

September 6, 2016

**Nunavut Tunngavik Inc.’s  
Preliminary Comments on Local Control and DEA Responsibilities  
in the GN Department of Education’s policy intentions document:  
“A Collection Vision”**

*“To put it into the simplest terms, the Inuit want a voice in running their own affairs. I can see our colonial masters throwing up their hands. I can hear them saying in tones of disbelief that these children of the Tundra, barely emerged from the stone-age, are not ready to administer their own destiny. Well, we're the first to admit we have a long way to go, a lot to learn. But the only way we're going to learn is by our own initiative and perhaps sometimes by making our own mistakes.”<sup>1</sup>*

*“[W]e are moving to a new era, where Inuit could be seen as equal to Canadians, much more when we can voice our own voices, not just advisors to the government, but at top level[s]”<sup>2</sup>*

NTI has opposed the abolishment of Regional Boards of Education since it was first proposed in 1996, and has supported, over many years, augmenting and funding the authorities of local District Education Authorities (DEAs). (See NTI’s *October 2014 Submission to the Standing Committee*, Part 1 at pp. 6-8 and 13-20, and Part 15 at pp. 5-14, 19-20, 25-32, 35-38).

NTI’s support for local control of education through Regional Boards of Education and an effective Coalition of Nunavut DEAs (CNDEA) and local DEAs is anchored in the following:

1. the Inuit aboriginal right to establish and control our educational systems, in accordance with our culture, language and practices,

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<sup>1</sup> James Arvaluk, “Canada’s Forgotten Colony” Notes for a speech by James Arvaluk, President of ITC to the Rotary Club of Ottawa, January 5, 1976. At 4

<sup>2</sup> Paul Quassa, TFN Communications, January 24, 1991.

<https://portal.tunngavik.com/archives/TFNarchives/Employee-File-TFN-Staff/Biographies-Quassa-Eetoolook-Milortok.PDF>

recognized in Article 14(1) of the *United Nations Declaration on the Rights of Indigenous Peoples*, and Call to Action #10 of the *Truth and Reconciliation Commission of Canada*;

2. Longstanding board of education practices in most of Canada, where elected school board members have responsibility for student achievement and well-being, for ensuring effective stewardship of budgets and for delivering effective and appropriate education programs for their students; this is in keeping with the “evidence base that supports the position that board-governed school districts contribute to successful public education systems” (Firestone and González, 2007, Hightower, Knapp, Marsh & McLaughlin, 2002; Honig & Coburn, 2008; Leithwood, 2010; McLaughlin & Talbert, 2003; Miller, 2010; Saatcioglu, Moore, Sargut and Bajaj, 2011; Sheppard, Brown, & Dibbon, 2009; all cited in *School Boards Matter: Report of the Pan-Canadian Study of School District Governance* 2013); and
3. democratic principles. The function of “school boards is to ensure that the governance of public education reflects community and regional values and priorities.” *School Boards Matter: Report of the Pan-Canadian Study of School District Governance* 2013). As stated in the Canadian Encyclopedia:

*“school boards are among the most democratic institutions, responsive to local demands. They provide a lively and sometimes vibrant vehicle for grass-roots participation in educational policies and practice.”*

Before 1999, Nunavut enjoyed elected Regional Boards of Education, responsible for the day-to-day operation of schools, hiring and supervision of teaching staff, liaison with DEAs, and overseeing the delivery of educational programs and services for Grades K-12. Francophone parents in Nunavut still enjoy their own elected local school board, the Commission scolaire francophone du Nunavut (CSFN), with these authorities.

Shortly after 1999, the GN unilaterally abolished the Regional Boards. In one stroke, it removed the ability of Inuit to elect their Regional Boards, democratic oversight of Regional Boards, and the Boards’ role of supporting and resourcing

DEAs. It brought Regional Board functions “in-house,” under the control of the non-elected Department of Education’s (DOE) Regional School Operations (RSOs).

What the GN did was to remove the Boards from the *Education Act* as bodies representing and making management and policy decisions on behalf of parents, while keeping their important regional administrative functions within DOE. DOE justified this as a cost-saving measure, but RSO budgets are now significantly larger than the Regional Boards had. Major decision-making over education now rests with unelected RSOs and their Executive Directors. RSOs are arguably the most powerful group in education in Nunavut, yet they are controlled by Government alone, and aren't even mentioned in the *Education Act*.

To add to this weakening of local control, in 2008, the GN put responsibility for some tasks that were once carried out by the Regional Boards on the DEAs but did not adequately prepare nor properly fund the DEAs for these significant new responsibilities.

Today, Nunavut is faced with a systematic failure of education, due in part to the failure of language of instruction implementation (See NTI’s August 30, 2016 Comments), and in part to the combined errors of abolishing Regional Boards and then failing to provide the necessary support, resources and training for DEAs.

Rather than reinstating regional authority over education, DOE now proposes to take away the authorities prescribed to the DEAs in 2008, rationalizing this move with generalizations regarding DEA capacity. DOE’s proposals, if adopted, will serve to further disenfranchise DEAs, when the GN ought to be enhancing and supporting DEAs’ roles as important decision-makers in their communities.

DOE’s policy intentions run counter to educational research that “raise(s) concerns about the nature of educational decision-making by ministers and senior public servants,” stating that “departments of education (DOEs), by virtue of their centrality, are unsuitable proxies for the leadership provided to schools by effective school boards” (*School Boards Matter: Report of the Pan-Canadian Study of School District Governance* 2013).

DOE’s policy intentions also run counter to Inuit aboriginal and human rights, to modern trends in aboriginal control of education, and to the commitments of the

Government of Canada to implement the Truth and Reconciliation Report's Calls to Action. In keeping with the Inuit aboriginal right to establish and control our educational systems, recognized in Article 14(1) of the *United Nations Declaration on the Rights of Indigenous Peoples*, local Inuit autonomy over education through re-establishment of Regional Boards of Education, and adequate resourcing and authorities of the CNDEA and DEAs ought to be respected.

In the absence of immediate action to restore regional authority over RSOs' operations and implement meaningful local control over education, the quality of education in Nunavut, even using the most basic measures of literacy and numeracy, will continue to decline from the beginning to the end of a child's schooling. If DOE's proposals to disengage community decision-making proceed, it can be predicted that enrolment and attendance rates will remain below average and graduation rates will remain at a standstill or decline further.

Nunavut's system should be on par with other jurisdictions where it is the responsibility of the Minister to set standards, and the responsibility of boards to implement and oversee them, and to communicate to their constituents the rights of students and parents. The DEAs' authorities prescribed in legislation should not be diminished.

NTI proposes the following alternatives to DOE's policy intentions:

### **SUMMARY**

1. Regional boards of education should be re-established, or a Nunavut-wide board of education created, following consultation with Inuit;
2. Failing the GN taking steps to re-establish regional boards, the *Education Act* should be amended:
  - a. to enshrine the RSOs in the Act and require that each one report to an entity with a regional board of directors elected by Inuit, either directly or through DEAs;
  - b. to require the Executive Directors of the RSOs to report to the regional board of directors elected by Inuit;

- c. to require the Inuit boards of directors meet quarterly and review RSO operations;
3. In consultation with Inuit, clarify the shared duties, roles and responsibilities between DOE, RSOs, DEAs and the CNDEA throughout the *Education Act*; and
4. Provide the necessary funding to DEAs to allow them to properly exercise their current authorities over, among other things, bilingual education, inclusive education and hiring and training of staff; fully train DEAs to ensure they can meet their mandate, and provide the CNDEA with necessary funding to ensure that it can adequately perform its support role for DEAs.

Set forth below is a discussion of these recommendations, followed by NTI's comments on the GN's policy intentions document specifically as it relates to DEAs and the CNDEA.

## **DISCUSSION**

### **1. Enshrine the RSOs in the Act to require that each one report to a regional Board of Directors elected by Inuit DEAs**

The GN states on its website that RSOs are “are similar to a school boards and the CSFN”. However, the Executive Directors of RSO report to the Assistant Deputy Minister of DOE in Iqaluit (not to an elected board of parents like the CSFN). Since the RSOs supervise and administer schools in Nunavut, hire principals and teaching staff, and oversee the delivery of the educational program, they hold much greater authority than any other part of the educational system.

Approximately, 9400 out of 9700 students in Nunavut are Inuit, but their parents lack democratic oversight of these key functions. In contrast, the parents of approximately 80 Nunavut Francophone students have such oversight through their 5 elected members of the CSFN. It is surprising that a territorial government established under an Inuit land claim has not yet given Inuit parents the rights that have been extended to French parents in Nunavut.

By enshrining RSOs in the *Education Act* and requiring that each Executive Director report to a democratically elected board, Inuit parents will enjoy the same oversight of education enjoyed by French parents in Nunavut and by French and English parents in the majority of school districts in Canada. With a consistent 15 year record of the lowest graduation rate in Canada, RSOs and DOE have lost the right to decide what is best for Inuit children; Inuit parents must be allowed democratic oversight of their children's education.

## **2. Provide the funding and training to DEAs needed for them to exercise their powers**

The DEAs are appropriately charged with carrying out significant roles and responsibilities prescribed in the *Education Act* in at least 14 key areas of education delivery, including school programs, assessments and student records, language of instruction, Inuit Qaujimajatuqangit (IQ), early childhood programs, attendance, registration and discipline policies, school calendars, parental engagement and community involvement.

In addition to exercising their substantive authorities, DEAs also report to the Minister in a number of areas, including consultation reports on development of school calendars, choice of language of instruction, implementation of IQ in local programs, and financial reports.

These DEA roles are proper authorities and responsibilities, reflecting the parental right to control their children's education. Rather than taking away from the role of the DEAs based on capacity rationale, DOE should increase community capacity by providing all DEAs with training and adequate funding to hire full time office managers, other staff and resources to support their important role.

By way of emphasizing the current inadequacy of DEA funding, DOE allocated \$14.4M to DEA Contributions in 2012/2013 to approximately 26 DEAs, averaging \$554,000 each, while Regional School Operations and Curriculum Services were allocated \$30,251,000 for the same year (DOE Annual Report 2012/2013).

In addition, the CNDEA must be funded to ensure that it can adequately perform its support role for DEAs, and its legislated responsibilities. Current funding and legislative limitations restrict the CNDEA from engaging with DOE and providing

support to DEAs. Funding for CNDEA should be adequate to allow the CNDEA to assist DEAs to understand their duties, roles and responsibilities, liaise with DOE, and provide support to the DEAs on certain administration requirements.

Follow are NTI's comments on the GN's Policy Intentions Document specifically as it relates to the DEAs and CNDEA:

## **1. Chapter 1 – Fundamental Principles**

NTI disagrees with the DOE's proposed mechanism of ensuring that IQ is implemented exclusively by the DEAs in the education system. Requiring DEAs to provide written reports on IQ and Inuit Social Values does not accomplish its purpose, or establish accountability, if DEAs are not provided time and resources to provide direction on matters affecting local programming.

Further, given that DEAs consist largely of Inuit parents who clearly understand how IQ may be infused into local programs, written reports are an unnecessary administrative burden.

It is more appropriate to recognize IQ and Inuit Societal Values in the preamble to the *Education Act*, in which it is recognized as a goal to strive for within the education system.

## **2. Chapter 2 – Bilingual Education and Language of Instruction**

As discussed in more detail in NTI's Comments on Language of Instruction, NTI is concerned with the impact of the proposed standardized framework on DEAs and local communities, with direction coming from the Minister on matters of local importance, such as Inuktitut language of instruction. DOE lacks the necessary understanding of the substantial differences among communities that is required for decision-making on a community-by-community basis to be successfully applied.

Further, the legislation currently allows DEAs to conduct consultations with parents and the general public prior to choosing a Language of Instruction model for the schools in their jurisdiction. Once this public engagement process is

removed and replaced with Ministerial authority, it will be difficult for parents to relay their concerns on bilingual education, or exercise their democratic rights.

NTI is also very concerned by remarks made by DOE officials (views not made clear in DOE's policy intentions document on which its consultation was based) that a key intention of its proposed standardization is to give government the right to decide where Inuit teachers must go to teach, including removing them from their home communities.

### **3. Chapter 3 -- Inclusive Education**

Although DEAs currently have authority to oversee inclusive education, their role in this respect has largely been unimplemented because DEAs have not been resourced to ensure that students who require extra or specialized supports receive them. Rather than address that problem, DOE proposes to remove this line of accountability by recommending that not only would the Minister set the standard, but would implement programming, monitor and evaluate inclusive education, and also play a major role in the appeal process.

NTI has concerns with the proposed transfer of DEA authority to the Minister without adequate thought to parents' need for a liaison and advocate on matters related to the development and approval of Individual Student Support Plans. DOE's preferred direction appears to significantly interfere with the ability of parents to seek supports for their children by centralizing most aspects of inclusive education.

The legislative provisions on inclusive education also ignore the Special Committee recommendation #13 which directs that the Act, "be amended to clarify, in detail, the conditions under which a student may be entitled to receive a student support program." DOE has not made proposals as to how to address the conflicting responsibilities of DEAs, which carry oversight responsibility (s. 42) and assessments (s. 46) and the school team, which, *in accordance with the direction of the Minister*, is responsible for the promotion of students (s.15).



#### **4. Chapter 4 – DEA Roles and Responsibilities.**

##### ***A. Local Programming***

DOE's proposal is founded on an outdated approach of boosting external control, justified by stating that the proposals are designed to alleviate administrative and accounting burdens. It ignores the importance of empowering and resourcing DEAs with staffing, training and funds to ensure the preservation and promotion of local culture and language needs.

To truly make an impact, DEAs must be given the staff and resources to effectively consult and develop local programs. These functions were previously met by the Regional Boards, whose role has not been replaced by local experts, but rather by the largest bureaucracy in all of GN departments.

DEA staffing varies from community to community. Some DEAs have full-time office managers, while most have half-time managers. Rather than taking away from the role of the DEAs, NTI proposes that DOE increase community capacity by providing all DEAs with a full-time office manager and resources to support the important role of the DEA in every community.

##### ***B. Education and School Programs***

NTI does not support DOE's proposal that the Minister make final decisions on matters including student registration, establishing school calendars, setting instructional minutes and language of instruction. By way of example, DEAs are in the best position to know who can be registered within the school system. The main reason the DOE has put forward for standardizing the school calendar is to make it easier to synchronize training dates for new inbound Qadlunaat teachers. This is an unacceptable reason to remove an authority from Inuit DEAs which set the calendar to suit more serious local considerations such as harvesting seasons.

##### ***C. School Administration and DEA oversight***

DEAs have continually sought more resources to be able to implement their authorities. They have outlined that they are not able to do so with a half-time office manager, or with their bookkeeping services being required to be outsourced outside their communities. DEAs have consistently sought more

transparency and support from DOE and have annually raised this issue with the CNDEA.

Rather than heed these legitimate requests, DOE proposes to remove DEA authority to provide direction on education, except in respect of local programming. This is unacceptable. DEAs continue to have the trust of their communities, that their DEAs are able to affect the quality of education. If DOE's proposal to limit the ability of the DEAs to affect education to local programming is enacted, the result will be further isolation and loss of faith in the DEAs.

The practice of hiring, reviewing, and firing staff is already administered by DOE's RSO officials. The proposal to have this legislatively recognized will only maintain the status quo. NTI is concerned that DOE does not intend to empower the DEAs to be engaged in the education system, as it should. By way of example, the Mi'kmaq of Nova Scotia took control of education in April 1999, through legislation. Since then, their graduation rate has been consistently rising. Similar local control should be instituted in Nunavut.

The responsibility of early childhood education is a prime example of the failure of regulations established by DOE. DEAs were required to establish a society to access funds to oversee this programming, but insufficient support was provided. This had the predictable result of funds going unused and DEAs being unable to exercise their authority. Rather than removing this authority, DOE should facilitate DEAs taking advantage of funding.

Legislative amendments should allow DEAs some flexibility to choose to exercise authority over early childhood education. This is because there are several schools that set aside space for daycare centres within the schools, to accommodate high school students who have become parents. DEAs should have participatory rights with non-profit societies that run day-care centres within schools administered by DEAs.

## **5. Chapter 5 – Bolstering French First Language Programming**

NTI is concerned with the proposals in this segment, as they also intend to limit the authority of the Commission scolaire francophone du Nunavut (CSFN) to establish, approve, review and update the curriculum. That the Director General's

role will be altered to report to the Minister rather than to the CSFN and that the CSFN's role appears to be limited to making recommendations is troubling.

NTI looks forward to the opportunity to discuss these issues more thoroughly with DOE, as part of the process of NTI's participation in proposed legislative and policy changes.