



September 1, 2016

Honourable Paul Quassa
Minister of Education

Responses to DOEs consultation on 2008 Education Act Proposals

This written response is in addition to what we have discussed with your department as well as what we have heard during the June and two of the regional consultations in August. We have reviewed in detail the Policy Intentions document for the proposed amendments to the 2008 Education Act, as well as all the submissions made to the Special Committee on the Education Act review. We have observed that much of the first phase falls well below the standards required on government's duty to consult.

This is especially evident in the timing of the consultations which fell over the summer months. DEA members in many communities had left, or were leaving to go out on the land which ensures the maintenance and passing of their cultural heritage. The timing of the consultations lacked respect for the Inuit culture.

All too often we observed in consultations, Department of Education doing most of the talking. We have seen that based on the submissions that were made to the Special Committee on the Education Act review, that the DOE sets its own directions. And it does so without consideration of what the needs of the DEAs are. It appears that they intend as much as possible to decrease the authorities that DEAs have and to continue to disempower the ability of DEAs to make decisions impacting the wellbeing of its constituents.

In addition, out of the 37,000 or so residents of Nunavut, it would appear that less than a hundred people were provided an opportunity to voice their responses to your proposals. Inviting one member of a DEA to represent a whole community, without adequate time to review and discuss the proposed changes with other DEA members and the community, falls well short of a Government's duty to consult.

Having said this, it is still prudent for me to state our objections to the proposals that have been presented to the few communities who will most definitely feel the impact, if these proposals were to go ahead.

Among the many concerns we have in regards to the majority of the proposals, I highlight that the concerns are centered around proposals towards standardization, centralizing of authorities and the focus that has been brought upon the role of the CNDEA. In our statements that we outline below, we will expect well thought out responses to our concerns.

The rest of the response is based on the chapters that have been outlined in the Policy Intentions Document.

- Inuit Qaujimajatuqangit
- Bilingual Education and LOI
- Inclusive Education
- DEA Roles and Responsibilities
- Bolstering French First Language Programming
- Strengthening the Legislation

Chapter 1 – Fundamental Principles and Inuit Qaujimajatuqangit

1. RESPONSE: The background behind the recommendation to remove references to IQ was based on frustration experienced in regards to IQ being used as an excuse for non-compliance of the Act. It was determined that if the multiple references to IQ were removed that the DOE would not have an excuse to use in their lack of implementing the Education Act.
2. The CNDEA recommends that clarity is made in regards to who is accountable for IQ results in schools and one that clearly outlines the process of planning for, monitoring, evaluating, and reporting on IQ in the schools on an annual basis.
3. There must be language that requires the Government to report to DEAs and communities to measure, evaluate, and report to communities on aspects of school education in each community on an annual basis (eg. implementation of IQ, progress on bilingual education, inclusive education, etc.).

Chapter 2 - Language of Instruction/ Bilingual Education

4. RESPONSE: Upon reading the submissions, wide-ranging issues were brought forward to ensure the quality of the language of instruction. Many of these recommendations have not been acknowledged and the DOE's commitment to bilingual education is an indicator that it is not listening to the communities.
5. Communities requested either a multilingual model or providing more materials in Inuktitut or more teachers, the DOE's proposal ignores the requests for more Inuit teachers, materials in Inuktitut and availability for French programming.
6. CNDEA is further concerned with the proposal to refocus DEAs role in local programming. In our research paper ***To Contribute and to Belong***, we recommend adopting similar language of the NWT who has more than 10 official languages in their territory and reiterate this recommendation as a means to simplify the implementation of language of instruction for the diverse language dialects in Nunavut communities. The NWT *Education Act* states:
70. (1) The language of instruction of the education program must be an Official Language.
(2) There may be more than one language of instruction in an education district and more than one language of instruction in a school. NWT Education Act
7. RESPONSE: We are surprised with this proposal to the *Inuit Language Protection Act*. If the DOE is able to adopt similar language to that of the NWT this recommendation would

not require further work. This recommendation puts the Inuit Language more at risk of being lost, as it recommends removing Inuit to majority in community.

8. RESPONSE: The DOE must first evaluate and report on the current bilingual education system before proceeding to make legislative changes. This will ensure that we understand what works and what doesn't, allowing us to move forward with a system that will work.
9. RESPONSE: While the DOE has recognised there are shortages, it has not displayed any plan of action to address such shortages: Some examples that must be addressed are:
 - a. the lack of a Nunavut made curriculum; which has been requested by Nunavummiut, going back to the 1960's;
 - b. Inuktitut resources throughout the system; and
 - c. That there are few Inuktitut teachers, and to address beginning K to grade 6 in all communities.
10. RESPONSE: Accountability for LOI must be clearly identified within the amendments to the *Education Act*.

Chapter 3 - Inclusive Education

11. RESPONSE: The Coalition supports the Department's proposal to seek clarification in the Act of what is reasonable and practical for Individual Student Support Plans.
12. The Coalition recommends the establishment of a tribunal; similar to one that exists in Alberta to ensure that parents have alternatives in regards to making appeals in regards to principal or Minister's decisions.
13. We are concerned with the level of authority the Minister already has and how much more the Minister is seeking. The proposals do not appear to attempt to simplify the process of assessments and lacks direction on how students with special needs will be more appropriately supported to ensure they obtain their optimal level of education.
14. RESPONSE: As identified by Barbara Hall's Report on Inclusive Education in 2015 tabled at the Legislative Assembly, dedicated recourses must be allocated to ensure that students with special needs, special learning needs or behavioural issues receive the support they need to achieve the best education possible.

Chapter 4 - DEA Roles and Responsibilities

15. RESPONSE: We are concerned with the language referencing DEAs to concentrate on more local programing and advocacy. This serves to limit the ability of DEAs to have a say in what education can look like in their home communities.
16. RESPONSE: Education Program – concerned that while local programs enhance and be modified by DEAs but with approval by the Minister.
17. RESPONSE: School Program – agreed that there should be a partnership but that it must be clearly defined between the Minister and the DEA.
18. RESPONSE: Registration and Attendance are roles for the Principles and administration. Where the Coalition see the DEAs playing a role is to work with the school to ensure continued and maintained attendance, whereby they monitor the data and act where numbers are below a certain level of expected outcomes.
19. RESPONSE: Student Participation – agreed that DEAs may need extra support to ensure that such policies are put in place but, we recommend that the role is provided to the CNDEA who has served to collect and disseminate such information.
20. RESPONSE: Instructional Hours and School Calendars – CNDEA does not agree that standardizing the school calendars and instructional time will improve the quality of

education. In fact, it will serve to diminish registration and attendance. Communities remain closely affected by the seasons in the north. These seasons will not be conducive to what the DOE attempts to legislate.

21. RESPONSE: DEA role in Staffing and operations – While the CNDEA agrees with the importance of compliance with the Public Service Act and the NTA Collective Agreement, the proposals do not place any effort in ensuring that the DEAs as community experts are supported to play a role in complying with these instruments as well as keeping the interests of the community.

- a. Participation on all panels for teaching hiring, as well as principal and VP appointments/reappointments.
- b. Consultation with respect to dismissal of principals and VPs.
- c. DEAs can give directions to a principal for aspects of the administration and operation falling outside the Education Program.
- d. Avenue for advocacy on all issues with the Minister.

Chapter 5 – Bolstering French First Language Programming

22. RESPONSE: CNDEA does not agree with the proposals on the diminished role recommended for the Commission scolaire francophone and with its Director General. The concerns parallel the concerns that the DEAs diminished role would be if the legislative proposals were to proceed.

Chapter 6 – Strengthening the Legislation

23. RESPONSE: While the CNDEA supports this proposal, we recommend that the balance of authority respects the DEA as the expert and knowledge holders of the community and as such have the best ability to make the decisions to positively impact the wellbeing. CNDEA is gravely concerned with the direction of the DOE to centralize the authority. **To Contribute and to Belong** allowed us to see that this direction is in a stark contrast to the national and international levels where more community empowerment and decision making is the main agenda of governments and their relationships with indigenous peoples.

Respectfully,



Doug Workman
A/Chairperson

CC: Nunavut DEAs
Board of Directors
Cathy Towtongie, President of NTI
Michel Potvin, Director General CSFN
Office of the Languages Commissioner