November and final report including financials in June.

3. Increased Program Delivery Requirements Have Strained DEA Administrative Capacity

- The DEA administers the Day Care Services outside of their current responsibilities, including the “Nearest and Dearest” project. These take up administrative time in addition to the regular programs.
- The DEA also provides programs such as the Aboriginal HeadStart program. Although it is a three-year contract, the DEA is responsible for quarterly reports.
- The *Innait Inuksiutilirijiit* program and its implementation is a new responsibility for the DEAs. This represents a considerable addition to the already busy DEAs including community consultations, program development, hiring and certification of elders etc.

4. Lack of Sustained Administrative Support to DEAs has Limited Their Effectiveness: Explanation and Implications

A number of suggestions were made as to how the CNDEA could become more effective and help address some of the issues DEAs are facing in regards to their increased responsibilities under the Act and the subsequent shortfall in meeting training needs. In particular, the CNDEA could play an important role in supporting the DEAs in the area of training. All informants indicated that training and increased access to information was a priority need and one that the CNDEA could be well placed to fulfill. Specific areas of training identified included:

- Supporting the DEA Secretaries or Office Managers in their positions. The people in these positions were often overworked and paid only for part-time positions despite the fact that many worked full-time hours. Training would help support these key positions and enable them to do their jobs more efficiently and productively.
- Ensuring capacity is developed at the DEA level. The CNDEA could assume the responsibility of training people to support the DEA Office Managers to ensure there is a replacement to the main position if that person leaves the position either permanently or temporarily.
- The DEA members identified a long list of training needs including administration, budgeting, financial statements, governance, program planning, Inuit Qaujimayatuqangit and Inuit Societal Values, certification of Elders etc. Currently funding is simply added on to DEA budgets without attention being paid to training support and capacity development.
- The CNDEA could also play a leading role in supporting DEAs in regards to strategic planning etc.

Impact

- The lack of support in the areas of training and information sharing has limited the effectiveness of some DEAs and has caused some frustration as they struggle to fulfill increased responsibilities with insufficient guidance, training and support.
- One DEA noted that they needed to develop and monitor the quality of education instead of “worrying if the meeting minutes will get typed up, or if the bookkeeping is being kept up, or if the reports are being done by the other programs”.

The DEAs interviewed thus far have indicated differing perspectives on their responsibilities under the new Education Act. However, a number of common conclusions can be suggested at this point in the research.

1. All DEAs reported challenges in terms of attempting to meet their new responsibilities under the Act.
2. All office administrators interviewed are overwhelmed by their workloads under the new Act and are forced to focus on paperwork rather than fulfill other aspects of their responsibilities to the detriment of the overall performance of the DEAs.
3. All DEAs have identified a need for significant increases in training and support particularly in the areas of governance, financial reporting, program planning, interpreting the Act, their responsibilities and a host of details regarding how they must fulfill the specifics of their responsibilities.
4. The stress levels reported by DEAs will make it increasingly difficult to recruit new members from the relatively small number of interested and eligible volunteers in their communities.

Summary of Interviews: Department of Education

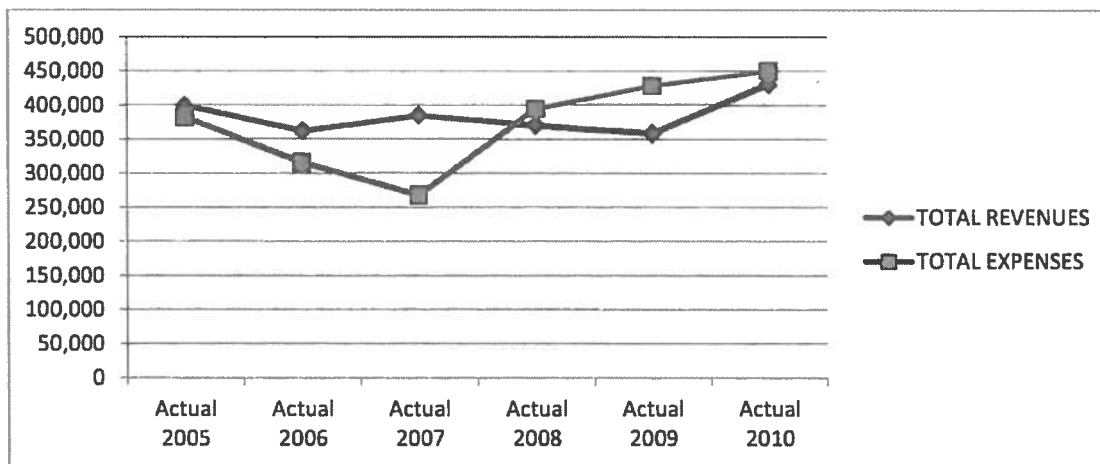
Several staff from the DoE were interviewed as part of the research methodology for the project. The staff were aware of the increase in responsibilities of the DEAs and felt that they have been quite responsive to supporting the DEAs in this area. The staff also noted that new funding under the Act provided new programs to be established including elders and ECE programs which have proven to be very popular in the communities. In regards to the issue of training and support, DoE staff outlined the supports that DoE does provide to the DEAs to enable them to fulfil their responsibilities including DoE Supervisors visiting to communities for consultation and training purposes, development of support materials such as guidelines, manuals, reporting templates etc. Staff noted that some training/information sharing events organized for the DEAs were under-subscribed and they were aware that capacity issues were a priority concern of the DEAs.

In terms of the possibility of DoE increasing funding to the DEAs in the future, staff indicated that funding levels had already been increased in 2011-2012 budget. In regards to areas of potential cost reduction, DOE felt that administrative costs were an area where DEAs had more discretion and could reallocate funds. However, informants were unsure if DEAs were able to reduce administrative costs. In regards to how funding shortfalls related to the increased DEA responsibilities, one respondent stated that DoE would provide more training, support, and advice to each DEA.

Summary of Findings on DEA Financial Data

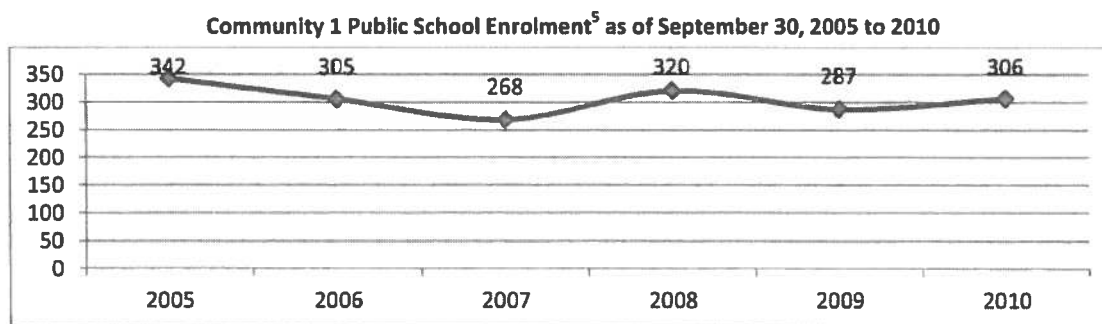
Examination of Pressures within One DEA

The following chart is comparison of annual revenues versus expenses in the financial statements of the Community 1 DEA over a five year period (2005-10). Looking at the chart, it appears that the DEA was reducing expenses on an annual basis initially, and then expenses have increased annually starting in 2008. However, these increases in spending have exceeded the revenue brought in by the DEA during the same period.



Community 1 DEA Financial Trends 2005-2010

For the most part, the enrolment and total expenses trends have been similar, but the enrolment and total revenues trends have not.



Source: Department of Education, Government of Nunavut⁶

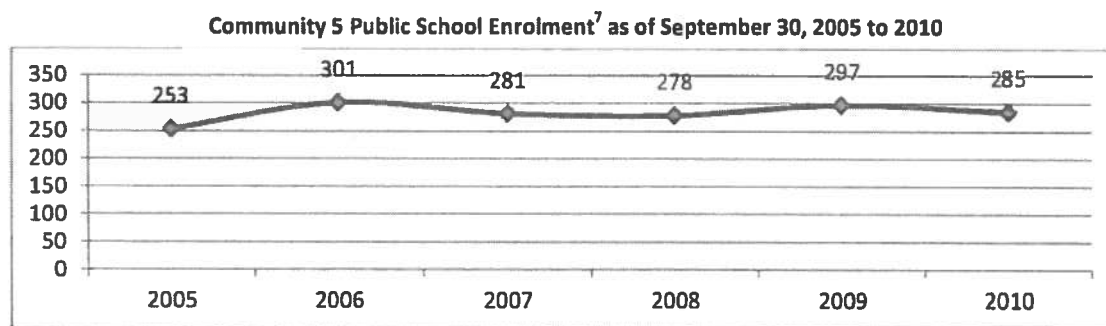
⁵ Enrolment is the number of full-time and part-time students from Kindergarten through Grade 12 registered as of September 30th of the school year in all elementary and secondary schools in Community 1.

⁶ Nunavut Bureau of Statistics. 2011. *Nunavut Public School Enrolment as of September 30, 2003 to 2010*. Released September 20, 2011.

From 2005 to 2007, the total revenue per enrolment was, on average, \$212.34 higher than the total expenses per enrolment. However, from 2008 to 2010 the total revenue per enrolment has been \$127.05 lower on average than the total expenses per enrolment.

Year	Enrolment	Total Revenues / Enrolment	Total Expenses / Enrolment	Difference between Total Revenues / Enrolment and Total Expenses / Enrolment
2005	342	\$1,165.70	\$1,114.05	\$51.65
2006	305	\$1,184.15	\$1,033.98	\$150.17
2007	268	\$1,432.41	\$997.20	\$435.21
2008	320	\$1,155.29	\$1,229.96	-\$74.66
2009	287	\$1,247.74	\$1,490.26	-\$242.53
2010	306	\$1,405.50	\$1,469.44	-\$63.95
Average	305	\$1,265.13	\$1,222.48	\$42.65

As it is shown in the table, total revenues per student enrolled exceeded total expenses per student enrolled in 2005 through to 2007. As the years progressed, the total revenues per student enrolled began to increase and create beneficial cost savings on a per student basis. However, since the inception of the 2008 Nunavut Education Act, total revenues per student enrolled rose steadily but total expenses per student enrolled have increased by a much larger ratio. Essentially, since 2008, the amount allocated on a per student basis through the funding formula is not enough to cover the additional responsibilities identified in the Nunavut Education Act.



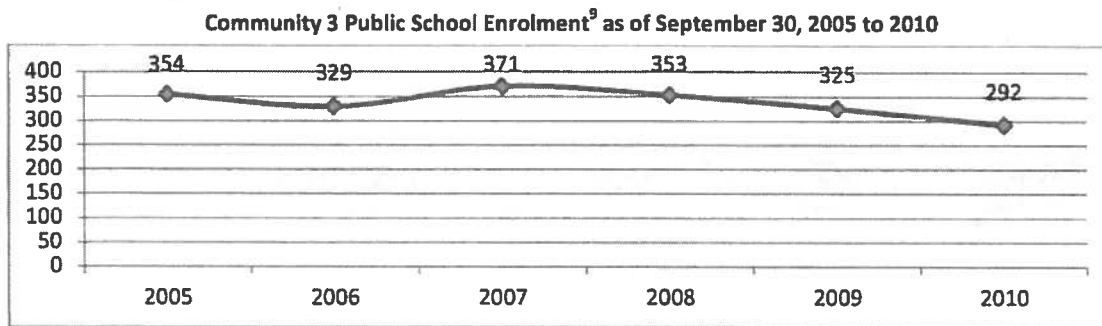
Source: Department of Education, Government of Nunavut⁸

[http://www.eia.gov.nu.ca/stats/Historical/Education/Nunavut%20Public%20School%20Enrolment%20by%20Community,%20Region%20and%20Territory,%202003%20to%202010%20\(4%20tables\).xls](http://www.eia.gov.nu.ca/stats/Historical/Education/Nunavut%20Public%20School%20Enrolment%20by%20Community,%20Region%20and%20Territory,%202003%20to%202010%20(4%20tables).xls) (accessed April 10, 2012).

⁷ Enrolment is the number of full-time and part-time students from Kindergarten through Grade 12 registered as of September 30th of the school year in all elementary and secondary schools in Community 5.

⁸ Nunavut Bureau of Statistics. 2011. *Nunavut Public School Enrolment as of September 30, 2003 to 2010*. Released September 20, 2011.

[http://www.eia.gov.nu.ca/stats/Historical/Education/Nunavut%20Public%20School%20Enrolment%20by%20Community,%20Region%20and%20Territory,%202003%20to%202010%20\(4%20tables\).xls](http://www.eia.gov.nu.ca/stats/Historical/Education/Nunavut%20Public%20School%20Enrolment%20by%20Community,%20Region%20and%20Territory,%202003%20to%202010%20(4%20tables).xls) (accessed April 10, 2012).



Source: Department of Education, Government of Nunavut¹⁰

DEA Main and Actual Budget Estimates¹¹

Budget figures (referred to as “Main Estimates”) for DEAs were provided for 2006/2007 to 2008/2009, which is a total of three years. Data was gathered and grouped based on the region (Qikiqtaaluk, Kivalliq, and Kitikmeot). Located inside each ‘main estimate’ document was data that outlined the DEA budgets for the year and Actual results for the previous year. Data was then analyzed accordingly. Tables for main estimates can be found in the appendix at the end of the report.

In the Qikiqtaaluk region (14 DEAs), main estimates were provided for five years and compared against actual budgets of each DEA for 2006/2007, 2007/2008 and 2008/2009. As you can see, actual budgets tended to be higher each year in each respective hamlet/municipality. In total, over the three year period of analysis, a total of \$999,000 was overspent on the budget. Looking at the data, information shows that main estimates in the Qikiqtaaluk region are increasing yearly except for the sharp decrease in 2008/2009. Over the five years of estimates obtained, total estimates have increased by \$1,600,000 during that span.

The main estimates table, located in the appendices shows that in each year (2006/2007, 2007/2008, and 2008/2009) a deficit is shown for the majority of DEAs at year end. The Kitikmeot region, however, did not have a deficit at year-end in 2006/2007. . In 2007/2008, the deficit decreases in each region except the Kitikmeot, which shows a deficit for the first time. In the third year, 2008/2009 and the first year of the new NEA, each of the three regions shows its largest deficit yet – despite an increase in funding each year in each region. There is no concrete explanation for this phenomenon, but it is hypothesized that it is due to the lack of administrative resources for additional personnel, increased responsibility for staff, and program implementation.

⁹ Enrolment is the number of full-time and part-time students from Kindergarten through Grade 12 registered as of September 30th of the school year in all elementary and secondary schools in Community 3.

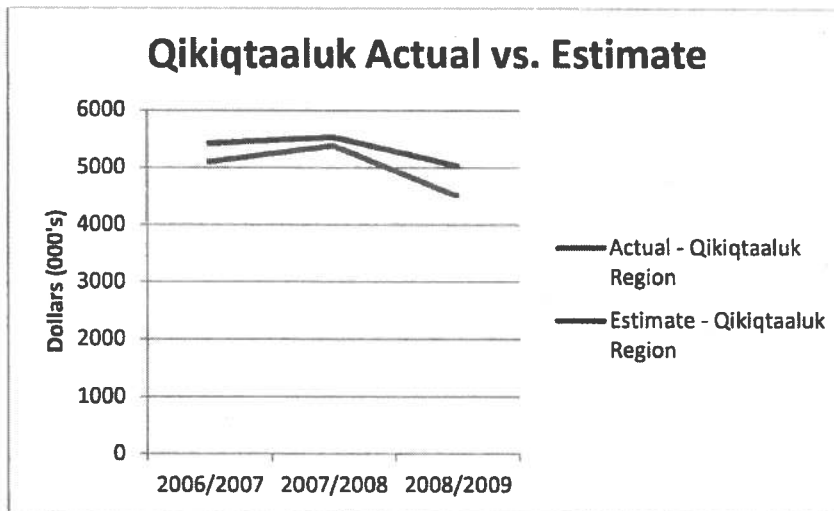
¹⁰ Nunavut Bureau of Statistics. 2011. *Nunavut Public School Enrolment as of September 30, 2003 to 2010*. Released September 20, 2011.

[http://www.eia.gov.nu.ca/stats/Historical/Education/Nunavut%20Public%20School%20Enrolment%20by%20Community.%20Region%20and%20Territory.%202003%20to%202010%20\(4%20tables\).xls](http://www.eia.gov.nu.ca/stats/Historical/Education/Nunavut%20Public%20School%20Enrolment%20by%20Community.%20Region%20and%20Territory.%202003%20to%202010%20(4%20tables).xls) (accessed April 10, 2012).

¹¹ Limited information was obtained for analysis of main estimates. Main estimates for 2006 – 2011 were received. Negative numbers in the charts indicate that overspending has occurred because estimated costs were lower than the actual costs.

Qikiqtaaluk Budget comparison¹²

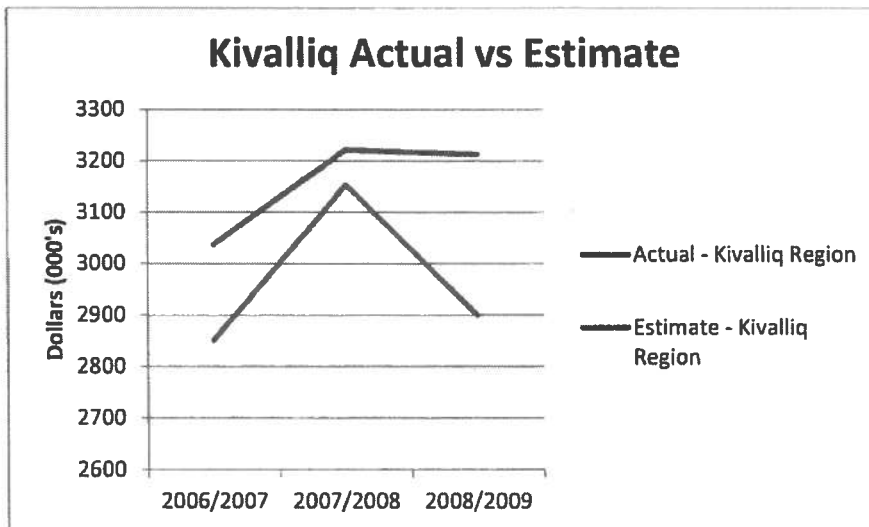
As is apparent from the chart below, the Qikiqtaaluk region has overspent on their budgets in most hamlets over the three year period of comparison. The red line shows what was estimated to be spent in the Qikiqtaaluk region between 06/07, 07/08, and 08/09. The blue line shows what was actually spent in each DEA over that same period. In each of the three years, the region as a whole overspent in each year. The largest overspending of budgets came in 2008/2008, the year of the new Nunavut Education Act.



Kivalliq Budget Comparison

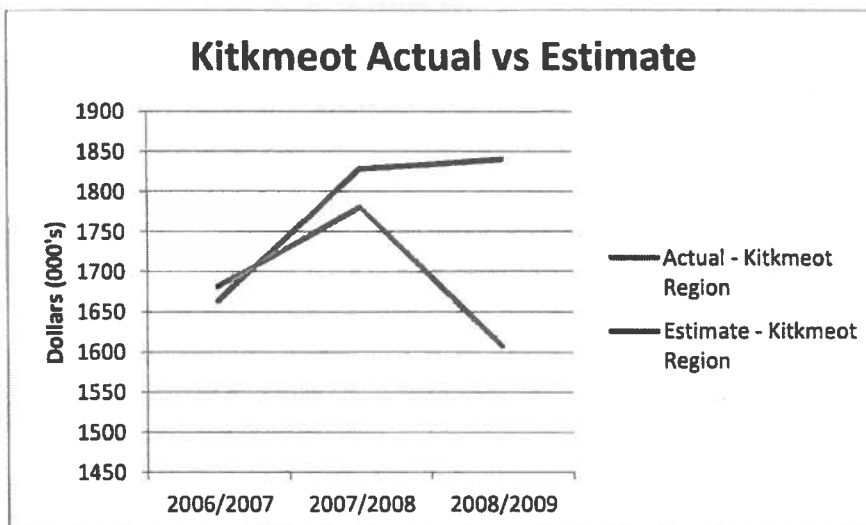
Similar to the Qikiqtaaluk region, the Kivalliq region has overspent in comparison to their main estimates over the period 2006 – 2009. The Kivalliq region has much fewer DEAs (7) in their region, yet they have still overspent in the majority of regions each year. Over the three years of comparison, a total of \$569,000 has been overspent in the region. Most notably, in Community 5 where a total of \$171,000 has been overspent during the three year period from 2006 – 2009. The regional total main estimate budget has increased by \$1,398,000 over the past five years. The graph below shows the total spending for the Kivalliq region of Nunavut. The red line represents total estimated spending for Kivalliq DEAs and the blue shows actual spending. Again, a large overspending occurred in this region.

¹² The chart depicted above does not have "actual values for 2009/2010 or 2010/2011 and show a decrease to zero.



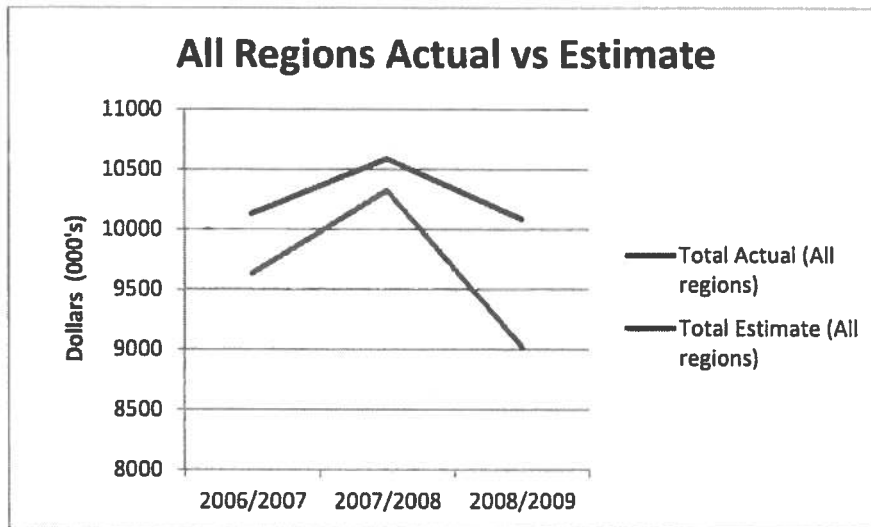
Kitikmeot Budget Comparison

As is apparent from the graph below, Kitikmeot did have a surplus in 2006/2007 and then proceeded to have consecutive years where overspending occurred. Kitikmeot is the smallest of the three regions in Nunavut and has a total of five DEAs. IN 2006/2007 the region as a whole had a surplus of \$17,000 when taking all five DEAs into consideration. However, in the subsequent two years a deficit occurred. Over the three year comparison, a total of \$264,000 was overspent. The budget increased by a total of \$709,000 during the five year main estimate period. The graph below shows a comparison of actual vs. estimate budgeting between the DEAs in this region. The red line shows the estimate and blue line shows the actual. In 2006/2007 the region did not overspend and then began to progressively underestimate the funds needed for the DEA.



Total Budget Comparison

In total, when combining all regions, it is apparent that the actual budget exceeded the estimate budget in each of the three years being compared.



DEA Funding under the GN Funding Formula

The DEA funding formula describes the money allocated to DEAs in each of the regions within Nunavut. Funding to DEAs is determined based on set criteria outlined by the Government of Nunavut. These items are given base amounts of funding (includes zero as a base amount) and a multiplication factor for the number of enrolled students to determine the money allocated to each DEA.

This formula outlines items such as materials and supplies for schools, cultural funding, DEA administration funding, casual/substitute wages, elders in schools, bussing, and additional roles placed on DEAs. It also incorporates a freight cost for those items that must be shipped to the various regions. A copy of the funding formula can be found in Appendix C.

Based on our interviews with DEA members, CNDEA staff, GN staff and an analysis of available financial information, we can conclude that the continuation of the existing funding formula risks undermining the ability of DEAs to achieve their objectives and thus threatens to undermine their role in supporting education in Nunavut. There are 3 main concerns regarding the existing DEA funding formula:

1. Given that the DEA financial statements evidence deficits beginning in 2008, it would appear that the funding model was not adequately adjusted to address the new DEA responsibilities received in 2008.

2. Most of the core operating budget allocated to DEAs are for fixed core costs leaving little room for re-allocations, and,
3. Most of the new money received by DEAs since 2008 has been for program delivery with only a small amount for directed to administrative costs.

Analysis of Increased DEA Responsibilities under the Existing DEA Funding Formula

The tables below were derived from the table of responsibilities created and shown previously in this document. The table outlines both “old” and “new” responsibilities that currently exist in the Nunavut Education Act (NEA).

Currently, DEA’s across Nunavut are responsible for 49 different tasks that are identified in the NEA. Based on the comparison of the old document to the new document, a total of 28 responsibilities existed in the old Act (and still exist today) and 21 were added in the new Act. Under the DoE, money is allocated to wages based on the total funding received on a per student basis. Given that a small “administration” budget is available, the number of responsibilities tasked to DEAs by the DOE through the NEA means that re-allocation of administration funds is nearly impossible. The administration budget is being used to try and keep up with administrative and reporting responsibilities that did not exist prior to the 2008 Nunavut Education Act. **As a result, the existing DoE funding formula represents one of the primary sources of pressures facing the DEAs.**

The chart below was created by using a base assumption of valuing each task equally. It outlines the “old” responsibilities and the number of “new” ones. If all tasks are assumed to be equal then the DEAs now have a 43% increase in their responsibilities. However, under the funding formula, DEAs receive monies based on the number of students who are in school (K – 12). The increased responsibilities are not being recognized in the current funding formulas. If a DEA has a decreased enrollment, they will receive less money to run their programs, which means the same responsibility for staff despite a lower funding level.

	Responsibilities	Percentage
Old	28	57%
New	21	43%
Total	49	100%

Staff wages and benefits that are allocated could be topped up by the 43% increase in responsibility assumed by the DEAs under the Nunavut Education Act.

The chart below depicts the increase that would occur in Community 1. In 2010, Community 1 allocated wages and benefits of \$18,396 for Administration, \$96,067 for Casual, \$29,412 for programming and \$77,515 for other programming for a total of \$221,390.

Based on the model, **the money allocated would be topped up by 43%.** This means that Administration would move from \$18,396 to \$26,289 and so on. The total would move from

\$221,390 that was allocated from their budget to \$316,271 that is assumed to be needed based on the changes and increased responsibility under the new Act. The formula calculation is shown below.

$$(\$221,390 \times 0.43) \times 100 = \$316,271$$

	Admin	Casual ¹³	Program	Other	Total wages
Wages based on "old" responsibility (57%)	\$18,396	\$96,067	\$29,412	\$77,515	\$221,390
Wages based on added responsibility (43%)	\$26,280	\$137,239	\$42,017	\$110,736	\$316,271
***Increasing wages in all areas will allow for a significant and much needed increase in wages paid to the DEA, which will allow them to hire people to assist, or move key people to full time positions.					

This method would be used for all DEA communities to update the salaries and benefits line to cover the increased responsibility that exists in DEA offices. Thus decreasing stress caused by the added responsibility, increasing retention of employees for the DEA, and added capacity within the office and community.

In order to account for the additional responsibilities indicated in the NEA, an increase in salary is warranted for each DEA. The increase, based on information displayed above, would suggest that increasing salaries and benefits for the DEA by 43% would be sufficient for completion of the added responsibilities in the new Education Act.

Furthermore, that increase should be worked into the funding formula to ensure that DEAs are not under-budgeted for salaries. Essentially, using the total enrollment to determine DEAs budgets is affecting them dramatically. This is the case because, regardless of student enrollment, responsibilities for DEAs remain the same. For example a school with 20 students would have the same responsibility as a school with 200. However the budget for the school with less students would not be as high, cost for employing certain positions will remain the same.

¹³ Note: 'Casual' wages make up approximately 1/3 of the DEA budget for Community 1. These funds are not discretionary to the DEA. They are used specifically for substitute teachers or for support staff that are required in school.

Conclusions

It is clear that the creation of the new Education Act in 2008 had a large impact on the DEAs across Nunavut. In particular, a number of new responsibilities were created that increased DEA responsibilities by 43%. While the research and analysis on which this report is based focused upon information provided by only four DEAs of various sizes and from all three regions, the information reviewed for this report strongly supports the conclusion that the DEAs are having trouble meeting their increased responsibilities under the Act. Stress points common to all the consulted DEAs focus on the limited amount of resources available to hire sufficient staff to conduct the many policy, administrative and program responsibilities they have. This has resulted in high stress levels among DEA administrators/managers and has often forced them to spend additional amounts of their own time without compensation.

- Since 2008 there has been a significant increase in responsibilities: Based on an analysis of tasks before and after the introduction of the 2008 Nunavut Education Act, there has been a 43% increase in DEA responsibilities.

While responsibilities have increased by 43%, DEA budgets have not increased accordingly. There has been a marked increase in demand for participation in regulatory reviews, policy development and program delivery without a corresponding increase in administrative budget to meet these new responsibilities. In addition, while DEAs face a marked increase in their responsibilities, the corresponding training and development required to support the introduction of these new responsibilities has not been forthcoming. In short, the DEAs are struggling and need help in order to fulfill their responsibilities.

- DEA operating budgets have not kept pace with expanding responsibilities: While responsibilities have increased by 43%, budgets have not increased accordingly. There has been a marked increase in demand for participation in regulatory reviews, policy development and program delivery without a corresponding increase in administrative budget to meet these new responsibilities.
- The scope and complexity of DEAs responsibilities has increased without sufficient training and development support: DEAs report that there has been a marked increase in demand for participation in regulatory reviews, policy development and program delivery without corresponding training and development to support the introduction of these new responsibilities.

The main estimates tables showed considerable insight into issues with both the new NEA responsibilities as well as the funding formula established by the GN. The funding formula for DEAs is largely based on enrolment, and although some adjustments were made in 2008, they have not adequately addressed the burden of the increased scope and complexity of DEA duties. A review of available information indicates that although deficits did occur in 2006/2007 and 2007/2008, deficits from those years do not add up to the total deficit in their respective region. However, very large budget

increases occurred in each community. Despite these large increases, actual data from Community 1 financial statements show that the increase in funding did not lead to a surplus or a break even scenario. The increased budget led to a steadily increasing deficit which was approximately 23,000 in 2008 and 69,000 in 2009. Budget increases have been directed at program delivery and not to help with the administrative burden of added responsibilities. Therefore, DEAs require more funds to continually operate everything mandated under the NEA.

- The increase in administrative reporting has come at the expense of DEAs being proactive in their communities: DEAs report that the increase in administrative reporting since 2008 has occupied them so much they were unable to perform other key tasks.
- Existing DEA staffing levels are insufficient to deliver new DEAs responsibilities. Recent budget increases have been directed at program delivery and not to help with the administrative burden of added responsibilities.

It is reasonable to conclude that the increased budgets have not been sufficient to deal with added responsibilities being placed on the DEAs. Judging by the three community cases, enrollment seems to be steady in the three communities, yet they all have deficits in 2008 when the NEA was introduced. The funding formula is partially to blame for this phenomenon. The funding formula takes into account base funding, the number of students attending school in a particular region, the number of schools in the region, casual wages for each PY, elders in the school and additional roles placed on the DEA. The issue with the formula appears to be wages and \$112.50 per student. As an example, DEAs receive an additional \$38,750 for 300 students and a base of \$5000. That employs a half time person to deal with the numerous responsibilities that are included in the New Education Act.

- The Existing GN funding formula for DEAs needs to more adequately reflect the Increase in DEA responsibilities. The DoE funding formula for DEAs is largely based on enrolment, and although some adjustments were made in 2008, they have not adequately addressed the burden of the increased scope and complexity of DEA duties. Currently the funding formula is one of the primary pressures facing the DEAs.

In general, the DoE is aware of the pressures facing the DEAs and have indicated that the department has responded to their needs. Staff indicated that there were a number of resources available to support the DEAs and that funding had increased to help offset the costs of the new responsibilities under the Act. In recognition of the ongoing needs of the DEAs to be able to fully address their new responsibilities, DoE staff offered the ongoing support of the department through training support and advice to each DEA.

There is also a need highlighted by the difficulties experienced during the writing of this report, for additional research and tracking of budget information to increase understanding of the DEAs, the roles and challenges they play, and to support further lobbying and advocacy purposes.

In conclusion, the continuation of the current situation seems to be untenable and the DEAs need additional resources in order to fulfill their responsibilities. The existing GN funding formula represents one of the primary sources of pressure facing the DEAs. The research conducted for this study has determined that **an increase of approximately \$80 – \$100,000 per DEA would be sufficient to enable the DEAs to increase their capacity** to continue to meet their responsibilities and to make a substantial contribution to the development and delivery of education in Nunavut.

Currently, DEA's across Nunavut are responsible for 49 different tasks that are identified in the Nunavut Education Act. Based on the comparison of the old document to the new document, a total of 28 responsibilities existed in the old Act (and still exist today) and 21 were added in the new Act.

By using a base assumption of valuing each task equally, the chart below was created. It outlines the "old" responsibilities and the number of "new" ones. If all tasks are assumed to be equal then the DEAs now have a 43% increase in their responsibilities. However, under the funding formula, DEAs receive monies based on the number of students who are in school (K – 12). The increased responsibilities are not being recognized in the current funding formulas. If a DEA has a decreased enrollment, they will receive less money to run their programs, which means the same responsibility for staff despite a lower funding level.

	Responsibilities	Percentage
Old	28	57%
New	21	43%
Total	49	100%

The recommendation to solve this would be to increase funding levels of wages and benefits allocated to top up part-time employees to full time or possibly hire an assistant for those regions where there is a full time staff. Staff wages and benefits that are allocated could be topped up by the 43% increase in responsibility assumed by the DEAs under the Nunavut Education Act.

The chart below depicts the increase that would occur in Clyde River. In 2010, Clyde River allocated wages and benefits of \$18,396 for Administration, \$96,067 for Casual, \$29,412 for programming and \$77,515 for other programming for a total of \$221,390.

Based on the model, the money allocated would be topped up by 43%. This means that Administration would move from \$18,396 to \$26,289 and so on. The total would move from \$221,390 that was allocated from their budget to \$316,271 that is assumed to be needed based on the changes and increased responsibility under the new Act. The formula calculation is shown below.

$$(\$221,390 \times 0.43) \times 100 = \$316,271$$

	Admin	Casual	Program	Other	Total wages
Wages based on "old" responsibility (57%)	\$18,396	\$96,067	\$29,412	\$77,515	\$221,390
Wages based on added responsibility (43%)	\$26,280	\$137,239	\$42,017	\$110,736	\$316,271
***Increasing wages in all areas will allow for a significant and much needed increase in wages paid to the DEA, which will allow them to hire people to assist, or move key people to full time positions.					

This method would be used for all DEA communities to update the salaries and benefits line to cover the increased responsibility that exists in DEA offices. Thus decreasing stress caused by the added responsibility, increasing retention of employees for the DEA, and added capacity within the office and community.

Appendix A – Main Estimates

Qikiqtaaluk Budget comparison¹⁴

Qikiqtaaluk	Actual 06-07 (\$000)	Estimate 06-07 (\$000)	Difference (\$000)	Actual 07-08 (\$000)	Estimate 07-08 (\$000)	Difference (\$000)	Actual 08-09 (\$000)	Estimate 08-09 (\$000)	Difference (\$000)	Estimate 09-10 (\$000)	Estimate 10-11 (\$000)
Apex	71	61	-10	68	59	-9	58	52	-6	66	73
Arctic Bay	317	303	-14	335	325	-10	331	299	-32	371	414
Cape Dorset	406	336	-70	399	389	-10	394	348	-46	449	549
Clyde River	359	349	-10	348	338	-10	349	301	-48	385	446
Grise Fiord	149	139	-10	145	135	-10	138	127	-11	146	158
Hall Beach	268	258	-10	260	250	-10	254	226	-28	291	331
Igloolik	552	526	-26	556	546	-10	550	492	-58	633	738
Iqaluit	1324	1314	-10	1465	1517	52	1066	930	-136	1192	1414
Kimminut	215	188	-27	231	221	-10	179	207	28	215	298
Pangnirtung	517	402	-115	458	401	-57	463	405	-58	539	623
Pond Inlet	557	547	-10	578	568	-10	575	520	-55	681	761
Qikiqtarjuaq	215	205	-10	207	197	-10	200	176	-24	221	247
Resolute Bay	150	140	-10	147	137	-10	139	126	-13	172	193
Sanikiluaq	329	331	2	341	307	-34	336	302	-34	389	454
TOTALS	5429	5099	-330	5538	5390	-148	5032	4511	-521	5750	6699

The DEA main estimate information above shows the actual vs. the estimated costs for three years (06/07, 07/08 and 08/09). These three years allow us to show, in each region, how much money was allocated and how much each DEA spent. For example, in Iqaluit, a total of \$1,314,000 was allocated the community in 2006/2007. In that same year, the Iqaluit DEA spent \$1,324,000 which is \$10,000 more than they were allocated. In the chart, this is represented by each of the red columns. Negative values show that a community overspent and had a deficit. As it can be seen for the three years where comparisons were able to be made, there was a deficit in most communities. There are two estimate

¹⁴ The chart depicted above does not have actual values for 2009/2010 or 2010/2011 and show a decrease to zero.

values (09/10 and 10/11) that do not have actual values to compare too, but are shown to show that estimates are being increased in almost every region to match the need for increased funds.

Qikiqtaaluk Region	Estimate 06-07 (\$000)	Estimate 07-08 (\$000)	Difference (\$000's)	Estimate 08-09 (\$000)	Difference (\$000's)	Estimate 09-10 (\$000)	Difference (\$000's)	Estimate 10-11 (\$000)	Difference (\$000's)
Apex	61	59	-2	52	-7	66	14	73	7
Arctic Bay	303	325	22	299	-26	371	72	414	43
Cape Dorset	336	389	53	348	-41	449	101	549	100
Clyde River	349	338	-11	301	-37	385	84	446	61
Grise Fiord	139	135	-4	127	-8	146	19	158	12
Hall Beach	258	250	-8	226	-24	291	65	331	40
Igloolik	526	546	20	492	-54	633	141	738	105
Iqaluit	1314	1517	203	930	-587	1192	262	1414	222
Kimmirut	188	221	33	207	-14	215	8	298	83
Pangnirtung	402	401	-1	405	4	539	134	623	84
Pond Inlet	547	568	21	520	-48	681	161	761	80
Qikiqtarjuaq	205	197	-8	176	-21	221	45	247	26
Resolute Bay	140	137	-3	126	-11	172	46	193	21
Sanikiluaq	331	307	-24	302	-5	389	87	454	65
TOTALS	5099	5390	291	4511	-879	5750	1239	6699	949

The chart above shows the difference in estimates from year to year. Using the Iqaluit example again, we can see that Iqaluit received an increase of \$203,000 between 2006/2007 and 2007/2008. That was followed by a very large decrease of almost \$600,000 (\$587,000) between 2007/2008. In the two years following it increased by \$262,000 and \$222,000 respectively (\$484,000 total). As was the case for the majority of DEA's an increase or slight decrease occurred between 2006/2007 and 2007/2008 and then a significant decrease occurred in most communities between 2007/2008 and 2008/2009, followed by consecutive increases in the next two estimates.

Kivalliq Budget Comparison¹⁵

Kivalliq Region	Actual 06-07 (\$000)	Estimate 06-07 (\$000)	Difference 06-07 (\$000)	Actual 07-08 (\$000)	Estimate 07-08 (\$000)	Difference 07-08 (\$000)	Actual 08-09 (\$000)	Estimate 08-09 (\$000)	Difference 08-09 (\$000)	Estimate 09-10 (\$000)	Estimate 10-11 (\$000)
Arviat	709	699	-10	786	776	-10	805	721	-84	917	1045
Baker Lake	601	601	0	649	639	-10	647	582	-65	738	854
Chesterfield Inlet	179	169	-10	197	187	-10	189	173	-16	210	235
Coral Harbour	453	326	-127	369	359	-10	364	330	-34	402	461
Rankin Inlet	604	594	-10	691	682	-9	707	627	-80	833	991
Repulse Bay	330	310	-20	362	352	-10	310	328	18	402	470
Whale Cove	162	152	-10	168	158	-10	191	139	-52	173	193
TOTALS	3038	2851	-187	3222	3153	-69	3213	2900	-313	3675	4249

Similar to the Qikiqtaaluk region above, the Kivalliq region suffered a similar fate with the majority of their DEAs. As it can be seen, a deficit is shown in almost every region for each of the three years that were available for comparison. The areas highlighted in red show the surplus or deficit that each community DEA had in years that are compared.

Kivalliq Region	Estimate 06-07 (\$000)	Estimate 07-08 (\$000)	Difference 06-07 (\$000's)	Estimate 08-09 (\$000)	Difference 07-08 (\$000's)	Estimate 09-10 (\$000)	Difference 08-09 (\$000's)	Estimate 10-11 (\$000)	Difference 09-10 (\$000's)
Arviat	699	776	77	721	-55	917	196	1045	128
Baker Lake	601	639	38	582	-57	738	156	854	116
Chesterfield Inlet	169	187	18	173	-14	210	37	235	25
Coral Harbour	326	359	33	330	-29	402	72	461	59
Rankin Inlet	594	682	88	627	-55	833	206	991	158
Repulse Bay	310	352	42	328	-24	402	74	470	68
Whale Cove	152	158	6	139	-19	173	34	193	20
TOTALS	2851	3153	302	2900	-253	3675	775	4249	574

¹⁵ The chart depicted above does not have actual values for 2009/2010 or 2010/2011 and show a decrease to zero.

The Kivalliq Region shows a very similar pattern to the way DEA estimates were increased and decreased. A significant decrease in all regions of the Kivalliq can be seen in 2008/2009 and then a very significant increase over the next two years occurs.

Kitikmeot Budget Comparison

Kitikmeot Region	Actual 06-07 (\$000)	Estimate 06-07 (\$000)	Difference 06-07 (\$000)	Actual 07-08 (\$000)	Estimate 07-08 (\$000)	Difference 07-08 (\$000)	Actual 08-09 (\$000)	Estimate 08-09 (\$000)	Difference 08-09 (\$000)	Estimate 09-10 (\$000)	Estimate 10-11 (\$000)
Cambridge Bay	349	362	13	381	371	-10	380	328	-52	492	581
Gjoa Haven	410	408	-2	441	431	-10	438	391	-47	463	536
Kugaaruk	289	288	-1	317	307	-10	315	280	-35	327	380
Kugluktuk	318	332	14	351	343	-8	365	308	-57	424	482
Taloyoak	298	291	-7	338	328	-10	342	300	-42	356	411
TOTALS	1664	1681	17	1828	1780	-48	1840	1607	-233	2062	2390

In the comparison between actual and estimated budgets, this region can clearly be seen as the region that fluctuated the least. In 2006/2007, regions either had a very small deficit or a reasonable surplus. In 2007/2008 all communities had a small deficit and in 2008/2009 that deficit increased dramatically.

Kitikmeot Region	Estimate 06-07 (\$000)	Estimate 07-08 (\$000)	Difference 06-07 (\$000's)	Estimate 08-09 (\$000)	Difference 07-08 (\$000's)	Estimate 09-10 (\$000)	Difference 08-09 (\$000's)	Estimate 10-11 (\$000)	Difference 09-10 (\$000's)
Cambridge Bay	362	371	9	328	-43	492	164	581	89
Gjoa Haven	408	431	23	391	-40	463	72	536	73
Kugaaruk	288	307	19	280	-27	327	47	380	53
Kugluktuk	332	343	11	308	-35	424	116	482	58
Taloyoak	291	328	37	300	-28	356	56	411	55
TOTALS	1681	1780	99	1607	-173	2062	455	2390	328

In the same fashion as the two previous, the regions have a large decrease in estimated budget in 2008/2009 and each year after that the budget begins to increase steadily.

Appendix B – Community 1 Budgets

Community 1 BUDGET STATEMENTS (Actual)

Revenues	2005	2006	2007	2008	2009
Government of Nunavut					
Regular Contribution	\$224,422	\$329,814	\$337,502	\$337,502	\$337,501
Other Contribution	\$154,227	\$0	\$24,223	\$6,263	\$10,200
Total Government of Nunavut	\$378,649	\$329,814	\$361,725	\$343,765	\$347,701
Other Contributions	\$9,739	\$0	\$0	\$0	\$0
DEA generated funds					
Investment income	\$163	\$956	\$4,152	\$5,750	\$940
Other	\$3,000	\$26,423	\$18,008	\$20,179	\$9,459
Total DEA generated funds	\$3,163	\$27,379	\$22,160	\$25,929	\$10,399
Locally raised funds	\$7,117	\$3,973	\$0	\$0	\$0
TOTAL	\$398,668	\$361,166	\$383,885	\$369,694	\$358,100
Expenses					
School administration	\$48,436	\$51,543	\$54,852	\$55,477	\$43,573
School programs	\$55,728	\$84,448	\$71,953	\$116,058	\$119,070
Casual Wages	\$54,744	\$50,518	\$60,678	\$57,980	\$114,297
Local programs	\$22,695	\$72,573	\$40,364	\$106,536	\$75,186
DEA administration	\$30,278	\$27,499	\$25,007	\$32,593	\$54,244
Furniture and equipment	\$76,566	\$0	\$0	\$0	\$0
Student support program	\$70,176	\$3,154	\$223	\$0	\$0
Locally raised fund					
expenditures	\$5,157	\$0	\$0	\$0	\$0
Secretary salary program	\$7,485	\$0	\$0	\$0	\$0
CAP sites project	\$9,739	\$25,630	\$14,172	\$18,679	\$9,459
Language strategy project	\$0	\$0	\$0	\$6,263	\$100
Nunavut Day	\$0	\$0	\$0	\$0	\$2,500
Life skills	\$0	\$0	\$0	\$0	\$1,677
Bussing agreement	\$0	\$0	\$0	\$0	\$7,600
TOTAL	\$381,004	\$315,365	\$267,249	\$393,586	\$427,706
Excess Revenues	\$17,664	\$45,801	\$116,636	-\$23,892	-\$69,606

Appendix C – DEA Funding Formula

Formula Funding Mode - 2012/2013

District Education Authorities are funded based on the student enrollment as of September 30th of the previous year for the following areas:

- **Materials and supplies for K to 12,**
 - Funding is given at a rate of \$298 per student x a freight factor
 - For Senior Grades 10 – 12 and additional \$20 00 base funding that supports grade 10 – 12 programming along with \$52 per student x the freight fact.
- **Cultural funding**
 - \$120 per student is given
- **District Education Authority Administration funding**
 - \$30 000 base funding per District Education Authority and an additional \$86 per student.
 - If the District Education Authority is responsible for more than two schools they receive another \$10 000 per school above the two.
- **Casual/Substitute Wages**
 - Ten days of casual funding for each approved PY at a rate of \$225/day is given to each District Education Authority
- **Elders in Schools,**
 - \$179.50 per student
- **Bussing**
 - District Education Authorities are also provided funding to cover the cost of bussing in their communities. The amounts vary depending on the contract cost.
- **The additional roles and responsibilities placed on District Education Authorities under Nunavut's Education Act (policy development) and Early Childhood Programs for Language and Culture.**
 - \$112.50 per student plus as base amount of \$50,000 per District Education Authority

- Early Childhood Education for Language and Culture – Max \$40 000 – project based by application. There are a few communities that can exceed the \$40 000 based on the number of Early Childhood Education Programs the community is offering.

* Freight Factor: the amount is based on the September 30, 2010 Nunavut Employees Union Collective Agreement Northern Allowance. Below is the rate factor for each community.

COMMUNITY NAME	NORTHERN ALLOWANCE	FREIGHT FACTOR
BASE	12,109	1.00
Arctic Bay	25,453	2.10
Broughton Island	22,638	1.87
Cape Dorset	20,980	1.73
Clyde River	22,978	1.90
Grise Fiord	34,455	2.85
Hall Beach	23,561	1.95
Igloolik	22,579	1.86
Iqaluit	15,016	1.24
Kimmirut	19,122	1.58
Pangnirtung	19,077	1.58
Pond Inlet	24,214	2.00
Resolute Bay	28,477	2.35
Sanikiluaq	20,293	1.68

COMMUNITY NAME	NORTHERN ALLOWANCE	FREIGHT FACTOR
BASE	12,109	1.00
Arviat	21,113	1.74
Baker Lake	24,381	2.01
Chesterfield Inlet	23,147	1.91
Coral Harbour	23,292	1.92
Rankin Inlet	18,517	1.53
Repulse bay	21,894	1.81
Whale Cove	21,564	1.78

Cambridge Bay	19716	1.63
Gjoa Haven	26345	2.18
Kugluktuk	22042	1.82
Kugaaruk	26639	2.20
Taloyoak	30424	2.51