

EDUCATION ACT

R-014-2004

Registered with the Registrar of Regulations

2004-08-16

COMMISSION SCOLAIRE FRANCOPHONE DE DIVISION REGULATIONS

WHEREAS the *Conseil scolaire francophone d'Iqaluit* has requested the Minister to establish a *commission scolaire francophone de division*;

The Minister, under sections 84 and 151 of the *Education Act*, and every enabling power, makes the *Commission Scolaire Francophone de division Regulations*.

1. In these regulations, "Act" means the *Education Act*.
2. A *commission scolaire francophone de division* is established and shall be known as the "Commission scolaire francophone du Nunavut".
3. The area within the jurisdiction of the Commission scolaire francophone du Nunavut is comprised of the following education districts:
 - (a) Iqaluit Education District.
4. The head office of the Commission scolaire francophone du Nunavut shall be in one of the education districts within its jurisdiction.
5. The Commission scolaire francophone du Nunavut shall manage its operations in accordance with the Act and the regulations made under the Act.
6. The members of the *Conseil scolaire francophone d'Iqaluit* shall serve as the first members of the Commission scolaire francophone du Nunavut, and shall hold office in accordance with subsection 12(3) of the *French First Language Education Regulations*.
7. (1) The Commission scolaire francophone du Nunavut shall, for the program of French first language instruction in the education districts within its jurisdiction,
 - (a) provide education to all students in accordance with the Act and the regulations made under the Act;
 - (b) ensure the enforcement of the registration of a child under section 12 of the Act and accept the registration of a child under paragraph 12(1)(c) of the Act;
 - (c) administer and manage the educational affairs of the Commission scolaire francophone du Nunavut in accordance with the Act and the regulations made under the Act;
 - (d) consider any comments and recommendations, with regard to a school, that are provided by the students, student representatives, parents and school staff who have an interest in that school;
 - (e) at the beginning of each academic year, invite each principal to have a student representative from each school attend and participate in the public meetings of the Commission scolaire francophone du Nunavut and establish guidelines for the participation of student representatives in those meetings;
 - (f) enter into agreements with health, justice, social services and other community agencies for the provision of support services to students in addition to those provided under subsection 7(2) of the Act where, in the opinion of the Commission scolaire francophone du Nunavut, the services are necessary for the effective delivery of the education program and individual education plans;
 - (g) provide support services in accordance with the directions of the Minister under subsection 7(2) of the Act;

- (h) provide students with text books and other learning materials and, where in the opinion of the Commission scolaire francophone du Nunavut it is necessary, fix prices for those books and materials;
- (i) provide library, audio-visual and other resource materials;
- (j) subject to sections 38 to 43 of the Act, attempt to settle all disputes relating to the education program and individual education plans that arise between a student or his or her parent and education staff;
- (k) with the advice of education staff, parents and community elders, develop and deliver culture based school programs in accordance with the requirements of the curriculum;
- (l) provide direction to and supervise the Superintendent in the recruitment, hiring, employment, discipline and dismissal of education staff and school staff in accordance with the Act, the regulations made under the Act and the *Public Service Act*;
- (m) employ a Superintendent;
- (n) set out powers and duties of the Superintendent, in addition to those set out in the Act;
- (o) hold a public meeting annually to consult with parents, community elders and other members of the community regarding the goals and plans for the school program for the next school year;
- (p) monitor, evaluate and direct the delivery of school programs to assure the highest possible education standards in the schools;
- (q) evaluate school program plans and provide direction with respect to those plans;
- (r) in accordance with the regulations made under the Act, evaluate and provide support to home schooling programs;
- (s) in accordance with the regulations made under the Act, establish and advise the Minister of the hours for the academic year for schools, the opening and closing dates for schools and dates for vacations and for the observance of holidays for schools;
- (t) prepare and submit to the Minister the reports and evaluations required by the Act and the regulations made under the Act;
- (u) follow the directions of the Minister; and
- (v) provide accommodation to senior secondary students in accordance with section 10 of the Act.

(2) The Commission scolaire francophone du Nunavut shall, for the program of French first language instruction in the education districts within its jurisdiction, also

- (a) provide equipment and facilities for school programs for physical education, athletics and recreation;
- (b) at the direction of the Minister, enter into agreements that provide for the maximum possible use of education facilities for purposes outside the education program;
- (c) inform the governing body of the community within the education district of plans for the use and development of education facilities;
- (d) have custody and safekeeping of all the education facilities that are used for the education program and maintain the education facilities in good condition;
- (e) obtain a corporate seal;
- (f) employ and bond a financial officer or officers as it considers necessary;
- (g) receive the moneys that are provided by grant or contribution by the Minister for the use of the Commission scolaire francophone du Nunavut for the delivery of the education program;
- (h) make expenditures to meet the requirements of the education program and the Act and supervise and be accountable for all expenditures;
- (i) keep a full and accurate record of its proceedings and financial transactions and affairs;
- (j) maintain insurance as directed by the Minister;
- (k) subject to subsection 136(5) of the Act, prepare for the approval of the Minister, in accordance with the regulations made under the Act, an annual estimate of revenue and expenditures for the operation and maintenance of the education program in the area within its jurisdiction for the next school year;

- (l) subject to subsection 136(5) of the Act, prepare, for the approval of the Minister and in accordance with the directions of the Minister, an annual estimate of revenue and expenditures for all capital items for the education program in the area within its jurisdiction for the next school year; and
- (m) prepare, for the approval of the Minister and in accordance with the regulations made under the Act, an operational plan for the education program in the area within its jurisdiction.

8. (1) The Commission scolaire francophone du Nunavut may, for the program of French first language instruction in the education districts within its jurisdiction,

- (a) develop and produce learning resources and materials to support the delivery of culture based school programs and other local programs;
- (b) advise the Minister regarding the issuance of honorary teaching certificates to elders;
- (c) authorize, supervise and evaluate the use of distance learning programs in the provision of the education program;
- (d) charge fees for goods and services that it provides but that are not required for the instruction of the education program;
- (e) provide transportation to students to enable them to have access to the education program and, where in the opinion of the Commission scolaire francophone du Nunavut it is necessary, fix fees to be charged for that transportation;
- (f) operate student residences and home boarding programs for students to enable them to have access to the education program and, where in the opinion of the Commission scolaire francophone du Nunavut it is necessary, fix fees to be charged for that residence or program;
- (g) establish committees of the Commission scolaire francophone du Nunavut and assign powers and duties to those committees;
- (h) establish committees, including parents' advisory committees, whose members are not members of the Commission scolaire francophone du Nunavut, to advise the Commission scolaire francophone du Nunavut respecting education issues;
- (i) provide interpreter and translator services to assist in the conduct of the business of the Commission scolaire francophone du Nunavut;
- (j) pay an honorarium and expenses to each of its members in accordance with the regulations made under the Act;
- (k) acquire personal property by gift, devise, lease, purchase or otherwise;
- (l) in addition to the school program, develop and deliver early childhood development, adult education, cultural, religious or other programs to enhance learning and charge fees for the programs;
- (m) hire and employ teachers or persons who are not teachers for the instruction of local programs;
- (n) establish and charge tuition fees in respect of students in accordance with the Act;
- (o) collect or maintain information that affects decisions made about the education of a student and maintain a record of the decisions; and
- (p) allow persons who do not reside in the education district or whose parent does not reside in Nunavut to register with a school under subsection 14(1) or section 15 of the Act.

(2) The Commission scolaire francophone du Nunavut may, for the program of French first language instruction in the education districts within its jurisdiction, also

- (a) enter into agreements with public colleges to support the development and delivery of a teacher education program;
- (b) enter into agreements with other education bodies to deliver the education program including the payment of tuition in the circumstances set out in subsection 14(2) of the Act;
- (c) enter into agreements regarding aboriginal schools;

- (d) with the approval of the student, or where that student is a minor, the student's parent, enter into an agreement with another education body to enable the student to attend school in an education district other than the one in which the student resides where
 - (i) the student has reached an education level beyond that offered in the education district in which the student resides, or
 - (ii) the educational needs of the student would be better served at another school;
- (e) employ outside the public service, school staff, other than teachers, whom the Commission scolaire francophone du Nunavut considers necessary for the effective operation of the education program or for individual education plans;
- (f) enter into agreements with other education bodies for the transfer of teachers;
- (g) provide for the payment of a pension to a person employed outside the public service under paragraph (e), on that person's retirement on account of age or disability;
- (h) allow an employee to take a leave of absence for educational purposes;
- (i) arrange and pay for the bonding of one or more financial officers;
- (j) join and pay the fees of educational associations; and
- (k) enter into contracts for the provision of services to support the school program or individual education plans.