



Plain Language Summary for Bill 81: An Act to Amend the Education Act, No. 2

The Government of the Northwest Territories', (GNWT) Department of Education, Culture and Employment (ECE) is proposing amendments to the *Education Act* that support the priority of the 19th Legislative Assembly to increase education outcomes to the same level as the rest of Canada.

ECE began public, partner and stakeholder engagement on modernization of the *Education Act* in spring 2021. As a result of that engagement, ECE decided to take a phased approach to making legislative changes in order to ensure additional time for more in-depth engagement on the future of the education system structure and governance in phase 2, while also allowing for operational and technical amendments designed to improve the existing system within the life of the 19th Assembly in phase 1.

Bill 81 represents phase 1 amendments that serve to recognize the vital role Indigenous peoples and Indigenous governments have in education; eliminate confusion about roles and responsibilities of the Minister and Education Bodies; protect parental involvement in decisions around student grade placement and education program modifications; mandate the provision of student transportation; and support information sharing and accountability. These amendments help to address the findings and recommendations of internal evaluations and reports of the Office of the Auditor General of Canada.

The changes to the Act will include:

- Update the language to recognize Indigenous peoples and governments and remove references to the term 'aboriginal' where appropriate;
- Clarify authorities, roles, and responsibilities among education bodies where there are currently gaps or overlaps in authority by creating a process by which education bodies can plan to carry out shared powers and responsibilities;
- Identify all instances where the Minister has authority to issue Directives and compile those into a single list for ease of reference, as well as ensure the role of the Minister is clearly and comprehensively outlined;
- Replace specific language regarding types of education support plans with general terminology to reflect modern and evolving approaches to inclusive schooling, allowing for flexibility to live within the details of the Ministerial Directive;
- Ensure informed parental consent is obtained and documented before modifications are made to the education program for a student, and any time a student is being placed (not promoted) into the next grade;
- Establish authority for sharing of information on student records and student achievement between education bodies and ECE through standard territorial-wide systems and processes;
- Provide authority for the Minister to establish an ad hoc oversight committee to identify opportunities to improve the delivery of the education system and support implementation of these improvements;

- Remove the term ‘academic year’ from the Act to remove confusion around academic year vs. school year, as well as updating the term ‘student-teacher ratio’, which is frequently misinterpreted;
- Address challenges with delivery of student transportation by making the provision of student transportation mandatory;
- Allow District Education Authority (DEA) elections to occur by mail-in ballot where the municipality in which an education district is located has passed a bylaw to use mail-in ballots for their civic elections;
- Enable interjurisdictional information sharing with respect to teacher certification when a teacher’s certification has been suspended or cancelled;
- Provide clarity around quorum for members of education bodies and acknowledgement that members can be elected or appointed, per regulations; and
- Obligate education bodies to provide student transportation.

This legislative initiative was informed by the extensive public engagement that occurred in 2021, as well as detailed engagement sessions with Education Bodies toward the development of a legislative proposal and drafting instructions for a bill in 2022-23.

For additional information or questions contact:

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