

BUILDING ON THE PAST, GUIDING THE FUTURE >>

A USER'S GUIDE TO BILL 25
An Act to Amend the *Education Act* and
the *Inuit Language Protection Act*



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Building on the Past, Guiding the Future

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

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

The proposed amendments are designed to guide the future of education in Nunavut by:

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

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

Specifically, Bill 25 will amend the *Education Act* by:

- » Consolidating references to Inuit Qaujimagatuqangit into Part I of the Act;
- » Redefining the education program, school program, and local program, clarifying the roles of the Minister and the District Education Authorities (DEAs);
- » Revising inclusive education requirements by providing a clearer process;
- » Revising language of instruction requirements to ensure that Inuit Language capacity is properly utilized and monitored;

- » Extending deadlines for the implementation of bilingual education;
- » Revising some of the responsibilities of DEAs, including the Commission scolaire francophone du Nunavut (CSFN); and
- » Enhancing the responsibilities of the Coalition of Nunavut DEAs (CNDEA).

This bill will also amend the *Inuit Language Protection Act* by extending deadlines for the implementation of bilingual education.

Following the format of Bill 25, this user's guide explains in plain language the proposed amendments and their rationale, along with the current requirements in the 2008 *Education Act* and the *Inuit Language Protection Act*.

For more information on Bill 25, such as the complete bill, the current 2008 *Education Act*, and other related documents visit <https://www.ourgoalsforeducation.ca/en/information>.



Part 1

Amendments to the *Education Act*

Subpart 1 – References to Inuit Qaujimajatuqangit

Bill 25 proposes to consolidate references to Inuit Qaujimajatuqangit to “Part 1 – Fundamental Principles” of the *Education Act*. Currently, references to Inuit Qaujimajatuqangit principles can be found in 9 out of the 17 parts of the *Education Act*. These parts include:

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

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

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

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

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

Subpart 2 – Education Program and Local Community Program

Bill 25 proposes to redefine the education program, school program, and local program to clarify the differences between the three programs and to separate the education program from the school program.

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

First, Bill 25 proposes to change the term “school program” to “local community program.” This change is being proposed because the current “school program” is mostly the responsibility of DEAs and is therefore different from community to community.

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

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

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



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

Bill 25 also proposes to change the term “local program” to “local education program enhancements.” This proposed change reflects the fact that this programming is meant to enhance the education program provided by the Minister by ensuring it reflects the local language, culture, and priorities of the community.

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

Separation of the education program and school program

Furthermore, Bill 25 proposes to separate the education program from the school program. If passed, the Minister will have the responsibility to provide the education program, which will include:

- » The curriculum;
- » Local education program enhancements developed by DEAs;
- » Assessments and adjustments provided under Inclusive Education; and
- » Assessments of student performance.

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

Changing the term “school program plan” to “school improvement plan”

Following the proposals to change the term of the “school program” and to separate the education program from the school program, as stated above, Bill 25 also proposes to change the term “school program plan” to “school improvement plan.”

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

Developing a new “education program plan”

Rather than developing the school improvement plan, Bill 25 proposes that principals will be responsible for developing a new “education program plan” that will cover the delivery of the education program, including local education program enhancements for each school year. The education program plan will include:

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

Funding third-party early childhood education programs

Finally, Bill 25 proposes to provide the Minister with the ability to fund third-party early childhood education (ECE) program providers through contribution agreements should DEAs elect not to.

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



Subpart 3 – Languages of Instruction

Bill 25 proposes amendments to ensure that DEAs are selecting bilingual education models that can be delivered in their community. The Minister will continue to be responsible for developing the options for the bilingual education models and DEAs will continue to have the authority to choose the model to be used for schools in their education district. However, DEAs will only be able to select a model that can be delivered with the teaching capacity available in their community.

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

Under the current 2008 *Education Act*, the department is required to fully deliver bilingual education from Kindergarten to Grade 3. The deadline for full implementation for Grades 4 to 12 is July 1, 2019. Unfortunately, there have been major implementation challenges that has prevented the department from meeting this goal. This includes the need to greatly increase Inuktitut-teaching capacity and develop standardized Inuktitut vocabulary for use in curriculum for programs of study.

Timelines and reporting

To provide enough time for the full implementation of bilingual education, Bill 25 proposes to extend the deadline for Grades 4 to 12 on a phased-in schedule ending in 2039.

Additionally, Bill 25 will enhance the accountability requirements on the Minister who will have to closely monitor and report annually to Nunavummiut on the ability to provide Inuit language instruction and the development of curriculum, teaching materials, and training programs.

Subpart 4 – Inclusive Education

Duties of principals and teachers

Bill 25 proposes to provide principals, instead of DEAs, with the responsibility to oversee the implementation of inclusive education in their schools. This is being proposed because principals have the training, knowledge, and daily presence in the school needed to ensure that inclusive education is being properly implemented. Providing principals with oversight responsibility will also help ensure that students in every community have access to supports and services available under inclusive education.

Furthermore, Bill 25 proposes to increase the duty of teachers to assess all students to determine whether or not they need inclusive education adjustments. Currently, teachers are required to assess only those students who they believe may require additional services and supports. DEAs may provide teachers with additional information to assist them in their duty to assess students.



Under Bill 25: Language of Instruction Timeline

2018	2019	2020	2021	2022	2023	2024	2025	2026	2027	2028
Grade 4 Inuktut Language Arts – Inuktitut as a First Language (ILA1)										
Grade 5 Inuktut Language Arts – Inuktitut as a First Language (ILA1)										
Grade 6 Inuktut Language Arts – Inuktitut as a First Language (ILA1)										
	Grade 7 Inuktut Language Arts – Inuktitut as a First Language (ILA1)									
	Grade 8 Inuktut Language Arts – Inuktitut as a First Language (ILA1)									
	Grade 9 Inuktut Language Arts – Inuktitut as a First Language (ILA1)									
		Grade 10 Inuktut Language Arts – Inuktitut as a First Language (ILA1)								
		Grade 11 Inuktut Language Arts – Inuktitut as a First Language (ILA1)								
		Grade 12 Inuktut Language Arts – Inuktitut as a First Language (ILA1)								
Grade 4 Inuktut Language Arts – Inuktitut as a Second Language (ILA2)										
Grade 5 Inuktut Language Arts – Inuktitut as a Second Language (ILA2)										
Grade 6 Inuktut Language Arts – Inuktitut as a Second Language (ILA2)										
	Grade 7 Inuktut Language Arts – Inuktitut as a Second Language (ILA2)									
	Grade 8 Inuktut Language Arts – Inuktitut as a Second Language (ILA2)									
	Grade 9 Inuktut Language Arts – Inuktitut as a Second Language (ILA2)									
		Grade 10 Inuktut Language Arts – Inuktitut as a Second Language (ILA2)								
		Grade 11 Inuktut Language Arts – Inuktitut as a Second Language (ILA2)								
		Grade 12 Inuktut Language Arts – Inuktitut as a Second Language (ILA2)								
Grade 4 Inuktut Language Arts – Inuinnaqtun										
Grade 5 Inuktut Language Arts – Inuinnaqtun										
Grade 6 Inuktut Language Arts – Inuinnaqtun										
		Grade 7 Inuktut Language Arts – Inuinnaqtun								
		Grade 8 Inuktut Language Arts – Inuinnaqtun								
		Grade 9 Inuktut Language Arts – Inuinnaqtun								
			Grade 10 Inuktut Language Arts – Inuinnaqtun							
			Grade 11 Inuktut Language Arts – Inuinnaqtun							
			Grade 12 Inuktut Language Arts – Inuinnaqtun							

Developing Individual Student Support Plans

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

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

The Minister, DEAs and reporting

Under Bill 25, the Minister will be provided with the final authority to exclude students from the regular classroom setting for inclusive education reasons. Currently, this responsibility is with principals. This proposal does not affect DEAs in their authority to suspend or expel students under “Part 7 – Student and Parental Participation” of the *Education Act*. The authority of DEAs to suspend or expel students will not change.



DEAs will be allowed to participate in the review board panel that makes decisions on inclusive education appeals. The review board will continue to include members who have expertise in the type of needs required by the student.

Bill 25 also proposes to increase the reporting requirements for inclusive education by:

- » Requiring principals to report quarterly to DEAs on the implementation of inclusive education in their schools; and,
- » Requiring the Minister to report annually on inclusive education throughout the education system.

Subpart 5 – Education Staff

Under Bill 25, the orientation programs for new teachers will be required to include content on Inuit culture and history, as well as, provide an introduction to the Inuit Language. This is a higher standard than the 2008 *Education Act*, which currently requires orientation programs be developed in accordance with Inuit Qaujimajatuqangit principles.

The use of Inuit cultural knowledge will also be expanded in schools by broadening the concept of Inuit cultural experts to include experts of all ages, not just Elders. DEAs will



continue to be responsible for deciding which individuals have the skills, knowledge, and abilities in Inuit culture and traditions to serve as Inuksiutiliriji in their schools.

Bill 25 also proposes to extend the terms of principal and vice-principal appointments from 3 years to 4 years to allow for greater consistency in school leadership.

Subpart 6 – District Education Authorities

School calendars

Bill 25 proposes to provide the Minister with the authority to establish nine basic school calendars, three for each region, with start and end dates, and dates for professional development. DEAs will be able to select the calendar used by their education district from the available options.

Principal and vice-principal appointment panels

DEAs will keep their authority over the principal and vice-principal appointment panels as currently stated in the 2008 *Education Act*. To ensure that principal interviews occur in a timely manner without delays, Bill 25 proposes to require DEAs to appoint members to the appointment panel within two working days.

DEA members

Bill 25 also proposes to allow Elders and student representatives appointed to a DEA to have the same rights and responsibilities as other members of the DEA, including the right to vote, instead of just the right to attend meetings.

DEA members will also be required to provide the Minister with a copy of a vulnerable sector check that is no older than three months from the time they are elected. Currently in the 2008 *Education Act*, DEA members can provide criminal reference checks that were completed within the last three years.

Subpart 7 – Commission scolaire francophone du Nunavut

Under Bill 25, the Minister will be provided with the authority to allow a student who is not a rights holder to enrol in a school under the jurisdiction of the CSFN; however, the Minister may delegate this authority to the CSFN.

The Minister will also be provided with the authority to establish the curriculum to be followed by the CSFN. This is consistent with the Minister's current authority to establish the curriculum used in all other Nunavut schools.

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

Bill 25 also proposes to require the CSFN to deliver Inuit Language instruction in schools under its jurisdiction.

Subpart 8 – DEA Coalition

Currently, Coalition of Nunavut District Education Authorities (CNDEA) has limited reporting requirements to the Minister and no direct responsibilities to DEAs. Bill 25 proposes to significantly enhance the responsibilities of the CNDEA and create clear lines of accountability between the CNDEA, DEAs, and the Minister.

Training and support

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

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

To support the CNDEA in its additional duties, Bill 25 proposes to increase its funding to staff six positions, instead of the current two.

Accountability

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

As the CNDEA is the body meant to represent and support all DEAs, Bill 25 proposes to require the Coalition to:

- » Allow any DEA to be a member;
- » Limit the CNDEA's ability to remove DEA members from membership in the CNDEA; and,
- » Ensure that at least 70% of the CNDEA's board of directors are members of a DEA.

Subpart 9 – Other substantive amendments

Bill 25 proposes to affirm Nunavut's commitment in the public education system to the United Nations Convention on the Rights of the Child, and clarify DEAs' discretionary authority to enrol other individuals in a school. This proposed amendment does not change DEAs' discretionary power to enrol other individuals; DEAs will retain their discretionary authority.

Additionally, the Minister will be provided with the authority to make transition regulations. This power is currently held by the Commissioner of Nunavut.

Subpart 10 – Non-substantive corrections and clarifications

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

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

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

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

Part 2

Amendments to the *Inuit Language Protection Act*

Bill 25 proposes to include the term bilingual education to section 8(2) of the *Inuit Language Protection Act* to require the Government of Nunavut (GN) to deliver Inuit Language instruction in a manner that is consistent with Inuit Qaujimagatuqangit and bilingual education. The requirement in the Act will read as:

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

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

Finally, Bill 25 proposes to extend the deadline for implementation of bilingual education for Grades 4 to 12 on a phased-in schedule ending July 1, 2039. Deadlines for the delivery of bilingual education in Grades K to 3, which was July 1, 2009, will remain without change.

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



Next Steps

The Legislative Assembly's Standing Committee on Legislation is now inviting members of the public to provide written submissions and recommendations on Bill 25.

Submissions will be accepted until **September 13, 2019**.

To make a written submission to the Standing Committee visit: <https://assembly.nu.ca/news-release/invitation-public-submissions-bill-25-act-amend-education-act-and-inuit-language-protec>.

If Bill 25 is passed, the next review process of the *Education Act* will occur five years after it has come into force, which would be in 2025.

For more information on Bill 25, such as the complete bill, the current 2008 *Education Act*, and other related documents, visit <https://www.ourgoalsforeducation.ca/en/information>.



