

Two Options for Approaching Kindergarten to Grade 12 Education

The GNWT has considered two possible options for how the jurisdiction of kindergarten to Grade 12 education could be exercised by Self Governments in the NWT, given the challenges of integration and coordination of multiple sets of laws, schools, curricula and responsibilities.

These options are described below, along with the draft text the GNWT would propose for the Dehcho AIP based on that option.

The GNWT is willing to negotiate a jurisdiction based on either option.

Option 1

The GNWT will maintain certain elements of the jurisdiction, i.e.: setting the learning outcomes, setting the requirements to obtain a high school diploma, and setting the minimum certification standards for teachers with the exception of persons teaching Aboriginal language, history and culture. In this option, the Self Government would affect *how* subjects are taught, including the language of instruction and specific content (the curriculum itself). The learning outcomes would continue to be set by the GNWT, and would be identical across the NWT.

The GNWT could enter into information sharing agreements that would facilitate the coordination of K-12 education across the territory including information sharing on student enrolment and student records. The GNWT could also Consult the Self Government when changes were made by the GNWT to those items that it retains.

This 'partnership' does not extend to monitoring the curriculum resources developed by the Self Government.

This option would result in the Dehcho Government and the GNWT having distinct but complimentary roles in K-12 education delivery. The GNWT's goal for this system would be for students to be able to transfer easily between school systems in the NWT, as the learning outcomes would be identical in every region, and that upon graduating, students would be eligible to receive an NWT high school diploma, which they would be able to use to apply for entrance into post-secondary programs throughout Canada or abroad.

The text to describe this option could look like the following:

CHAPTER K - KINDERGARTEN TO GRADE 12 EDUCATION

DEFINITIONS

“**Student**” means a person enrolled in kindergarten to grade 12 in the Settlement Area.

“**Learning Outcomes**” means the desired learning outcomes for primary (kindergarten – grade 3), intermediate (grades 4 – 6), junior (Grades 7 – 9) and senior (grades 10 – 12) grade levels.

K.1 JURISDICTION

K.1.1 The Dehcho Government has Jurisdiction in the Settlement Area with respect to the kindergarten to grade 12 education of Students residing in the Settlement Area.

K.1.2 The Jurisdiction set out in K.1.1 does not include:

- (a) development of the Learning Outcomes as set by the Government of the Northwest Territories; and
- (b) setting of requirements for grade 12 graduation.

K.1.3 When exercising its jurisdiction pursuant to K.1.1, the Dehcho Government shall ensure that:

- (a) the method of delivering kindergarten to grade 12 education, including the development of curriculum resources, is consistent with achieving the prescribed Learning Outcomes;
- (b) all persons aged 5 years by December 31 of the school year and not older than 21 years have access to kindergarten to grade 12 education in a regular instructional setting in the Settlement Area; and
- (c) teacher certification standards set by the Dehcho Government meet or exceed territorial standards for teacher certification.

K.1.4 The Dehcho Government may create exemptions to subsection K.1.3 /*(b) where:

- (a) a Student has reached the age of sixteen years and has been expelled from school;
- (b) the health and safety of, or the delivery of education to, a Student or other Students would be jeopardized by the presence of a Student in a regular instructional setting; or

- (c) in consultation with the Government of the Northwest Territories, program, medical or behavioural reasons warrant an exemption.

K.2 ASSESSMENT TOOLS

- K.2.1 The GNWT may develop means of assessment for the purpose of determining Student achievement in relation to the Learning Outcomes. The Dehcho Government shall use these assessment tools, if any, when assessing a Student's level of achievement when transferring to a school system operated by the Dehcho Government.
- K.2.2 Decisions regarding a Student's placement in the school system operated by the Dehcho Government shall be in accordance with Dehcho Government policies.

K.3 AGREEMENTS

- K.3.1 The Government of the Northwest Territories retains the right to represent the NWT in discussions and enter into agreements with other territories, provinces or Canada on behalf of the NWT with respect to kindergarten to grade 12 education. Such agreements shall not affect the Dehcho Government's Jurisdiction pursuant to K.1.1.
- K.3.2 The Dehcho Government may enter into agreements with a territory, province or Canada, a school board in a territory or province, or any independent school accredited by a territory or province, for the delivery of kindergarten to grade 12 education within the Settlement Area or for Students receiving kindergarten to grade 12 education outside of the Settlement Area.

K.4 CONSULTATION

- K.4.1 The Government of the Northwest Territories shall Consult the Dehcho Government with respect to changes to:
 - (a) the Learning Outcomes;
 - (b) requirements for grade 12 graduation; and
 - (c) teacher certification standards.

K.5 INFORMATION SHARING

- K.5.1 When the Dehcho Government exercises its jurisdiction pursuant to K.1.1, the Dehcho Government and the GNWT may enter into agreements on information Sharing, including information on Student enrolment and Student records.

K.6 CONFLICT OF LAWS

K.1.6 In the event of a Conflict between a Dehcho Government Law made pursuant to section K.1.1 and a Federal Law or Territorial Law, the Dehcho Government Law prevails to the extent of the Conflict.

Option 2

There is another option that gives the Self Government the option to expand the scope of their jurisdiction beyond that of Option 1.

The Self Government would set its own learning outcomes, and their education system would be designed to permit the transfer of students into other schools in the territorial education system and to permit entry into post secondary schools.

The Self Government's laws would also establish examination standards, graduation requirements, create their own high school diploma, and set other standards.

The GNWT would set the minimum teacher certification standards, but would have no responsibility to monitor or evaluate either the students or the Self Government's education system. Graduates of the Self Government's education system would not receive a territorial diploma.

Intergovernmental arrangements or agreements can be created as the parties wish after implementation, but are not a requirement of the self-government agreement.

The text to describe this option could look like the following:

CHAPTER K - KINDERGARTEN TO GRADE 12 EDUCATION

DEFINITIONS

“Student” means a person enrolled in kindergarten to grade 12 in the Settlement Area.

K.1 JURISDICTION

- K.1.1 The Dehcho Government has Jurisdiction in the Settlement Area with respect to the kindergarten to grade 12 education of Students residing in the Settlement Area.
- K.1.2 Laws passed by the Dehcho Government under K.1.1 will establish learning outcomes, curriculum, examination and other standards that permit transfers of Students between school systems in the Northwest Territories at a similar level of achievement and permit entry to provincial and territorial post-secondary education systems.
- K.1.3 When exercising its jurisdiction pursuant to section 11.1.1 the Dehcho Government shall ensure that:
- (a) all persons aged 5 years by December 31 of the school year and not older than 21 years have access to kindergarten to grade 12 education in a regular instructional setting in the Settlement Area; and
 - (b) teacher certification standards set by the Dehcho Government meet or exceed territorial standards for teacher certification.
- K.1.4 The Dehcho Government may create exemptions to subsection 11.1.3 where:
- (a) a Student has reached the age of sixteen years and has been expelled from school;
 - (b) the health and safety of, or the delivery of education to, a Student or other Students would be jeopardized by the presence of a Student in a regular instructional setting; or
 - (c) program, medical or behavioural reasons warrant an exemption.
- K.1.5 In the event of a Conflict between a Dehcho Government Law made pursuant to K.1.1 and a Federal Law or Territorial Law, the Dehcho Government Law prevails to the extent of the Conflict.

K.2 CONSULTATION

- K.2.1 The Government of the Northwest Territories shall Consult with the Dehcho Government with respect to changes to teacher certification standards.