

NUNAVUT EDUCATION ACT 2008

**A REFERENCE GUIDE
FOR
DISTRICT EDUCATION AUTHORITIES
AND
SCHOOL PRINCIPALS**

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INTRODUCTION

Why was this guide developed?

The *Education Act* is the guide to the design, administration, and operation of our education system. District Education Authority (DEA) members and school principals play key roles in that system. This guide is intended as an easy-to-read companion to the *Education Act* to assist you in your work.

A question and answer format is used to provide an overview of the parts of the Act. The focus is on those issues of particular importance to DEA members and the principal. After the parts are described, a quick overview of the main duties of the DEA and principal is provided.

This guide does not replace the *Education Act*. It does not cover every detail and should not be taken as the final authority on specific questions or interpretations. The Act should still be consulted when precise wording and direction is required.

What is the main focus of the Education Act 2008?

The introduction to the *Education Act* declares that the Nunavut education system is to:

- Focus on students, their intellectual development and their physical, emotional, social, intellectual and spiritual well-being;
- Promote a high quality education for the development of confident, responsible and capable individuals who can contribute to Nunavut society;
- Support life-long learning and opportunities for continued personal development, post-secondary education, training and employment;
- Affirm that all children can learn, that the process is individual and that diverse learning needs and abilities should be supported through inclusive education;
- Recognize the relationship among learning, language and culture and support a bilingual education to contribute to the preservation, use and promotion of Inuit language and culture;
- Recognize that communities should be significantly involved in education to reflect local needs and values, that parents have a special responsibility, and that Elders can make important contributions;
- Affirm the rights of Inuit under the *Constitution Act, 1982* and the minority language rights of the francophone linguistic community;
- Support the effective implementation of the Nunavut Land Claims Agreement and its focus on Inuit self-reliance, Inuit cultural and social well-being, and Inuit goals and its commitment to involving Inuit and reflecting Inuit goals when developing education policies, programs, services and curriculum.

THE *EDUCATION ACT* AND THE EDUCATION SYSTEM

Fundamental Principles

(Part 1 of the Education Act)

What are the key principles on which the education system is based?

It is the duty of all to ensure that Inuit societal values and the principles and concepts of *Inuit Qaujimagatuqangit* are used and fostered by the education system. *Inuit Qaujimagatuqangit* is identified in the Act as:

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

Who has the right to attend school?

The right to attend school is for all those who meet the following criteria:

- Must be five years of age on December 31 of that school year or less than 21 years of age on that day; or
- A Canadian citizen or the child of a Canadian citizen or an individual who is lawfully admitted to Canada or the child of an individual who is lawfully admitted;

There are special limitations and provisions in the Act for those in custody at a corrections centre. They cannot access an education program in a school but may have access in the place in Nunavut where they are in custody.

Access to an education program in a regular classroom is not given to a student under suspension, expelled from school, or as determined by the principal under certain circumstances detailed in the Act. Those persons are entitled to be considered for an alternate placement as described in the section on inclusive education.

School Program*(Part 3 of the Education Act)*

This section deals with the following questions:

What is the school program?

What is a local program?

Who supplies and approves teaching and learning materials?

What are school program plans?

Who develops the school program plan?

What is the DEA's role regarding the school program?

What is the principal's role regarding the school program?

What is the school team?

How does a home schooling program work?

Who is responsible for early childhood education?

Who is responsible for adult education?

What is the school program?

The school program includes:

- The education program which is what students are to study and learn in grades kindergarten to 12. It is established by the Minister through the Department of Education and is often called the curriculum,
- Local programs put in place by DEAs which modify or add to the education program established by the Minister, and
- Other activities, programs and services which the principal, in consultation with the DEA, determines are necessary to support students.

The school program is to be based on Inuit societal values and the principles and concepts of *Inuit Qaujimagatuqangit*. The delivery of the program in schools is to be based on those same values and principles. The teaching and learning materials used in the school program must be approved by the Minister.

The school program is to promote fluency in the Inuit language and support understanding of Nunavut, Inuit culture and society. It also is to include at least 20 minutes of physical exercise every day in grades kindergarten to nine.

What is a local program?

Local programs are put in place to address local community needs and interests. They are established by DEAs and can be of two types:

- additional courses that are to be offered along with the regular program;

- courses that modify or replace the regular curriculum.

Local programs must be based on Inuit societal values and the principles and concepts of *Inuit Qaujimajatuqangit*. They require the approval of the Minister before they can be offered.

Who supplies and approves teaching and learning materials?

The DEA is responsible for providing students with textbooks and other learning materials to support the school program including any local program. It is also responsible for library, audio-visual and other resource materials required. DEAs receive funding for these items from government based on the DEA's approved budget.

The teaching and learning materials used in the school program, including any local program, must be approved by the Minister.

What are school program plans?

The school program plan is an operational plan for each school and covers the school year. The Plan describes how the educational program will be delivered to the students and other things necessary for the operation of the school.

The plan is based on *Inuit Qaujimajatuqangit*, particularly the principles of *Pijitsirniq* and *Aajiiqatigiinni*. The format and required content are in the regulations but includes items such as:

- how the educational program will be delivered, including courses and schedules;
- local programs and other activities, programs and services to be available;
- program and student assessment activities;
- teachers and other staff required;
- major activities and events planned;
- other elements as required by the regulations.

Who develops the school program plan?

The school program plan is developed by the school principal under the direction of the DEA. In developing the plan the principal consults with the school staff and the community. The principal is responsible to ensure that the Plan is followed.

The plan is submitted to the DEA and Minister no later than March 31 of the year preceding the school year it concerns. If necessary during the year the principal can make changes or additions to the plan. That is done in consultation with the DEA and the changes must be submitted to the Minister.

What is the DEA's role regarding the school program?

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 Qaujimagatuqangit*.

The DEA is responsible for providing students with textbooks and other learning materials to support the school program. It is also responsible for library, audio-visual and other resource materials required.

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.

The DEA supports the principal in developing ways to involve parents and promote community involvement in the school program.

The DEA may provide early childhood education programs to promote Inuit language fluency and adult education programs to meet local needs.

What is the principal's role regarding the school program?

The principal has the main responsibility to ensure the program is taught following the standards and directions provided by the Minister.

The principal works with the school staff to evaluate the program in the school. Formal reports must be done twice each year to the DEA and Minister on the effectiveness of the school program.

The school team, which the principal directs, is responsible for determining the promotion of students from grade to grade. In doing this work, the team follows directions from the Minister.

The principal shall develop and provide other activities and programs for students in addition to the regular program. This shall be done in consultation with the DEA and, where appropriate or required, in consultation with the community. It might include things like clubs, land programs, heritage fairs or breakfast programs.

In consultation with the DEA, the principal shall develop ways to involve parents and the community in the school program. That might include parent awareness nights, classroom visitation and clubs or sports involving parents.

The principal is to work with community organizations to get the best out of school programs and support students entering and leaving school. That might

include involving the Hunters and Trappers' Association, Nunavut Arctic College or local youth centres and groups.

What is the school team?

Each school has a school team appointed by the principal. Its members include the principal or vice-principal, a student support teacher, an Ilinniarvimmi Inuusiliriji, a classroom teacher, and any other staff the principal considers appropriate.

The principal directs the work of the school team to carry out the duties specified by the Act and regulations. Particularly significant duties include tasks related to promotion of students, inclusive education and student discipline.

How does a Home Schooling Program work?

A parent may provide their child with a home schooling program under the supervision of the DEA. The student must be registered with the local school and meet the school age requirements.

The DEA shall evaluate, provide support (including funding) and supervise the home schooling program. Supervision shall be based on Inuit societal values and the principles of *Inuit Qaujimajatuqangit*. The principal assists the DEA with these responsibilities.

A home schooling program is subject to regulations under the *Education Act*. That includes any regulations regarding funding for education costs for the student's program.

Who is responsible for early childhood education?

The DEA is to provide an early childhood program that promotes fluency in the Inuit language and knowledge of Inuit culture. Fluency means comfort using the language, as well as speaking and writing it well. The program must be based on Inuit societal values and the principles of *Inuit Qaujimajatuqangit*.

The program does not have to be offered to all children. For instance, it might be limited by the DEA to students who require Inuit language support to speak the language better. The DEA establishes entrance requirements and participation is optional.

The DEA may, at its option, provide an early childhood education program focusing on more than fluency in language.

Who is responsible for adult education?

The main responsibility for adult education is with organizations such as Nunavut Arctic College. However, the DEA may chose to provide adult education programs based on local need. These programs are to be based on Inuit societal values and the principles of *Inuit Qaujimajatuqangit*.

Before delivering any adult education program, the DEA must inform an organization already providing adult education. That organization may attend meetings to discuss the proposed program and provide advice to the DEA.

LANGUAGE OF INSTRUCTION*(Part 4 of the Education Act)*

This section deals with the following questions:

What is a bilingual education?

What is the role of the DEA regarding bilingual education?

What is the role of the Minister regarding bilingual education?

What does the Inuit Language Protection Act say about education?

What is a bilingual education?

The Act states that every student shall be given a bilingual education. One of the languages must be the Inuit language and the other can be English or French. That means that two languages of instruction are used in schools. The goal is to produce graduates who are able to comfortably use the two languages for academic purposes and in their daily life.

Other languages may also be taught in a school to some students. However, the main emphasis in the education program is on the two primary languages for all students.

The requirement for bilingual education is being phased in according to the regulations. It starts with kindergarten and grades one to 3 in the 2009-2010 school year. It will apply to all grades by the 2019-2020 school year.

What is the role of the DEA regarding bilingual education?

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 like what is taught in each language and how much instructional time will be devoted to each language.

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.

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.

What is the role of the Minister regarding bilingual education?

The Minister is responsible for:

- ensuring that the educational program provided for schools supports the use, development and revitalization of the Inuit language;
- ensuring that appropriate curriculum, learning materials, and resources are provided for the bilingual education model chosen by the DEA for its schools;
- establishing and putting in place targets regarding how well the languages should be spoken and written;
- ensuring that students are assessed (by testing or other means) to determine how well they are learning to use both languages in relation to the competency targets.

What does the Inuit Language Protection Act say about education?

The *Inuit Language Protection Act* guarantees every parent whose child is enrolled in school in Nunavut the right to have the child receive Inuit language instruction. That includes a child on an individual education plan. The language act states the goal is to produce secondary school graduates fully able to use the Inuit language in both its spoken and written forms.

The *Inuit Language Protection Act* sets out requirements for the education system to support Inuit language learning by developing and providing:

- curriculum, classroom materials, and programs;
- Inuit language competency targets;
- language assessment instruments;
- training, certification, and professional development for educators.

The *Inuit Language Protection Act* emphasizes the importance of early childhood education in the Inuit language, particularly in communities where the language is at risk. It also supports adult education programs to assist people to improve their Inuit language skills.

REGISTRATION AND ATTENDANCE*(Part 5 of the Education Act)*

This section deals with the following questions:

Who is required to register and attend school?

Can other persons be registered?

When is school attendance not required?

What is a registration and attendance policy?

What is the DEA's role regarding the registration and attendance policy?

What is the principal's role regarding the registration and attendance policy?

Who is required to register and attend school?

Every child who is between six and 18 years of age must be registered and attend school until they graduate from grade 12. The child is considered to be six or 18 if that age is reached by December 31 of the school year.

A child who reaches age five by December 31 may also be registered and attend school at the parent's choice. A student who 18 or older and has not graduated may attend school until graduation or the age of 21 is reached.

The right to attend school applies to any child in Nunavut who is:

- a Canadian citizen or the child of a Canadian citizen, or
- an individual who is lawfully admitted to Canada or the child of an individual who is lawfully admitted.

The right to attend school does not apply to children in custody at a corrections centre.

It is the duty of the parent, principal and school team to promote good school attendance for all students. The Minister works in cooperation with DEAs to establish programs to encourage student attendance.

Can any other persons be registered?

A DEA may choose to allow some other individuals to enroll in its schools. That could be a person 21 years of age or older or one who resides in another education district. In those cases the DEA:

- can impose terms and conditions;

- must, if the person is 21 or older, advise a representative of any organization already providing adult education in the community. That representative may attend a meeting to discuss the matter and may provide advice.

When is school attendance not required?

It is the duty of the student to attend school regularly and be on time. A student is not required to attend school for the following reasons:

- for health or other unavoidable reasons reported to the principal;
- while participating in traditional activities on the land or other learning experiences away from the community for less than a school term;
- in grades 10, 11, or 12, with the approval of the principal, while participating in traditional activities on the land or other learning experiences away from the community for up to a school year;
- while participating in spiritual or religious observance;
- when suspended or expelled;
- while participating in a home schooling program;
- while living at an outpost camp;
- when excused by the principal because of a death or illness in the family or to participate in a significant event;
- for reason outlined in the section on inclusive education;
- when working, if a learning plan has been developed by the principal and approved by the DEA subject to the regulations.

When a student returns after a long absence including more than a term, the school team makes a plan to help the student settle back in smoothly.

What is a registration and attendance policy?

A registration and attendance policy concerns children who are required to be in school and promotes their attendance. The policy is designed to:

- encourage parents to register their children and assist them to attend school every day when they should;
- encourage students to be regular and on time in school attendance;
- establish procedures to deal with parents who do not register their children and students who do not attend;
- provide for programs to promote attendance and counseling for students who do not attend regularly;
- involve Elders and others in the community in supporting school attendance.

The policy is to be developed and implemented based on Inuit societal values and the principles and concepts of *Inuit Qaujimagatuqangit*.

What is the DEA's role regarding the registration and attendance policy?

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.

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.

The DEA regularly reports to the community on attendance in its schools.

What is the principal's role regarding the registration and attendance policy?

The principal assists the DEA to develop the policy. The principal and the school team have a primary responsibility to implement the policy and promote registration and good attendance.

The principal provides the DEA with a monthly report on attendance in the school, consistent with the regulations.

The principal ensures that the school team makes a plan to help the student settle back in smoothly when a student returns after a long absence.

INCLUSIVE EDUCATION*(Part 6 of the Education Act)*

Part 6 of the *Education Act* deals with inclusive education. This subject is addressed in more detail in the document *Inuglugijaittuq: Foundations for Inclusive Education*, produced by the Department of Education.

This section deals with the following questions:

What is inclusive education?

What adjustments or supports should be offered?

What is the school team?

What is an individual student support plan?

How is the need for adjustments or supports identified?

Can a student be excluded from the regular classroom?

What process is used if there is dispute regarding inclusive education?

What is the role of the DEA in inclusive education?

What is the role of the principal in inclusive education?

What is inclusive education?

Inclusive education means that the school should provide a welcoming and supportive environment for all children. It is based on the principle that all children can learn and that learning is an individual process.

Children have a variety of learning needs and abilities which need to be supported by inclusive education. This includes not only students experiencing difficulties, but also those who are not challenged enough by the education program.

A student is entitled to adjustments or supports to meet his or her learning needs or to achieve appropriate curriculum outcomes.

What adjustments or supports should be offered?

A child is entitled to adjustments and supports that are reasonable and practical. In considering this, the educational needs of other students must also be considered.

Determining the specific supports required for a student may be easy for some and complicated for others. Teachers identify students who need adjustments or supports. If the adjustment and support are not significant, the teacher should provide them. If they are significant, the teacher requests that the school team develop an individual student support plan.

What is a school team?

The school team appointed by the principal assists with implementation of inclusive education in the school. Its members include the principal or vice-principal, a student support teacher, an *Ilinniarvimmi Inuusiliriji*, a classroom teacher, and any other staff the principal considers appropriate. The principal directs the work of the school team.

What is an individual student support plan?

When a student requires significant adjustments to the school program or supports, the school team develops a plan which describes the student's needs and what will be done to address those needs.

The *Education Act* sets out details of a process to ensure that the needs and rights of students and parents are considered and addressed. The Act and specific materials provided by the Department of Education on inclusive education should be consulted for the details. What follows will direct you to the sections of the Act that are relevant to various issues.

How is the need for adjustments or supports identified?

It is the duty of a teacher to identify students who require adjustments or supports in order to meet the student's learning needs or to achieve appropriate curriculum outcomes. If it appears that the adjustments or supports required are significant, the teacher requests that the school team review the matter. The regulations describe different types of supports that may be made available.

Sections 43-44 of the Act describe the process the school team follows to identify the adjustments and supports a student requires. Included is information on:

- how a teacher requests a review by the school team;
- how a parent can request a review by the school team;
- development of individual student support plans and consultation required;
- parent participation in developing individual student support plans;
- student participation in the process;
- what to do if the plan is rejected;
- implementation and alteration of the individual student support plan;
- the authority of the Minister to give direction regarding the implementation of individual student support plans.

The DEA is responsible for ensuring that the school team or qualified person conducts an annual assessment of each student who has an individual student support plan.

Section 47 of the Act describes the responsibility of the school team and Minister regarding the use of specialized assessments. These may be required to ensure the right adjustments and supports for the student and to measure progress on the individual student support plan.

Section 48 of the Act sets out the requirement to notify the parent or adult student (age 19 or older) of various decisions made regarding inclusive education.

Can a student be excluded from the regular classroom?

Section 45 of the Act concerns situations which may result in a student being excluded from the regular classroom. The principal, subject to any direction from the Minister, may exclude a student:

- for certain health or safety reasons,
- because the student's needs cannot be met in the regular setting,
- in certain limited situations if the student's presence would unduly interfere with the delivery of the education program to other students.

The principal must exclude a student from the school if the Chief Medical Officer of Health advises the principal that the student has a communicable disease that is a danger to other students and staff.

If a student is excluded from the regular setting, the principal will consider an alternative placement in the school, the community or elsewhere. This is done in consultation with the school team, parent and adult student. If an alternate placement is done the school team is to develop an individual student support plan.

What process is used if there is dispute regarding inclusive education?

Sections 49-51 describe what to do if there is a dispute about inclusive education. Two processes are described.

- As the first step, mediation by the DEA may be requested.
 - A request comes from a parent, adult student, or principal.
 - The request must be in writing.
 - When received it must be acted on quickly.
 - The DEA reviews the matter with the parties involved and community or resource people that may assist.
 - If the DEA is unable to resolve the issue it notifies the parties in writing.
- When mediation is not successful, review by a special review board can be the next step.
 - A written request to the DEA is made by one of the parties involved.
 - The written request must be made within 30 days after the notice by the DEA that it is unable to resolve the issue.

- The DEA then appoints a review board to hear the dispute.
- The board members are obtained from a list supplied by the Minister.
- They give the parties an opportunity to be heard and decide what, if anything, can be done to settle the matter.
- The board gives written notice of its decision, which is final.

What is the role of the DEA in 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.

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.

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.

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 a special review board.

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*.

What is the role of the principal in inclusive education?

The principal is a key member of the school team which has a major responsibility in inclusive education. The team implements inclusive education in the school to ensure the needs and abilities of all students are addressed.

The school team is called into action when a teacher or parent believes significant supports or adjustments may be required by a student. The team is responsible for developing individual student support plans and involving parents.

The principal, as described in the Act, determines when students should be excluded from the classroom. This also carries a responsibility to determine if an alternate placement is required and make that happen.

STUDENT AND PARENT PARTICIPATION *(Part 7 of the Education Act)*

This section deals with the following questions:

What are students' responsibilities regarding school?

What are parents' responsibilities regarding the school?

What is the Inuuqatigiitsiarniq policy?

What happens when a student needs to be suspended or expelled?

What supports are provided to students who are suspended or expelled?

What is the role of the DEA regarding student participation?

What is the role of the principal regarding student participation?

What are students' responsibilities regarding school attendance and participation?

Students are to attend school regularly and on time. They are to be active learners and help maintain a welcoming, safe and positive school environment. They should:

- pursue personal learning goals;
- support the *Inuuqatigiitsiarniq* policy;
- observe the school rules;
- learn about and practice *Inuit Qaujimajatuqangit*;
- support healthy relationships and community values;
- cooperate with other students and school staff;
- respect the rights and needs of others;
- keep the school grounds clean and safe.

Adult students 19 years or older also have a responsibility to be directly involved in decisions that affect their education and their health and safety in school.

What are parents' responsibilities regarding the school?

Parents are to be involved in decisions that affect their children's education and that contribute to health and safety in the school. That includes:

- supporting and encouraging their children to learn;
- ensuring their children come to school ready to learn;
- supporting their children's teachers;
- contributing to a welcoming, positive and safe school environment;
- encouraging their children to support the *Inuuqatigiitsiarniq* policy;
- encouraging their children to learn about and practice *Inuit Qaujimajatuqangit*.

Parents may observe their children during instruction after making prior arrangements with the principal. In some instances the principal may specifically request the parent observe their child. In other instances the principal may not allow such observation if it is not in the best interest of the student, other students, the parent or teacher.

What is the Inuuqatigiitsiarniq policy?

The *Inuuqatigiitsiarniq* policy developed by the DEA is about respecting others and relationships in the school. The goal of the policy is to ensure a positive, safe and supporting school environment. In general terms, as outlined in section 58, the policy addresses:

- positive student conduct and how it should be supported and managed;
- student responsibility for their own behaviours;
- involvement of Elders and the community;
- requirements regarding student suspension.

The DEA is responsible for developing programs that support the *Inuuqatigiitsiarniq* policy. These are to:

- promote a welcoming, positive and safe school environment that supports education;
- develop students who are responsible for their own behaviour and are respectful of others and property.

In support of the policy, the principal may make rules in respect of his or her school. The rules must be approved by the DEA.

It is important to note that the Act does not allow the use of corporal punishment, such as hitting, to discipline a student.

The policy and supporting programs are developed using *Inuit Qaujimagatuqangit*, particularly the principles of *Inuuqatigiitsiarniq* and *Piliriqatigiinni*. The policy and descriptions of programs are submitted to the Minister. The Minister may request amendments to ensure the policy is consistent with the Act and regulations.

What happens when a student needs to be suspended or expelled?

Despite the use of the *Inuuqatigiitsiarniq* policy and supporting programs, it may be necessary to discipline a student through suspension or expulsion. That involves the removal of the student from the classroom for a period of time as outlined in sections 62-73 of the Act.

Suspension or expulsion of a student may be done by the principal or the DEA for conduct by a student that:

- harms the physical or mental well-being of other students or school staff,

- is a seriously harmful influence on other students or school staff, or
- are grounds for suspension under the *Inuuqatigiitsiarniq* policy.

Principal: The principal may suspend a student for not more than five school days. Written notice is given immediately to the student and parent. Conditions may be set that allow the student to earn a return to school before the suspension is up.

DEA: Suspensions by the DEA involve more serious situations and are for a longer period of time. The maximum suspension the DEA can impose is 20 school days. That would include any suspension time already imposed by the principal. Written notice is given immediately to the student and parent. The DEA may set conditions that allow the student to earn a return to school before the suspension period is up.

The DEA may impose the suspension with or without the recommendation of the principal. However, the DEA should always consult with the principal, the parent of the student and the student, if the student is 19 or older. If the DEA believes a suspension of five days or less is appropriate, they should refer the case back to the principal.

Location: Suspensions are usually served in the school, but not in the student's regular classroom. The principal may order that the suspension be outside the school, after considering the *Inuuqatigiitsiarniq* policy, and if:

- it would not be best for the safety of that student or others,
- it is not appropriate to have the student in school,
- there is no space available for the student, or
- there is no person to supervise the student.

Expulsion: In certain very serious cases, the DEA may expel a student from school. This is similar to suspension but always involves a removal from the school and is usually for a significant period of time. The DEA should consider the expulsion option using its *Inuuqatigiitsiarniq* policy as a guide.

A student who is expelled can not attend another school in a different district unless both DEAs involved agree.

A suspension or expulsion may be appealed. The appeal process is set out in the regulations.

What supports are provided to students who are suspended or expelled?

The principal ensures that the school team prepares and puts in place a plan for every student who is suspended or expelled. The plan identifies how the student can change the behaviours that led to the suspension or expulsion. It may also

provide learning activities if those will help the student. The principal also ensures that counseling is made available to the student.

If the student has been suspended more than once, the plan will identify actions that will assist the student to become a productive part of the school community again. It may also provide for a long-term follow-up, to be provided by school staff or outside agencies.

What is the role of the DEA regarding 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.

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.

As outlined in sections 63 and 65, the DEA may suspend or expel a student. 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*.

What is the role of the principal regarding student participation?

The principal assists the DEA to develop the *Inuuqatigiitsiarniq* Policy and supporting programs. The principal leads the implementation in the school consistent with *Inuit Qaujimajatuqangit*, particularly the principles of *Inuuqatigiitsiarniq* and *Piliriqatigiinni*.

The principal has overall responsibility for discipline in the school and may, with the approval of the DEA, make rules for the school. The principal and teachers make sure students understand the *Inuuqatigiitsiarniq* policy and the school rules. The principal provides the DEA with reports on student behaviour in the school.

As outlined in section 62, a principal may suspend a student for up to five school days. Longer suspensions or expulsion are the responsibility of the DEA. The principal ensures assistance plans and counseling are available for students who are suspended or expelled. The principal carries out this responsibility consistent with *Inuit Qaujimajatuqangit*, particularly the principles of *Inuuqatigiitsiarniq*, *Tunnganarniq* and *Piliriqatigiinni*.

The principal keeps the parents and community informed of events and activities in the school. The principal assists parents who wish to observe their child during instruction, unless that might not be in the best interests of the student or others.

ASSESSMENT OF STUDENTS

(Part 8 of the Education Act)

Part 8 of the *Education Act* deals with assessment of students. This subject is addressed in more detail in the document *Ilitaunnikuliriniq: Foundations of Dynamic Assessment*, produced by the Department of Education.

This section deals with the following questions:

What is student assessment?

What type of assessment is there?

What is the role of the principal regarding assessment?

What is student assessment?

Assessment of students is the actions taken to determine what students have learned and how well they have learned it. Some assessments involve written tests that require students to answer questions and write explanations. Other assessments require students make something, perform a task or otherwise demonstrate a skill.

Assessment results are used by teachers, administrators, students, and their parents. It shows both the progress of the student and the results of the work done by both students and teachers.

The assessment of students must be culturally appropriate. That is, it should be fair to children raised in Nunavut. We should not expect students will have knowledge or skills specific to other cultures or locations.

A parent has the responsibility to stay informed about their child's progress in school. A parent can request a meeting to discuss their child's progress, behaviour in school or attendance. A principal can request a meeting with the parent to discuss the same issues.

What type of assessment is there?

The Minister establishes Nunavut-wide assessments. These are to find out how well students across the territory can read and write in both the languages they study. They are to also test skills in mathematics. This involves using numbers and applying that skill to both academic and everyday situations.

Teachers are to assess the students they teach on a regular basis. At least three times a year they are to inform the student and the student's parent of how well the student is doing on the school program, behaviour in the school and attendance. This is done using report cards and other documents.

What is the role of the principal regarding assessment?

The principal supervises the Nunavut-wide assessment program established by the Minister.

The principal ensures that students in the school are assessed regularly and fairly using culturally appropriate means and that parents receive reports on their child's progress.

A principal can request a meeting with a child's parent to discuss their child's progress, behaviour in school or attendance. Parents are responsible for attending such meetings if requested.

RECORDS RELATING TO STUDENTS*(Part 9 of the Education Act)*

This section deals with the following questions:

What records must be kept about students?

Who has access to the records?

What is the role of the principal regarding student records?

What records must be kept about students?

Student records which show how well students are doing on the school program, their behaviour and attendance must be kept. Many of the details regarding records that must be kept are described in the regulations. The general contents of the records include:

- all information involved in making decisions about the education of a student that is collected by school staff or the DEA,
- records of decisions made about the student,
- other information required by the regulations.

Who has access to student records?

A parent can look at and copy the student record of their child. An student 19 year old or older can also examine the record. A principal may decide to allow a younger student to look at their record.

A parent or student may request a correction to the student record if they feel it is wrong. If the correction is not made, the parent or student may give a written statement that they disagree with the record. The regulations set out a process to resolve this dispute.

What is the role of the principal regarding student records?

The principal ensures that teachers keep accurate records on student progress, behaviour and attendance. The principal ensures that a record is maintained for each student registered in the school.

The principal assists parents and students who seek access to the student record and works with them to resolve any disputes that arise about the record.

SCHOOL CALENDAR

(Part 10 of the Education Act)

This section deals with the following questions:

What is the school calendar?

What is the role of the DEA regarding the school calendar?

What is the role of the principal regarding the school calendar?

What is the school calendar?

The school calendar sets when schools are open. The calendar includes information on:

- the days students are to be in school;
- the days the school is open for teachers, but not students, and their purpose;
- holidays and other days the school is not open;
- the instructional hours, which may differ depending on day of the week; time of year and grade level;
- other matters required by the regulations.

The school calendar shows how the minimum number of hours of instruction required by the regulations will be met in each school.

What is the role of the DEA regarding the school calendar?

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 *Aajiiqatigiinniq*, in this work.

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.

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.

What is the role of the principal regarding the school calendar?

The principal assists the DEA in developing the school calendar. The principal is responsible for ensuring the calendar is followed in the school.

SCHOOL STAFF

(Part 11 of the Education Act)

Part 11 of the *Education Act* deals with employment issues regarding all the school staff and is very detailed. This guide provides an overview of some key points. The Act itself and appropriate Department of Education staff should be consulted for details.

This section deals with the following questions:

Who are the education and school staff?

What is the school team?

How are teachers hired?

What are a teacher's duties?

What is the Ilinniarvimmi Inuusiliriji?

What is the Innaq Inuksiutiliriji?

What are other important educational staff in schools?

How are principals appointed?

What are the principal's duties?

What is the role of the DEA regarding school staff?

Who are the education and school staff?

The education staff in the school includes the principal, vice-principal, teachers, student support workers, *Ilinniarvimmi Inuusilirijiit* (school community counselors), *Innait Inuksiutilirijiit* (Elders), teaching assistants and teacher trainees.

The school staff includes all the education staff plus the secretarial, custodial, and other individuals hired to assist with the delivery of the school program. Individuals hired by the DEA to assist in the administration of the DEA are not part of the education or school staff.

In addition to its teachers, each school shall have at least one principal, at least one student support teacher, and at least one *Ilinniarvimmi Inuusiliriji*.

What is the school team?

Each school has a school team appointed by the principal. Its members include the principal or vice-principal, a student support teacher, an *Ilinniarvimmi Inuusiliriji*, a classroom teacher and any other staff the principal considers appropriate.

The principal directs the work of the school team to carry out the duties specified by the Act and regulations. Particularly significant duties include tasks related to promotion of students, inclusive education and student discipline.

How are teachers hired?

Sections 91-94 describe teachers' employment. The Minister establishes a hiring panel to employ teachers for a school. The DEA has the right to appoint at least one member of each hiring panel established for a school under its jurisdiction.

To be employed as a teacher, the person must hold a teacher's certificate. Once hired, a teacher may be dismissed without cause during the initial two-year period after starting to work as a teacher. Without cause means that no specific reason is required. The dismissal is done by the Minister.

A teacher may be terminated if the number of teachers required in the education district is decreased. However, before doing so the Minister is to determine if there is another suitable position for the teacher.

A teacher may resign by giving notice at least 60 days before the last instructional day the teacher is scheduled to work in the school year. The resignation takes effect on the last day of the school year.

What are a teacher's duties?

A teacher has many responsibilities outlined in the parts on school program and inclusive education and as described in sections 98-99.

- Teachers work with students by:
 - teaching in a manner that promotes physical, emotional, social, intellectual, and spiritual development and encourages learning,
 - teaching in a manner consistent with Inuit societal values and *Inuit Qaujimajatuqangit* and with respect for Inuit cultural identity,
 - encouraging development of self esteem and respect for the cultural, spiritual and religious values of others;
- They develop their own teaching skills and knowledge by engagement in professional development activities;
- They work as part of the educational team by:
 - providing assistance and support to the principal and other educational staff,
 - providing reports and records as required by the Minister and principal,
 - performing other duties and tasks described in the Act or regulations or assigned by the principal.

What is the Ilinniarvimmi Inuusiliriji?

The *Ilinniarvimmi Inuusiliriji* is the school community counselor. At least one is required in each school. They provide important personal guidance and counseling services to students.

These services are designed to:

- promote a positive attitude to education and good attendance,
- support personal well-being and a healthy lifestyle,
- promote activities focused on study skills, family planning, suicide prevention, self-esteem and conflict resolution, and
- support parents on these issues and in carrying out their responsibilities under the Act.

What is the Innaq Inuksiutiliriji?

Innait Inuksiutilirijiit are Elders in the school. They play an important role in maintaining and supporting Inuit societal values, *Inuit Qaujimagatuqangit* and Inuit cultural identity.

An individual may be employed as an *Innaq Inuksiutiliriji* if the DEA believes the individual has the skills, knowledge and abilities required and meets the criteria in the regulations. On the recommendation of the DEA, the Minister will provide the Elder employed as an *Innaq Inuksiutiliriji* a certificate regarding the area of expertise.

How are principals appointed?

Sections 105-113 deal with employment of principals. The DEA establishes a panel to recommend a principal for a school to the Minister who makes the appointment. The panel consists of one or more members appointed by the DEA, plus an employee of the Department of Education appointed by the Minister. The persons appointed by the DEA may be members of the DEA.

To be appointed a principal, the individual must have both a teacher's certificate and a certificate of eligibility as a principal. An individual who does not hold the principal's certificate may be employed if the individual outlines plans to obtain it and the Deputy Minister of Education approves.

Term: A principal is appointed for a term of up to three years. The principal may be appointed to additional terms of up to three years if a satisfactory performance appraisal is received. Re-appointment also requires a recommendation to the Minister from a panel established by the DEA.

Performance review: The overall performance of the principal and vice-principal is reviewed in each of the years of a new appointment and in the final year of each

reappointment. The review is done by an employee of the Department of Education and includes an assessment done by the DEA.

Discipline of a principal is done by the Minister. The DEA may recommend discipline to the Minister. The Minister decides if action is required and informs the DEA of how the matter was dealt with.

Dismissal: Once appointed, a principal may be dismissed without cause during the initial two-year period. If the person had previously been a principal for two years at another school in Nunavut, the period shall only be one year. Without cause means that no specific reason is required.

Dismissal of a principal as described above is usually done by the Minister on the recommendation of the DEA. The DEA gives its recommendation to the Minister at least 90 days before the last day the principal is to work in the school year. The Minister must act on the recommendation if the DEA followed all proper procedures.

What are the principal's duties?

The principal is a teacher who manages the school and is responsible for its organization, administration and operation. The principal carries out these responsibilities in accordance with Inuit societal values and the principles and concepts of *Inuit Qaujimajatuqangit*. The principal is to monitor, evaluate, and report to the Minister and DEA on the use of *Inuit Qaujimajatuqangit* by school staff.

The principal follows the directions of both the DEA and the Minister. The Minister and DEA should strive not to give conflicting directions to the principal. In all cases of conflicting direction, the Minister's role is to ensure consistency with the Act and regulations.

The principal has many specific duties which are identified in previous sections of the Act. Sections 114-117 in this part describe the general duties of the principal regarding:

- ensuring the school program is taught following the standards and directions provided by the Minister;
- ensuring that the students in the school are assessed regularly and fairly using culturally appropriate means and that parents receive reports on their child's progress;
- ensuring the school operates in accordance with Inuit societal values and the principles and concepts of *Inuit Qaujimajatuqangit*;
- conducting formal evaluation of the school program and the use of *Inuit Qaujimajatuqangit* and providing reports to the DEA;
- the safety of students, staff and other on school grounds;
- assignment of duties to school staff and providing direction to school staff;

- regular evaluation of school staff.

Section 132 states that principals attend all meetings of the DEA, unless excluded by the chairperson. A principal attends meetings of committees or sub-committees of the DEA when requested to do so by its chair. Principals may participate in the meetings but do not have a vote.

The principal is responsible for conducting the election for the student representative to the DEA as described in section 134.

Section 141 describes the principal's duty to follow the direction of the DEA to ensure school facilities and equipment are maintained and in good condition.

Section 147 requires the principal provide the DEA with information it requires to assist in informing the public about public education in the community.

What is the role of the DEA regarding school staff?

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.

Innait Inuksiutilirijit: 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.

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.

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.

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 reappointment period.

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.

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.

ADMINISTRATION*(Part 12 of the Education Act)*

Part 12 of the *Education Act* deals with administration issues regarding the role of the Minister and DEA. This guide provides an overview of some key points. The Act itself and appropriate Department of Education staff should be consulted for details.

This section deals with the following questions:

What is the role of the Minister?

How are DEA's established and who is on them?

What are the duties of the DEA?

How can the DEA request a dialogue with the Minister?

What happens if a DEA has problems?

What is the role of the Minister?

The Minister is responsible for implementing and overseeing the *Education Act*. That carries a number of specific responsibilities including the following:

- Ensuring the DEAs and schools are provided with the resources necessary to carry out their responsibilities under the Act and regulations;
- Complying with the Nunavut Land Claims Agreement and in doing so:
 - providing Inuit an opportunity to participate in the design and delivery of social and cultural policies, programs, and services,
 - reflecting Inuit goals and objectives when the Government of Nunavut puts in place social and cultural policies, programs and services;
- Ensuring that the education program is of the highest quality possible;
- Establishing teacher education programs;
- Carrying out *Inuit Qaujimajatuqangit* duties under the Act including:
 - establishing a committee of Elders to monitor, evaluate and report on the use of *Inuit Qaujimajatuqangit* in the education system,
 - including a report on this matter in the Minister's annual report;
- Ensuring that the student-educator ratio for each education district is lower than the most recently published national student-educator ratio;
- Establishing the diplomas and certificates that may be granted to students and the requirements for each;
- Assign additional duties and responsibilities to a DEA through the regulations;

- Preparing an annual report on the education system for tabling in the Legislative Assembly.

In carrying out these duties, the Minister may give directions. Directions given by the Minister under the Act and regulations are always given in writing. Before giving them, the Minister is to consult. That must include the DEA Coalition, if direction is being given to DEAs under the Act.

The Minister may authorize employees in the Department of Education to use any power or perform most duties of the Minister under the Act. Directions are usually only given by the Minister. The Minister may delegate the power to give directions regarding student promotion, exclusion from class, and teacher professional development. The Minister may also delegate the power to give directions to principals, as long as that does not conflict with directions from the DEA or infringe on their power.

How are DEAs established and who is on them?

An education district is established by the Executive Council (Cabinet) of the Government of Nunavut. The Executive Council then authorizes a district education authority for that district. The DEA is a corporation with the powers and composition described in the *Education Act*.

The seven members of the DEA are elected to three-year terms. Each DEA has a chairperson and vice-chairperson chosen by the members from among themselves. Terms are staggered so that after each election, only part of the DEA is replaced.

The principals of schools in the district attend all meetings of the DEA, unless excluded by the chairperson. A principal attends meetings of committees or sub-committees of the DEA when requested to do so by its chair. Principals may participate in meetings but do not have a vote.

A DEA may appoint Elders to attend meetings of the DEA and committees. Elders may participate in the meeting but do not have a vote. Elders are paid to attend meetings and their expenses are covered.

A DEA has a student representative for each school with grades 10, 11 or 12. This representative is elected by the students and must be registered in one of those grades. The student attends DEA meetings according to DEA guidelines and may attend committee meetings but does not have a vote. Students are paid to attend meetings and their expenses are covered.

A DEA can employ individuals to assist in the administration of the DEA and with their early childhood education and adult programs. Such persons are not part of the education or school staff and not members of the public service.

What are the 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:

- Working with all those interested in the education system to achieve excellence and quality in education, support students and contribute to life-long learning;
- Carrying out its *Inuit Qaujimajatuqangit* duties under the Act including supporting the use of *Inuit Qaujimajatuqangit* in its school;
- Conducting its business and administering its schools using good management principles including:
 - Keeping full and accurate records,
 - Considering comments and recommendations provided by students, student representatives, parents, and school staff,
 - Establishing committees for *Inuuqatigiitsiarniq*, attendance, finance and human resources;
- Providing direction to the principal to ensure school facilities are properly maintained, in good condition and accessible for use including:
 - Making the schools available for use by community organizations and for community events when they are not needed for school purposes;
 - Ensuring the appropriate people and organizations in the community know how to access and use school facilities;
 - Ensuring the property is well maintained and, if owned by the DEA, is insured to the reasonable extent;
- Inform the public in its district about public education and provide the Minister with reports and the information the Minister requires;
- 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 use of *Inuit Qaujimajatuqangit*. The annual report shall be made public.

DEA members need to be familiar with the staff and operation of schools. The DEA needs 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 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.

How can the DEA request a dialogue with the Minister?

A DEA may request a structured dialogue with the Minister to discuss issues of concern. A structured dialogue is a formal discussion carried out in face-to-face meetings, telephone conferences or written correspondence. It can be requested regarding:

- any decision of the Minister that involves the DEA or any of the schools under its jurisdiction, or
- any direction of the Minister under the Act given to the DEA, principal or any other education staff in any of the schools under its jurisdiction.

A structured dialogue usually takes place after the Minister has made a decision or given direction and when the DEA has concerns. The Minister may agree to enter into a structured dialogue with a DEA about a proposed direction or decision before it is made.

The Minister provides an explanation of the decision or direction. The DEA may then provide comments to the Minister on the issue and may offer suggestions regarding the decision or direction. This can include alternatives to the decision or direction made by the Minister.

The Minister considers the response and suggestions from the DEA and then provides a response to the DEA. The request for structured dialogue does not stop the Minister's decision or direction. However, the Minister takes the DEAs suggestions into consideration and this may have an impact on the direction or decision.

What happens if a DEA has problems?

If serious issues arise with a DEA the Minister may take direct action. This may arise when the Minister believes the DEA is not adequately exercising its powers, performing its duties or fulfilling its responsibilities under the Act or regulations. The Minister may then do any of the following:

- appoint an individual to investigate the situation and report to the Minister,
- request reports from the DEA,
- give directions to the DEA regarding the school program.

If, after taking the actions listed above, the problem still exists, the Minister makes a recommendation to Executive Council. The Minister may consider recommending that the DEA members be dismissed. In that case, the Minister must first consult with the DEA Coalition to see if the dismissal can be avoided.

If Executive Council believes the DEA is not adequately exercising its powers, performing its duties or fulfilling its responsibilities under the Act or regulations, it may appoint an interim trustee. The order appointing the trustee will either:

- suspend any or all powers, duties and responsibilities of the DEA for a specified period, or
- dismiss all the members of the DEA.

The Minister communicates any actions taken to the DEA and the community. That communication describes the reasons for the action taken and the time it will last. It sets out the powers, duties and responsibilities of the trustee. It also describes the actions to be taken to address the situation that caused the problem in the first place. Sections 151-154 of the Act outline the authority and powers of a trustee in more detail.

FRENCH MINORITY LANGUAGE RIGHTS (*Part 13 of the Education Act*)

Part 13 of the *Education Act* deals with French minority language rights. These rights flow from section 23 of the *Canadian Charter of Rights and Freedoms* and require special provisions. This part of the Act describes French minority language education in Nunavut and how the Commission scolaire francophone du Nunavut (CSFN) operates. It deals with issues such as:

- The purpose of providing French minority language instruction;
- Who is entitled to this instruction in French and how the right can be exercised;
- Role and composition of the CSFN;
- Powers, duties and responsibilities of the CSFN;
- Establishment of advisory committees to the CSFN;
- How the affairs of the CSFN are run and its administration.

A separate guide for the CSFN describes this in more detail. The *Education Act* and appropriate Department of Education staff should be consulted for details.

One responsibility of the CSFN may directly impact DEAs. Where numbers warrant it, the CSFN may provide French language instruction in a classroom in a school under the jurisdiction of a DEA. If it does, it establishes an advisory committee in that district. The advisory committee gives advice and communicates with the DEA and the CSFN regarding the students in the French language program.

The advisory committee is composed of at least three members, as determined by the CSFN. The members choose a chairperson and vice-chairperson. Only those with the right to French language education and residing in the education district are eligible to be a member of the advisory committee.

Subject to the regulations, one or more members of the advisory committee are selected by the CSFN to sit as voting members of the DEA. The selection is done in consultation with the advisory committee.

FINANCIAL MATTERS*(Part 14 of the Education Act)*

This section deals with the following questions:

What is the financial year for a DEA?

What is an operating budget?

How is the operating budget funded?

What are the DEA's responsibilities for the funds it receives?

What is the financial year for the DEA?

The financial year for a DEA is usually the same as the school year. That is from July 1 to June 30. Subject to the regulations, the DEA may adopt the financial year used by government. That is from April 1 to March 31.

What is an operating budget?

The DEA's operating budget concerns the funds used to carry out the DEA's functions under the Act and regulations. The DEA proposes an operating budget for the year to the Minister. It will include details on the funding required for:

- Supplies for schools including textbooks, books and materials for the library and other teaching resources;
- Regular maintenance of the school, other than repairs;
- Regular maintenance of vehicles, other than repairs.

The DEA does not budget for the following which are the responsibility of the Department:

- Salaries, benefits and other expenses related to school staff;
- Repairs to school facilities and vehicles;
- Utilities for the school;
- Insurance, except on property owned directly by the DEA;
- Capital expenditures for equipment and buildings.

When it prepares its operating budget, the DEA is to consider what capital expenditures are necessary for equipment and buildings for school use. They advise the Minister of these needs when the operating budget is submitted. The principal develops plans for equipment, maintenance and replacement to assist this process.

How is the operating budget funded?

The Executive Council determines the funding available to the DEA for its operating budget. They base that on recommendations from the Minister. The

Minister's recommendations take into consideration long-range planning done with the assistance of the DEA Coalition.

The DEA's operating budget is reviewed by the Minister and must be approved under the *Financial Administration Act*. When the final funds are determined by government, the Minister provides them to the DEA in grants and contributions.

What are the DEA's responsibilities for the funds it receives?

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.

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.

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.

DEA COALITION*(Part 15 of the Education Act)*

This section deals with the following questions:

What is the role of the DEA Coalition?

How is the DEA Coalition funded?

How can the DEA Coalition request a structured dialogue with the Minister?

What is the role of the DEA Coalition?

The DEA Coalition is a society established to represent the interests of DEAs and work on their collective behalf. It has an executive made up of seven DEA representatives elected by the chairpersons or representatives of all the DEAs in Nunavut.

The Minister ensures that the DEA Coalition:

- Has a representative on each hiring panel for senior regional staff of the department;
- Is given the opportunity to review the funding process for DEAs and provide recommendations on the process to the Minister;
- Meets with Department staff annually to assist the Minister in long-term planning for the public education system.

How is the DEA Coalition funded?

The Minister provides funds determined in consultation with the DEA Coalition for:

- Two staff positions including the cost of office space, furnishings, equipment and supplies;
- Travel and accommodation costs for meetings with staff of the Department necessary to assist in the long-range planning activity;
- The annual meeting of the members of the DEA Coalition including travel and accommodation for one representative from DEAs that have a member on the Coalition.

The Minister may request the DEA Coalition provide a report to account for its use of the funds provided.

How can the DEA Coalition request a structured dialogue with the Minister?

Section 149 of the Act outlines how the DEA Coalition may request a structured dialogue with the Minister to discuss issues of concern. . A structured dialogue is a formal discussion carried out in face-to-face meetings, telephone conference calls or written correspondence. It can be requested regarding:

- any decision of the Minister that involves one or more DEAs or any of the schools under their jurisdiction;
- any direction of the Minister under the Act given to one or more DEAs or to the principal or any other education staff in any of the schools in Nunavut.

A structured dialogue usually takes place after the Minister has made a decision or given direction, and when the DEA Coalition has concerns. The Minister may agree to enter into a structured dialogue with the DEA Coalition about a proposed direction or decision before it is made.

The Minister provides an explanation of the decision or direction. The DEA Coalition may then provide comments to the Minister on the issue and may offer suggestions regarding the decision or direction. This can include alternatives to the decision or direction made by the Minister.

The Minister considers the response and suggestions from the DEA Coalition and then provides a response. The request for structured dialogue does not stop the Minister's decision or direction. However, the Minister takes the DEA Coalition's suggestions into consideration and this may have an impact on the direction or decision.

MISCELLANEOUS*(Part 16 of the Education Act)*

Part 16 deals with some issues not covered in this guide such as ratepayer established schools and private schools. However, it does cover two issues of interest to DEAs.

This section deals with the following questions:

What fees can be charged in schools?

How should disturbances on school property be handled?

What fees can be charged in schools?

A fee may not be charged for learning materials required for the education program and provided to students. The DEA may approve fees for learning materials not required for the school program.

A tuition fee may be charged to a student attending school who would otherwise be required to attend school in another district as described in section 32.

Subject to the Act and regulations, a DEA may charge tuition fees to students not entitled to attend school under section 2 of the Act. These are students the DEA decides to let attend school even though they do not meet the age or citizenship requirements of the Act. That might be students older than 21 or temporary residents in the country.

Note that the DEA cannot charge tuition to a student who continues to be enrolled in school but is 21 years of age or older. In other words, no tuition is charged if the student was registered in school in the preceding year and was not required to pay tuition. The DEA shall explore other ways to fund the student's education.

Tuition may not be charged to a student involved in home schooling.

A DEA may charge a fee for early childhood or adult education programs it offers under sections 17 and 18 of the Act.

How should disturbances on school property be handled?

A teacher may exclude from the school premises any individual who creates or attempts to create a disturbance while the premises are being used for school purposes. If the person refuses to leave or returns, the teacher is to contact the RCMP. The teacher shall always notify the principal of these actions.

KEY DUTIES

This section provides a brief overview of the key duties of the DEA and principal. Details will be found in the individual sections of this guide.

DEA

School Program

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 Qaujimagatuqangit*.

The DEA is responsible for providing students with textbooks and other learning materials to support the school program. It is also responsible for library, audio-visual and other resource materials required.

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.

The DEA supports the principal to develop ways to involve parents and promote community involvement in the school program.

The DEA may provide early childhood education programs to promote Inuit language fluency and adult education programs to meet local needs.

The DEA evaluates, supervises and provides support for children being home schooled.

Language of Instruction

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.

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.

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.

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.

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.

The DEA regularly reports to the community on attendance in its schools.

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.

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.

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.

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 a special review board.

The DEA and all others involved are to base their inclusive education decisions on Inuit societal values and the principles and concepts of *Inuit Qaujimagatuqangit*.

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.

The Policy and supporting programs are developed using *Inuit Qaujimagatuqangit*, 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.

As outlined in sections 63 and 65, the DEA may suspend or expel a student. 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*.

School Calendar

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 *Ajiiqatigiinni*, in this work.

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.

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.

School Staff

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.

Innait Inuksiutilirijit: 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.

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.

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.

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.

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.

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.

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.

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.

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.

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:

- Working with all those interested in the education system to achieve excellence and quality in education, support students and contribute to life-long learning;
- Carrying out its *Inuit Qaujimajatuqangit* duties under the Act including supporting the use of *Inuit Qaujimajatuqangit* in its school;
- Conducting its business and administering its schools using good management principles including:

- Keeping full and accurate records,
- Considering comments and recommendations provided by students, student representatives, parents and school staff,
- Establishing committees for *Inuuqatigiitsiarniq*, attendance, finance and human resources;
- Providing direction to the principal to ensure school facilities are properly maintained, in good condition and accessible for use including:
 - Making the schools available for use by community organizations and for community events when they are not needed for school purposes,
 - Ensuring the appropriate people and organizations in the community know how to access and use school facilities,
 - Ensuring the property is well maintained and, if owned by the DEA, is insured to the reasonable extent;
- Inform the public in its district about public education and provide the Minister with reports and the information the Minister requires;
- 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.

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 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.

Principals

School Program

The principal has the main responsibility to ensure the program is taught following the standards and directions provided by the Minister.

The principal works with the school staff to evaluate the program in the school. Formal reports must be done twice each year for the DEA and Minister on the effectiveness of the school program.

The school team, which the principal directs, is responsible for determining the promotion of students from grade to grade. In doing this work, the team follows directions from the Minister.

The principal shall develop and provide other activities and programs for students in addition to the regular program. This shall be done in consultation with the DEA and, where appropriate or required, in consultation with the community. It might include things like clubs, land programs, heritage fairs or breakfast programs.

In consultation with the DEA, the principal shall develop ways to involve parents and the community in the school program. That might include parent awareness nights, classroom visitation and clubs or sports involving parents.

The principal is to work with community organizations to get the best out of school programs and support students entering and leaving school. That might include involving the Hunters and Trappers' Association, Nunavut Arctic College or local youth centers and groups.

Registration and Attendance Policy

The principal assists the DEA to develop the policy. The principal and the school team have a primary responsibility to implement the policy and promote registration and good attendance.

The principal provides the DEA with a monthly report on attendance in the school, consistent with the regulations.

The principal ensures that the school team makes a plan to help the student settle back in smoothly when a student returns after a long absence.

Inclusive Education

The principal is a key member of the school team which has a major responsibility in regard to inclusive education. The team implements inclusive

education in the school to ensure the needs and abilities of all students are addressed.

The school team is called into action when a teacher or parent believes significant supports or adjustments may be required by a student. The team is responsible for developing individual student support plans and involving parents.

The principal, as described in the Act, determines when students should be excluded from the classroom. This also carries a responsibility to determine if an alternate placement is required and make that happen.

Student Participation

The principal assists the DEA in developing the *Inuuqatigiitsiarniq* policy and supporting programs. The principal leads the implementation in the school consistent with *Inuit Qaujimagatuqangit*, particularly the principles of *Inuuqatigiitsiarniq* and *Piliriqatigiinni*.

The principal has overall responsibility for discipline in the school and may, with the approval of the DEA, make rules for the school. The principal and teachers make sure students understand the *Inuuqatigiitsiarniq* policy and the school rules. The principal provides the DEA with reports on student behaviour in the school.

As outlined in section 62, a principal may suspend a student for up to five school days. Longer suspensions or expulsion are the responsibility of the DEA. The principal ensures assistance plans and counseling are available for students who are suspended or expelled. The principal carries out this responsibility consistent with *Inuit Qaujimagatuqangit*, particularly the principles of *Inuuqatigiitsiarniq*, *Tunnganarniq* and *Piliriqatigiinni*.

The principal keeps the parents and community informed of events and activities in the school. The principal assists parents who wish to observe their child during instruction, unless that might not be in the best interests of the student or others.

Student Assessment

The principal supervises the Nunavut-wide assessment program established by the Minister.

The principal ensures that the students in the school are assessed regularly and fairly using culturally appropriate means and that parents receive reports on their child's progress.

A principal can request a meeting with a child's parent to discuss their child's progress, behaviour in school or attendance. Parents are responsible for attending such meetings if requested.

Student Records

The principal ensures that teachers keep accurate records on student progress, behaviour and attendance. The principal ensures that a record is maintained for each student registered in the school.

The principal assists parents and students who seek access to the student record and works with them to resolve any disputes that arise about the record.

School Calendar

The principal assists the DEA in developing the school calendar. The principal is responsible for ensuring the calendar is followed in the school.

General Duties of the Principal

The principal is a teacher who manages the school and is responsible for its organization, administration and operation. The principal carries out these responsibilities in accordance with Inuit societal values and the principles and concepts of *Inuit Qaujimajatuqangit*. The principal is to monitor, evaluate, and report to the Minister and DEA on the use of *Inuit Qaujimajatuqangit* by school staff.

The principal follows the directions of both the DEA and the Minister. The Minister and DEA should strive not to give conflicting directions to the principal. In all cases of conflicting direction, the Minister's role is to ensure consistency with the Act and regulations.

The principal has many specific duties which are identified in previous sections of the Act. Sections 114-117 in this part describe the general duties of the principal. The principal must:

- ensuring the school program is taught following the standards and directions provided by the Minister;
- ensuring that the students in the school are assessed regularly and fairly using culturally appropriate means and that parents receive reports on their child's progress;
- ensuring the school operates in accordance with Inuit societal values and the principles and concepts of *Inuit Qaujimajatuqangit*;
- conducting formal evaluation of the school program and the use of *Inuit Qaujimajatuqangit* and providing reports to the DEA;
- the safety of students, staff and other on school grounds;
- assignment of duties to school staff and providing direction to school staff;
- regular evaluation of school staff.

Section 132 states that principals attend all meetings of the DEA, unless excluded by the chairperson. A principal attends meetings of a committees or sub-committees of the DEA when requested to do so by its chair. Principals may participate in the meetings but do not have a vote.

The principal is responsible for conducting the election of the student representative to the DEA as described in section 134.

Section 141 describes the principal's duty to follow the direction of the DEA to ensure school facilities and equipment are maintained and in good condition.

Section 147 requires the principal to provide the DEA with information it requires to assist in informing the public about public education in the community.

WHERE TO GO FOR MORE INFORMATION

Publications

Education Act, Department of Education

Education Act Regulations, Department of Education

Inuit Qaujimajatuqangit: Education Framework for Nunavut Curriculum, Department of Education

Inuglugijaittuq: Foundation for Inclusive Education, Department of Education

Ilitaunnikuliriniq: Foundations of Dynamic Assessment, Department of Education

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