

Handbook for Education Committee members



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Kativik Ilisarniliriniq



FOREWORD

This handbook is intended for members of Education Committees and for Centre Directors acting as secretaries of these committees as an introduction to the parameters governing them.

Amongst other things, it contains information regarding the main powers granted to the Education Committees, the way their members enter into office, the way meetings are prepared and conducted, the decision-making process and the role and responsibilities of members.

This document also contains general information on the education system in Nunavik, as well as students' rights and obligations.

Members of the Education Committee are encouraged to seek information and advice from staff members of Kativik Ilisarniliriniq before making decisions that could have far-reaching consequences for labour relations or finances. In those cases, do not hesitate to contact the head office at:

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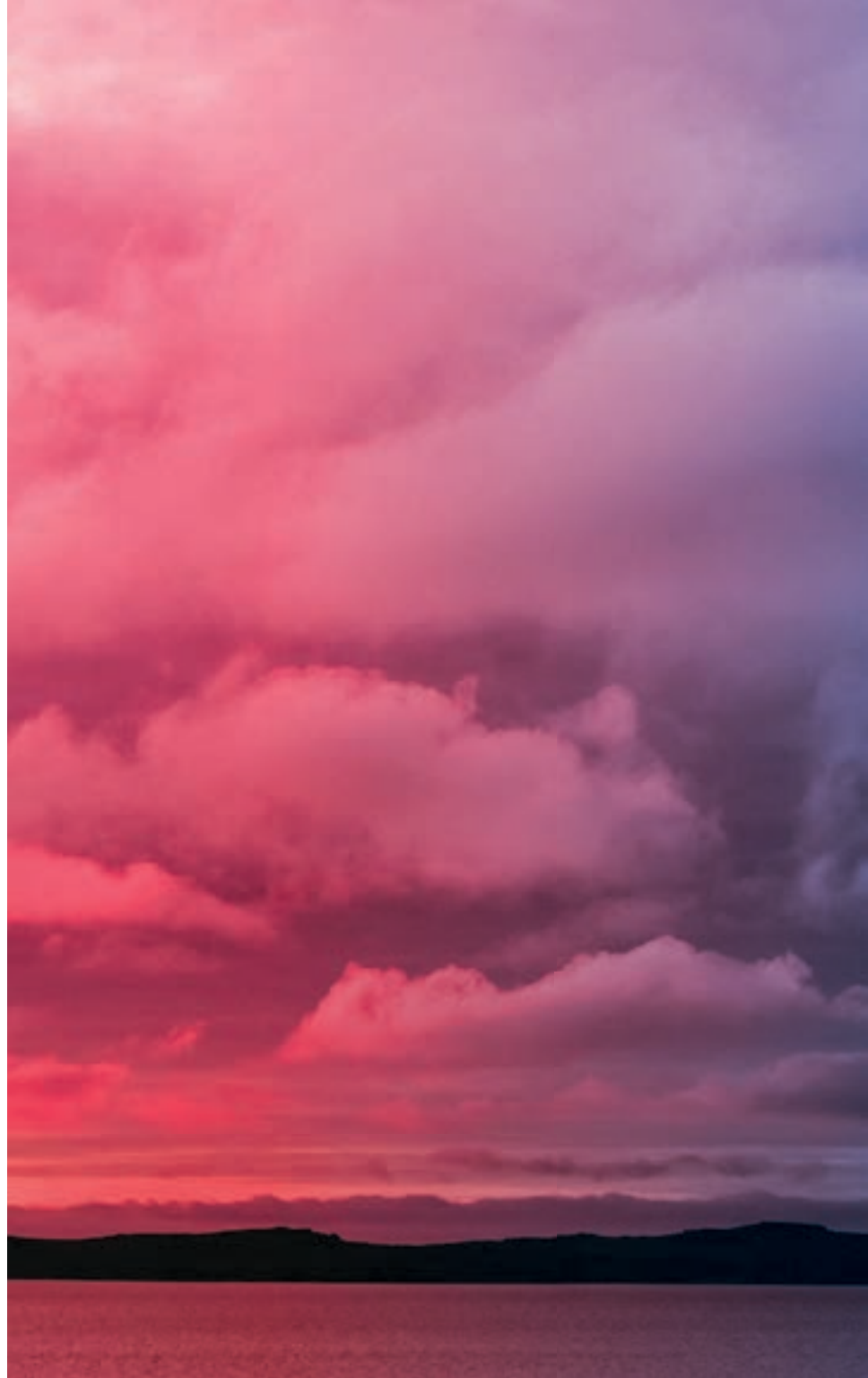


TABLE OF CONTENTS >

1. EDUCATION COMMITTEES	4	6. DECISION-MAKING PROCESS	11
1.1. EDUCATION COMMITTEE COMPOSITION	4	6.1. ADOPTION PROCESS	11
1.2. EDUCATION COMMITTEE POWERS	4	6.2. VOTING RIGHTS	12
1.2.1. POWER OF RECOMMENDATION	4	6.3. CONFLICT OF INTEREST	12
1.2.2. POWER OF DECISION	4	6.4. RESULTS OF THE VOTE	12
1.2.3. OTHER	5	6.5. AMENDMENT OR REPEAL OF	
1.3. ROLES AND RESPONSIBILITIES OF		A RESOLUTION	12
THE CENTRE DIRECTOR	5	7. REMUNERATION	14
2. ENTRY INTO OFFICE	6	8. THE EDUCATION SYSTEM	
2.1. DURATION OF THE		IN NUNAVIK	14
COMMITTEE'S MANDATE	6	8.1. KATIVIK ILISARNILIRINIQ	14
2.2. ELIGIBILITY CRITERIA	6	8.1.1. LEGISLATIVE CONTEXT	14
2.3. ACCEPTABLE REASONS TO REPLACE		8.1.2. PERSONNEL	14
A MEMBER	7	8.2. SCHOOL POPULATION	14
2.4. VACANCY AMONG THE ELECTED MEMBERS ..	7	8.2.1. REGULAR SECTOR	14
3. FIRST MEETING	7	8.2.2. ADULT EDUCATION	
3.1. ELECTION OF THE PRESIDENT	7	AND VOCATIONAL	14
3.1.1. ELECTION PROCEDURE	7	8.2.3. POSTSECONDARY	14
3.2. ELECTION OF THE VICE-PRESIDENT	7	8.3. FUNDING	14
3.3. OBLIGATION OF THE CENTRE DIRECTOR	7	8.4. EDUCATION COUNCIL	15
4. PREPARATION OF MEETINGS	8	8.5. SCHOOL COUNCIL	15
4.1. TYPES OF MEETINGS	8	9. STUDENTS' RIGHTS	
4.1.1. REGULAR MEETINGS	8	AND OBLIGATIONS	16
4.1.2. SPECIAL MEETINGS	8	9.1. OBLIGATION TO ATTEND SCHOOL	16
4.2. NOTICE OF MEETING	8	9.2. OBLIGATION TO ADMIT A CHILD	
4.3. AGENDA	8	TO SCHOOL	16
4.4. TABLING DOCUMENTS AND REPORTS	8	9.3. OBLIGATION TO PROVIDE INSTRUCTION IN	
5. CONDUCT OF MEETINGS	8	THE CHILD'S MOTHER TONGUE?	16
5.1. IN CAMERA MEETINGS			
(BEHIND CLOSED DOORS)	8		
5.2. CHAIRPERSON OF THE MEETING	8		
5.3. QUORUM	10		
5.4. ADOPTION OF THE AGENDA	10		
5.5. RIGHT TO SPEAK DURING THE MEETING	10		
5.6. APPROVAL OF THE MINUTES	10		

1. EDUCATION COMMITTEES

The Education Committees were created under the *James Bay and Northern Québec Agreement* and the *Education Act for Cree, Inuit and Naskapi Native Persons* (CQLR, c. I-14).

There is one Education Committee for each of the 14 municipalities in Nunavik.

Education Committees are non-ethnic consultative bodies with powers of recommendation to Kativik Ilisarniliriniq in regards to specific matters related to the regular sector in the municipality they represent. However, the Council of Commissioners may delegate responsibilities to the Education Committees with decisional powers in specific areas of activities.

1.1. COMPOSITION OF THE EDUCATION COMMITTEES

The number of members to be elected varies according to the size of the population in each municipality and the recommendations made to the Council of Commissioners by the Education Committee involved. This number of members is set by resolution of the Council of Commissioners and varies from 5 to 8 members.

The number of elected members per community is as follows:

Kangiqsualujjuaq	7
Kuujjuaq	8
Tasiujaq	5
Aupaluk	5
Kangirsuk	6
Quaqtaq	5
Kangiqsujuaq	6
Salluit	7
Ivujvik	5
Akulivik	6
Puvirnituk	8
Inukjuak	8
Umiujaq	5
Kuujjuaraapik	7

The Commissioner who represents the municipality is automatically a member of the Education Committee with a right to vote.

Therefore, in each municipality, the Commissioner and the members elected by the population constitute the core of the Committee, to which other members may be added if the Committee so decides by resolution. These “optional” members are:

- > the Mayor of the municipality or his duly authorized representative (voting);
- > a delegate of the local Municipal Council responsible for cultural affairs, or his duly authorized representative (voting);
- > the school principal (non-voting);
- > a teachers’ representative (non-voting).

The appointment of additional members is not mandatory, and each Committee is free to decide whether or not they wish to add these members after having consulted the Council of Commissioners.

1.2. EDUCATION COMMITTEE POWERS

1.2.1. POWER OF RECOMMENDATION

The Education Committees have the power of recommendation on all subjects they deem appropriate and related to their mandate. More particularly, the Education Committees should make recommendations to the School Board regarding the following subjects:

- > teacher transfers from one municipality to another;
- > school calendar;
- > school organization;
- > staffing requirements;
- > policy on language of instruction;
- > school facilities needed in the community.

1.2.2. POWER OF DECISION

An ordinance was adopted by the Council of Commissioners, giving several responsibilities to the Education Committees with power of decision on matters previously under the jurisdiction of the Council of Commissioners, namely:

- > to provide information and promote consultation among all persons and parties concerning education in the community;
- > to promote parental participation regarding the quality and development of their children’s schooling;
- > to encourage input from the parents and the community regarding the development of all school programs and provide recommendations and assistance to the Board in this respect;
- > to encourage parents to play a role in their children’s school attendance and discipline and establish rules regarding student conduct at school with the local school administration;
- > to participate in the organization of parent-teacher meetings;
- > to promote and maintain relationships with the local recreation committee and other community organizations;
- > to help the school administration familiarize new teachers with their school and community, namely with the organization of orientation sessions;
- > to determine and approve cultural excursions;
- > to adopt rules regarding internal matters;
- > to determine the use and rental of school facilities to persons or parties outside the Board;
- > to approve extra-curricular activities, such as school sports exchanges and local fund-raising programs, for the benefit of the students and the community.

1.2.3. OTHER

- > participate in Education Council meetings;
- > be informed of prevention programs regarding social issues when not already included in the curriculum;
- > make recommendations to the Council of Commissioners regarding the number of elected members sitting on their Committee;
- > give opinions and recommendations on all other matters related to their mandate, such as the choice of teaching material or on any matter referred to them from time to time by the Board;
- > exercise any other functions delegated by the Board.

Every recommendation and decision the Education Committee submits to the Council of Commissioners or the Executive Committee must consider the Board's actual jurisdiction, available budgets and applicable laws.

1.3. ROLES AND RESPONSIBILITIES OF THE CENTRE DIRECTOR

The Centre Director acts as Secretary of the Education Committee without being a member. This is a characteristic function of Centre Directors that is included in their job description.

The Secretary assists the President in his functions and acts as an organizer for the Committee. He plans for the meetings and makes sure that all participants have the documentation and information needed. During meetings, he takes all necessary notes for the minutes and is also responsible for issuing copies of resolutions. The Secretary sees to the various administrative tasks involved in running the Committee, including the payment of honoraria, the updating of documents, etc.

Excerpt from the Education Act for Cree, Inuit and Naskapi Native Persons

SECTION 657

A parents' Committee shall be established in each municipality, under the name "Education Committee".

The Education Committee shall be composed of three to eight parents residing in the community, as determined by the School Board, elected every two years on the date and in accordance with the terms and conditions determined by the School Board.

The School Board may, with the approval of the Minister, amend the composition of Education Committees and the criteria for participating in the said Committee.

Furthermore, if, after consulting the Council of Commissioners, the elected members of the Education Committee so decide, the Director of Education in the municipality, the teachers' representative, the Mayor of the municipality and a delegate of the local municipal council entrusted with cultural affairs, or their duly authorized representatives, may be members of the Education Committee. However, the Director of Education and the teacher's representative or their representatives do not have the right to vote or to be appointed chairman thereof; the Mayor and the delegate entrusted with cultural affairs may vote but cannot be appointed chairman thereof.

The Education Committees shall be consultative bodies with advisory powers to the School Board except for responsibilities that may be delegated to them by ordinance of the School Board.

The Commissioner who represents the municipality shall be a member of the Education Committee with the right to vote.



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2. ENTRY INTO OFFICE

2.1. DURATION OF THE COMMITTEE'S MANDATE

Members of the Education Committee have a two-year mandate, at the end of which the population of each municipality must elect a new Education Committee. This election is held on the last Tuesday of September.



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2.2. ELIGIBILITY CRITERIA

To be eligible to be a member of the Education Committee, one must:

- > have reached the age of majority (18 years old and over);
- > not be affected by any legal incapacity (for example: having a serious mental illness and being declared inept by a judge);
- > be a Canadian citizen;
- > have resided in the municipality for at least 12 months;
- > not have been convicted of an act punishable by imprisonment for 1 year or more; such disqualification shall continue for 3 years after the term of imprisonment fixed by the sentence and, if only a fine is imposed or if the sentence is suspended, for 3 years from the date of such condemnation, unless the person has obtained a pardon;
- > not have been convicted of an indictable offence punishable by imprisonment for 5 years or more after having previously been convicted of 2 indictable offences so punishable; such disqualification shall continue for 10 years after the term of imprisonment fixed by the sentence and, if only a fine is imposed or if the sentence is suspended, for 10 years from the date of the conviction, unless the person has obtained a pardon for either of such indictable offences;
- > not be a full-time or part-time employee of Kativik Ilisarniliriniq. However, a member may act as an occasional substitute teacher when no one else is available;
- > not be a student enrolled in the regular sector or a regular student in an Adult Education program offered by Kativik Ilisarniliriniq.

During his mandate, an elected member must meet and maintain these criteria. Failing that, he automatically loses his right to sit on the Education Committee.

APPENDIX 1 – ACCEPTANCE FORM

ACCEPTANCE FORM	
	
I, _____, solemnly swear (or declare) that:	
I have not been convicted of an act punishable by imprisonment for 1 year or more under a Parliament of Canada or National Assembly law in the last 3 years; (this also covers the case where only a fine was imposed or the sentence was suspended).	
I have not been convicted of an act punishable by imprisonment for 5 years or more under a Parliament of Canada or National Assembly law in the last 10 years; (this also covers the case where only a fine was imposed or the sentence was suspended).	
I am qualified for election as a member of the Education Committee of _____, and I hereby accept the nomination for this position.	
Date of birth (necessary for criminal verification): _____	
I authorize Kativik Ilisarniliriniq to verify the above statement and obtain any relevant information concerning my eligibility.	
This _____ day of _____ 20 ____.	
_____ Signature of the candidate	

2.3. ACCEPTABLE REASONS TO REPLACE A MEMBER

An elected member of the Education Committee cannot be removed before the end of his mandate, even if a decision to that effect is made by other Committee members, or even if the population in general would like to remove him.

The only reasons for which an elected member could lose the right to sit on the Committee are the following:

- > upon his death;
- > if he ceases to be qualified (no longer meets the initial criteria for eligibility);
- > if he is affected by a mental or physical incapacity rendering him unable to perform the duties of an Education Committee member;
- > if he refuses to hold office;
- > if he resigns in writing;
- > if he fails to attend 3 consecutive regular or special meetings of the Education Committee and offers no valid reasons.

It is always up to the other Committee members to decide by a vote whether the reason for absence from a meeting is acceptable or not.

2.4. VACANCY AMONG THE ELECTED MEMBERS

If more than 6 months remain before the end of a member's term, a new member should be appointed within 30 days after the office becomes vacant. This replacement shall be the person who obtained the next highest number of votes in the last election; if there is none, an election is held.

If 6 months or less remain before the end of a member's term, the remaining members of the Education Committee shall appoint a new member within 30 days after the office becomes vacant. This replacement shall be the person who obtained the next highest number of votes during the last election. If there is none, the Education Committee may appoint a member who has the necessary qualifications, hold an election to fill the position, or keep the position vacant.

3. FIRST MEETING

3.1. Election of the President

The President is the spokesperson of the Education Committee and acts as its official representative with the population, other organizations and stakeholders.

Each Education Committee elects its President within 14 days of the general election by approving a resolution to this effect. The President is to serve an initial two-year mandate coinciding with that of the Education Committee.

As returning officer, the Centre Director is responsible for ensuring that the following rules are observed during the election: only elected voting members may be appointed as President of the Education Committee. The Commissioner, the Mayor, the delegate of the local Municipal Council, the Principal and the teacher's representative cannot be elected President of the Committee.

The Committee may replace its President and appoint another one simply by adopting a resolution to that effect. Contrary to the removal of an Education Committee member, there are no specific rules or reasons needed to dismiss the President; it is up to a majority of the members to decide by adopting a resolution. The divested President retains his seat on the Education Committee.

3.1.1. ELECTION PROCEDURE

Here are the steps to be undertaken in order to elect a President:

1. Opening of the nomination period
 - > The Centre Director opens the nomination period and asks voting members (including the Commissioner) to nominate candidates for President. This nomination does not require a seconder.
 - > Nominees accept or decline their nomination immediately.

2. Closing of the nomination period

- > When members have no other candidates to nominate, the Centre Director declares the nomination period closed.
- > The Centre Director reads out the names of the candidates and proceeds with an election if more than one candidate has been nominated. If only one candidate has been nominated, he is elected by acclamation as President of the Education Committee.

3. Election

- > Members hold a secret vote using the ballots distributed for that purpose.
- > The Centre Director counts the ballots at once and reads out the name written on each ballot.
- > The Centre Director declares elected the candidate who has obtained the highest number of votes.
- > In case of a tie, a second ballot is held. If there are more than 2 candidates, the candidate with the lowest number of votes is dropped from the list.
- > In case of another tie, a draw is held to determine the winner.

3.2. ELECTION OF THE VICE-PRESIDENT

Electing a Vice-President is not mandatory, but it can be useful to designate someone to replace the President in case of absence. The Vice-President then has the same powers as the President.

The election of the Vice-President takes place after that of the President and follows the same procedure.

3.3. OBLIGATION OF THE CENTRE DIRECTOR

Within 7 days of this first meeting, the Centre Director must send a report on the appointment of the new President and, if applicable, the new Vice-President to the Secretary General of Kativik Ilisarniliriniq.

4. PREPARATION OF MEETINGS

The efficiency of a meeting often depends on how well it is prepared. Prior to a meeting, it is important to provide as much information as possible concerning the items on the agenda so that members may prepare and contribute to the discussions. Members who come to a meeting without knowing what is on the agenda or having read the documents up for discussion ahead of time can hardly be expected to contribute in a valuable and productive way. Discussions may then go on endlessly, leading to incomplete if not inappropriate decisions.

4.1. TYPES OF MEETINGS

There are two categories of meetings: regular and special.

4.1.1. REGULAR MEETINGS

These meetings must be held at least once a month, at regular and predetermined intervals. For example, regular meetings could be held on the first Monday of every month or every second Tuesday.

4.1.2. SPECIAL MEETINGS

These meetings are not on the regular schedule and are often urgently needed to deal with a specific issue that cannot wait until the next regular meeting.

4.2. NOTICE OF MEETING


To inform or remind members of a meeting, the Secretary of the Committee draws up a notice specifying the location, date and time of the meeting.

The notice of meeting is not mandatory for regularly scheduled meetings, although it is preferable to remind members that a meeting will be held.

It is necessary, however, to send a notice of special meeting to inform all members that an unforeseen meeting will be held and to provide proof that sufficient notice was given to members who did not attend. This is all the more important since members may lose their eligibility after missing more than 3 regular or special meetings.

This notice may be printed with the agenda or sent separately. Preferably, it should be sent 5 days before the meeting or at least 1 day before, unless all voting members are present and agree to waive this obligation.

APPENDIX 2 – NOTICE AND AGENDA

<p>SCHOOL EDUCATION COMMITTEE REGULAR MEETING Monday, November 4, 20__, at 7:00 PM</p> <p>NOTICE OF MEETING</p> <p>Mr. Mark Kamik:</p> <p>Please be advised that the Education Committee of _____ School will meet on Monday, November 4, 20__, at 7:00 PM in the teachers' room. You will find the draft agenda for the meeting below and the minutes of the last meeting attached.</p> <hr/> <p>DRAFT AGENDA</p> <ol style="list-style-type: none">1. Opening of the meeting by the President2. Approval of the agenda3. Approval of the minutes of the October 7, 20__ meeting4. Correspondence5. Recommendation to hire an English teacher6. Miscellaneous7. Closing of the meeting <hr/> <p>Secretary of the Committee given on October 26, 20__</p>	
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4.3. AGENDA

The Secretary of the Committee prepares a draft agenda in collaboration with the President of the Committee and in consultation with the School Principal. Items are listed in decreasing order of importance, the first being the most important.

For regular meetings, the draft agenda must include an item called “miscellaneous”, thus providing leeway to add items until the final agenda is adopted. The Secretary shall add items from the last meeting which were not dealt with at that time.

4.4. TABLING DOCUMENTS AND REPORTS

Documents and reports to be discussed or tabled at the meeting should be distributed to members sufficiently far in advance to be studied adequately.

5. CONDUCT OF MEETINGS

5.1. IN CAMERA MEETINGS (BEHIND CLOSED DOORS)

Meetings may be held in public or *in camera*, at the discretion of the Committee. Members should be careful if they opt for *in camera* meetings, however, as the School Board is a public organization and is thus accountable to the population.

5.2. CHAIRPERSON OF THE MEETING

The meeting is generally chaired by the President of the Education Committee, but another member may be designated as Chairperson.

The role of the Chairperson is to conduct the meeting and ensure that it runs smoothly. The Chairperson ensures that discussions remain focused on the topics in the agenda and gives participants the right to speak.

The Chairperson applies rules of order, submits resolutions for debate, calls votes and states their results.



5.3. QUORUM

The quorum is the minimum number of members required to be in attendance in order for a meeting to be valid. To obtain a quorum, at least half of the voting members plus one must be present.

Example: 1 Commissioner + 8 elected =
9 members
Quorum: 5 members

This number must be maintained throughout the meeting. If a member has to leave and the number of those remaining is insufficient to maintain the quorum, the meeting is adjourned.

However, a member who cannot be physically present at a regular meeting may participate by telephone if a majority of the other members are physically present and agree.

5.4. ADOPTION OF THE AGENDA

At the opening of the meeting, the Chairperson tables the draft agenda for approval by the Committee. Prior to the adoption of the agenda, members may change the order of the items listed and remove or add items. However, for special meetings, they can add new items only if all members are present.

5.5. RIGHT TO SPEAK DURING THE MEETING

All members of the Education Committee have an equal right to express their point of view and opinion; the Chairperson must make sure that each member who has asked to speak can do so freely. However, the Chairperson may call to order a member who digresses and may ask a member to conclude if his argumentation drags on.

5.6. APPROVAL OF THE MINUTES

At the end of the meeting, minutes should be drafted. Minutes are a summary record of the proceedings of a meeting. They are not a verbatim transcript of all that is said, but rather provide an overview of the discussions, the issues covered and the decisions made at the meeting.

The approval of the minutes must be proposed and seconded by members who were present at the meeting in question. Other members who were not present should abstain since they have no personal knowledge of what was discussed and therefore cannot validate the contents of the minutes.

If there are errors or omissions, corrections must be made.

Following approval of the minutes, the persons who are acting as Chairperson and Secretary of the meeting sign them.

It is not necessary for other Committee members to sign the minutes. The signatures of the Chairperson and Secretary are sufficient to prove the accuracy of the minutes.

The minutes must provide the following information:

- > the date, time and place of the meeting;
- > the names of those present (including guests), specifying who the Chairperson and Secretary of the meeting were;
- > the names of those absent, indicating whether or not their absence was justified;
- > the text of each resolution, with the names of the mover and seconder;
- > the results of votes, including the number of abstentions, dissidences (objections) and absences.

**SCHOOL EDUCATION COMMITTEE
MINUTES OF THE REGULAR MEETING
HELD ON NOVEMBER 4, 20__ AT 7:00 PM
AT _____ SCHOOL**



Present: Mark Kamik, president
Paul Nassak, member
Martha Leclerc, member
Mary Arsanig, member
Dave Lumick, mayor

Absent: Johnny Munick, member
(attending another meeting in Kuujuaq)

Also present: Jimmy White, centre director
Sandra Saunders, principal

Mark Kamik chairs the meeting and Jimmy White acts as secretary.

1. Opening of the meeting by the Chairperson

With a quorum of the members being present at 7:00 PM, the Chairperson declares the meeting open.

2. Adoption of the agenda

The agenda is adopted with changes and is appended hereto.

3. Adoption of the minutes of the previous meeting

The minutes of the Education Committee meeting held on October 7, 20__ are read and modifications are made. On a motion by Mary Arsanig, seconded by Dave Lumick, it is unanimously resolved to adopt resolution #2019/2020-1:

IT IS RESOLVED THAT the minutes of the Education Committee meeting held on October 7, 20__ are adopted as appended hereto.

1/2

educational system. On this occasion, the Executive Committee wishes to meet with all members of the Education Committee.

5. Recommendation respecting the hiring of an English teacher

Mark Kamik informs the Committee of the applications received for the full-time position of grade 5 English teacher. He explains the Selection Committee's criteria and its recommendation to hire Ms. Clara Jones to fill this position. On a motion by Paul Nassak, seconded by Martha Leclerc, resolution No. 2019/2020-2 below is adopted unanimously:

WHEREAS Mark Brown has resigned as English teacher, such resignation taking effect on November 15, 20__;
WHEREAS this job offer was posted and the Selection Committee has interviewed several applicants;
WHEREAS Clara Jones is considered the best candidate for this position;

It is resolved that:

1. Clara Jones be recommended to fill the full-time position of English teacher in grade 5 at _____ School;
2. This recommendation be immediately forwarded to the Human Resources of the School Board.

6. Closing of the meeting

The meeting closed at 9:10 PM.

President

Secretary

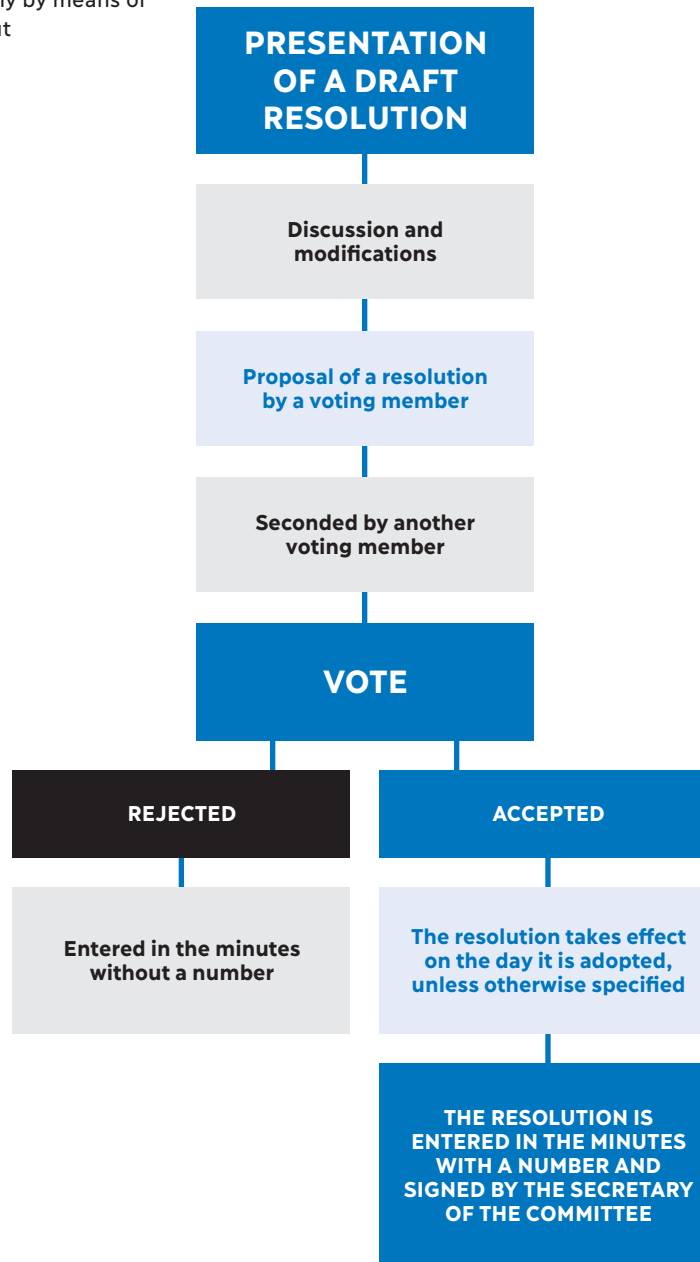
2/2

6. DECISION-MAKING PROCESS

The Education Committee exercises its power of recommendation or decision exclusively by means of resolutions. However, decisions without long-term impacts or far-reaching consequences may be made through a simple vote or consensus, to be recorded in the minutes with no need for a resolution. For example, the law allows members to participate in and vote at a meeting by telephone if the majority agrees.


6.1. ADOPTION PROCESS

Steps to follow to adopt a resolution



APPENDIX 4 – RESOLUTION

_____ SCHOOL

RESOLUTION #2019/2020-2 

On a recommendation respecting the hiring of an English teacher

WHEREAS Mark Brown has resigned as English teacher, such resignation taking effect on November 15, 20__;

WHEREAS this job offer was posted and the Education Committee has interviewed several applicants;

WHEREAS Clara Jones is considered the best candidate for this position.

It is resolved that

1. Clara Jones be recommended to fill the full-time position of English teacher in grade 5 at _____ School
2. She be employed from November 15, 20__ to June 30, 20__;
3. This recommendation be immediately forwarded to the Executive Committee of the School Board.

Proposed by: _____
 Seconded by: _____

For: 5
 Against: 0
 Abstention: 0
 Absent: 1

Certified true copy of the resolution adopted on November 4, 20__ at a regular meeting of the Education Committee.

 Signature of the Secretary

Completed in _____, February 3, 20__

6.2. VOTING RIGHTS

While members cannot be forced to vote on a motion, they should remember that they were elected to make decisions that may be difficult at times, and they should strive to always exercise their right to vote. Members may refrain from voting in the following cases:

- > they were not present when the proposal was discussed and are not sufficiently informed of the facts;
- > they do not fully understand the issue at stake nor its impact;
- > they find themselves in a conflict of interest, and their decision may not be objective.

Committee members always have the privilege and the right to ask for additional information or a more detailed explanation on any subject before they vote.

6.3. CONFLICT OF INTEREST

Possible conflicts of interest are submitted to the decision of other Committee members.

A member of the Education Committee might be in a conflict of interest:

- > when a decision may have financial implications for him;
- > when he is aware that a member of his family has an interest in a decision;
- > when he is a shareholder or director of a corporation with an interest in the decision.

A member found to be in a situation of conflict of interest shall not take part in the discussion and shall abstain from voting on the matter.

Exemple:

A member is recommending that a member of his family (i.e. his son) be hired as an employee of the school.

Exemple:

A member who is also the owner of a business is participating in the approval of a contract between the school and his business.

6.4. RESULTS OF THE VOTE

A resolution must be adopted by a majority (50% plus one) of members who effectively exercise their right to vote.

Exemple:

- > 1 Commissioner + 8 elected = 9 members
- > 5 members are present at the meeting

Majority:

- > **3 votes in favor are necessary for approval**

Exemple:

- > 1 Commissioner + 8 elected = 9 members
- > 5 members are present at the meeting
- > 4 members that are present abstain from voting

Majority:

- > **1 vote in favor is necessary for approval**

It is therefore important for members to express their disagreement clearly by voting against a resolution rather than refraining from voting, since an abstention could have an undesirable effect.

The abstaining member is presumed to be in agreement with the majority decision.

It is important to clearly report the result of the vote and number of members absent on the resolution, thus authenticating the resolution by proving that a quorum was present.

6.5. AMENDMENT OR REPEAL OF A RESOLUTION

A resolution can always be modified or even repealed after its adoption, provided that no legal obligation was created towards a third party.

Exemple:

The hiring of a teacher by way of a resolution establishes a legal link between the teacher and the School Board that may not be broken without consequences.

On the other hand, a resolution establishing a strategy or a procedure without direct involvement of a third party may be amended or even repealed through another resolution.

Exemple:

An Education Committee that has adopted a resolution establishing its internal by-laws could amend these by-laws simply by adopting a new resolution.

The only way to render a resolution null and void is to adopt another resolution that officially reverses the first resolution. A resolution validly adopted cannot simply be dismissed and assumed to no longer be in effect.



7. REMUNERATION

All elected members of the Education Committee except the Commissioner and “optional” members are paid annual honoraria in the amount of \$1,300. This amount is divided into 10 equal instalments, to be paid at the end of each month except July and August.

End-of-month payments allow for a reduction of the honorarium paid to a member who has missed a meeting without a valid reason. This extraordinary measure should be used with care by other members of the Committee, who have to decide whether the reason given by the member at fault is valid or not. That decision does not rest with the Centre Director.

A payment being reduced if a member is absent or not paid altogether if a member has resigned could generate a surplus in the Education Committee's honorarium account. This surplus must never be divided among the other members.

The surplus may, however, be used for school or extra-curricular activities that directly benefit the students of the school. The Committee may make a request to the Secretary General of Kativik Ilisarniliriniq explaining the nature of the project to be financed, and the Secretary General will decide whether or not to authorize it.

8. THE EDUCATION SYSTEM IN NUNAVIK

8.1. KATIVIK ILISARNILIRINIQ

Kativik Ilisarniliriniq provides educational services to all residents in the territory north of the 55th parallel, including both Inuit and non-Inuit Nunavik residents.

8.1.1. LEGISLATIVE CONTEXT

Under the *James Bay and Northern Québec Agreement*, it is also granted the power and jurisdiction to develop and deliver specific educational services and programs consistent with Inuit culture, with unique powers and jurisdictions that aim to protect, maintain, and develop the Inuit language, culture, and way of life.

Kativik Ilisarniliriniq is regulated by the *Education Act for Cree, Inuit and Naskapi Native Persons* (CQLR, c. I-14), whereas the *Education Act* (CQLR, c. I-13.3) applies to all other non-Aboriginal school boards in the province of Québec.

One must keep in mind that chapter 17 of the *James Bay and Northern Québec Agreement* prevails over all legislation in Québec.

8.1.2. PERSONNEL

As of September 30, 2022, Kativik Ilisarniliriniq had some 1,352 employees, including: 546 teachers, 545 support staff, 125 non-teaching professionals and 136 managers. Of these, 86% held a full-time permanent position, and 55% were Inuit beneficiaries. Over 85% of the total workforce is based in Nunavik.

8.2. SCHOOL POPULATION

8.2.1. REGULAR SECTOR

As of September 30, 2022, this sector had 3,373 students registered in 18 schools. The student population is divided as follows:

- > Kindergarten = 218 students
- > Elementary = 1,771 students
- > Secondary = 1,384 students

Of students in grade 3 through Secondary 5, approximately 47% were enrolled in the French second language sector while 53% were in English second language.

8.2.2. ADULT EDUCATION AND VOCATIONAL TRAINING

As of September 30, 2022, 356 students were enrolled in the Adult Education sector. Of these, 319 were enrolled in General Education and 37 in Vocational Training. There are six Adult Education Centres in Nunavik (Kuujjuaq, Kangiqsujuaq, Salluit, Puvirnituq, Inukjuak and Kuujjuaraapik).

8.2.3. POST-SECONDARY

At the beginning of the 2022-2023 school year, 162 students were sponsored by Kativik Ilisarniliriniq to pursue their studies with vocational, college or university institutions outside Nunavik (including Nunavik Sivunitsavut).

8.3. FUNDING

For 2021-2022, the School Board had a budget of over \$176 million for all of its activities. The School Board's total budget is determined each year by a series of very complex rules based not only on enrolment but also on several other factors related to the specific character of the territory, such as the development of Board-specific teaching materials, the cost of transportation, the cost of operating buildings, etc.

8.4. EDUCATION COUNCIL

The Education Council is a special advisory body made up of 2 elected members from each Education Committee. The Education Council meets at least once every 2 years with representatives from the Board. This joint meeting is a forum for discussion regarding the development of education in Nunavik, common concerns and policies. The general direction to be adopted by the Board may also be discussed.

Members of the Education Council may adopt resolutions to make recommendations to the Council of Commissioners on issues discussed at this meeting.

The Council of Commissioners may delegate the Executive Committee to represent the Council of Commissioners at meetings of the Education Council. However, on some occasions, all the Commissioners may attend this meeting.

Every Education Committee may delegate one person from the administrative staff of the school to attend the meeting as a participant. Although administrators are fully entitled to make representations and intervene during the meeting, they are not entitled to vote on resolutions. Only elected members of the Education Committees have the right to vote on resolutions tabled at the meeting.

8.5. SCHOOL COUNCIL

The teachers' collective agreement provides for the creation of a School Council at each school, made up exclusively of teachers from that school. Members of the School Council are elected each year during a general assembly of teachers in that community. Neither teachers from the Adult Education sector nor school administrators may sit on the Council.

Relations between the Education Committee and the School Council are based essentially on the obligation of the Education Committee to consult the School Council before adopting policies or procedures regarding specific matters listed in the teachers' collective agreement.

Consequently, the Education Committee must consult the School Council before making any decisions regarding a change in the organization of the school, a change in policy, or activities under the jurisdiction of the local Education Committee in the following areas:

- > the distribution, maintenance and repair of housing units;
- > the supervision of housing units and the storage of personal effects during teachers' absences;
- > local transportation of teachers;
- > the distribution of teachers' duties in the school;
- > the organization of educational plans, programs or workshops;
- > the local application of the rules of assignment;
- > the formulation and implementation of school regulations for students and teachers;
- > the organization of parent-teacher meetings;
- > the organization and content of local pedagogical days;
- > the classification and evaluation of students;
- > the school calendar;
- > the organization of extra-curricular activities;
- > the organization of examination sessions;
- > the organization of student supervision;
- > the choice of teaching materials.

Some of the elements listed above may not have been delegated to Education Committees; in these cases, the Committees cannot make decisions in these areas and are under no obligation by virtue of the collective agreement.

In regards to this matter, please contact the Human Resources Department of Kativik Iisarniliriniq at any time.

9. STUDENTS' RIGHTS AND OBLIGATIONS

9.1. OBLIGATION TO ATTEND SCHOOL

All children have the right to attend school from kindergarten, provided they are at least 5 years old as of September 30. A child is also entitled to attend pre-kindergarten where provided, if he is 4 years old on September 30.

This is left for parents to decide, but every child must attend school from the beginning of the school year during which he attains the age of 6 until the end of the school year in which he attains the age of 15.

9.2. OBLIGATION TO ADMIT A CHILD TO SCHOOL

Kativik Ilisarniliriniq is required to admit any school-age child residing in its territory to its schools. Residence in one of the Nunavik communities constitutes the basic condition for the application of this rule.

Exemple:

A child residing in Inukjuak who goes to live with his grandparents in Salluit for two weeks or more could ask to be admitted to school in Salluit during this period.

It would be different if this child were a resident of Chisasibi instead of Inukjuak, because he would then not be considered a resident of the School Board's territory. Kativik Ilisarniliriniq would not be required to admit this child to the school in Salluit, whether for a short or for a long period. Although it may seem somewhat unfair, this practice results from another provision in the *Education Act for the Cree, Inuit and Naskapi Native persons* which requires the child to attend school in his community of residence at all times — in the case mentioned above, the Cree School Board.

However, the School Board is required to admit a school-age child placed under the provisions of the *Youth Protection Act* (CQLR, c. P-34.1) or the *Act Respecting Health Services and Social Services* (CQLR, c. S-4.2), even if this child does not reside in its territory.

9.3. OBLIGATION TO PROVIDE INSTRUCTION IN THE CHILD'S MOTHER TONGUE?

The *Charter of the French Language* grants certain exemptions to the Nunavik education system with regards to the application of the rules pertaining to mandatory instruction in French. It allows for Inuktitut to be the language of instruction in kindergarten and at the elementary and secondary levels.

It is provided, however, that the Commissioners, in consultation with the Education Committees, shall set the rate of introduction of French and English as languages of instruction. This rate varies depending on the needs of each community.

Kativik Ilisarniliriniq is under no obligation to provide instruction in French or in English if the number of children concerned does not justify the provision of publicly-funded instruction. The School Board will, however, try to implement all necessary measures to provide a student with instruction in his mother tongue through other means.

When either French or English, or both, are introduced in a school, parents who are *beneficiaries of the James Bay and Northern Québec Agreement* may choose to enroll their children in either the French or the English sector, regardless of the language in which they received their instruction.





However, admission to the English sector of children whose parents are not beneficiaries is governed by the rules of the Charter of the French Language. A non-beneficiary student who wishes to study in English is not automatically entitled to do so; a specific authorization must be obtained from the Government before he can be enrolled in the English sector. It must be shown that the child is eligible for that authorization under the conditions set forth in the *Charter of the French Language*.

Exemple:

A child moving to Nunavik whose parents are Canadian citizens and have received most of their primary or secondary instruction in English in Canada is eligible to be admitted to the English sector.

Exemple:

A child whose parents have received their education in English outside Canada is not eligible and must be admitted to the French sector, except if the parents were residents of Québec as of August 26, 1977.

Exemple:

A non-beneficiary child whose parents have received instruction in French and who resides in a community where only instruction in English is available must enroll in the English sector even if, theoretically, he is not eligible under the Charter. It is the only case where he may do so since as soon as French instruction is available, he or she is required to enroll in that sector.

Since each case is specific, and since there are a few exceptions to these rules, do not hesitate to call the School Board's head office before making a decision on the matter.

