

POST-SECONDARY EDUCATION AND THE CERTIFICATION OF PROFESSIONS DISCUSSION PAPER

The GNWT would like to propose a new chapter for Post Secondary Education that would replace the current chapter in its entirety. This new approach proposes additional clauses in the General Provisions chapter and the Chapter on Culture and Heritage Chapter. These are shown in the section below.

CHAPTER PS POST-SECONDARY EDUCATION

PS.1 JURISDICTION

- PS.1.1 The Dehcho Government has jurisdiction in the Settlement Area with respect to post-secondary education to:
- (a) establish post-secondary education programs, services and institutions, including the determination of curriculum; and
 - (b) regulate post-secondary education programs, services and institutions created by the Dehcho Government.
- PS.1.2 For greater certainty, Dehcho Government laws made pursuant to PS.1.1 apply only to post-secondary education programs, services or institutions established by the Dehcho Government.
- PS.1.3 In the event of a Conflict between a Dehcho Government Law made pursuant to PS.1.1 and a Federal Law or Territorial Law, the Dehcho Government Law shall prevail to the extent of the Conflict.

The GNWT proposes adding the following clause to the General Provisions chapter.

GP.X.X The Dehcho Government has no Jurisdiction in relation to the certification, licensing, or regulation of occupations, trades, professions, professionals, professional organizations and societies except as otherwise provided in the Agreement.

This list of exceptions currently includes the certification of early childhood educators and caregivers, out of school caregivers and the certification of teachers, (the GNWT paper on K-12 Education from March 2011 contains more information regarding the certification of K-12 teachers). DFN is continuing work on the Culture and Heritage chapter. GNWT suggests the chapter could include clauses regarding a law making authority for the Dehcho Government for regulation and certification of traditional Dehcho healers. GNWT also proposes the following clauses:

L&H.X.X The Dehcho Government may make laws with respect to certification of persons who teach Dehcho Dene and Métis culture and history and Dene Zhatie.

[Definitions: Dehcho Government; GNWT; Canada; NWT Law]