

Bill 25 – Strengthening Inclusive Education in Nunavut Schools

- Department of Education Report for the Standing Committee on Legislation -

Nunavut's system of inclusive education provides all students the opportunity to access the education program in a regular classroom setting. Under section 41 of the *Education Act (the Act)*, students are entitled to receive the support they need to succeed in school based on their unique strengths and challenges as learners. Bill 25 seeks to strengthen education support services to students and ensure that inclusive education is being implemented in the most effective way possible.

External Review of Inclusive Education

A 2013 report by the Auditor General of Canada reviewed six key elements of the *Education Act*, including inclusive education, and recommended that the implementation of inclusive education required more support from the department specifically in the areas of providing school staff with handbooks and directives, training on inclusive education and support for children who require program adjustments. The department agreed with the recommendation and noted that an external review of inclusive education was being planned to identify gaps in the current system.

2015 Hall Report

In 2015, the Department of Education commissioned an external review (the Hall Report) of its inclusive education model to provide evidence-based recommendations to address challenges within the current system. The review process included interviews with seven senior department leaders and twelve staff members from the Student Support team; three focus groups with Inuit parents, educators, and DEAs members; and a scan of policies and practices used in other Canadian jurisdictions. The review determined that most students in Nunavut are working below their assigned grade level due to a variety of reasons, including language acquisition, background knowledge, parental engagement, attendance, and social issues. The Hall Report found that these challenges are experienced by jurisdictions with similar linguistic, geographic and socio-economic profiles, including Nunavik and the Northwest Territories.

Student Placement, Promotion and Retention

Under section 15 of the *Act*, the school team, in accordance with directions from the Minister, is responsible for determining the promotion of students. The school team, as outlined in section 90 of the *Act*, includes the principal, student support teacher, an Ilinniarvimmi Inuusiliriji, and other education staff as appointed by the principal. The

department's Directive on Student Placement, Promotion and Retention (2013) provides further instructions to the school team when deciding student placement. Under this directive, the school team may retain students in their current grade if:

- the parent or adult student requests to be retained and has legitimate reasons;
- a substantial amount of school time has been missed by the student and the student requires additional time at the current curriculum competencies; or
- the student is young in age and at a lower developmental level.

Despite this ability to retain students in their current grade, the number of students performing below grade level remains a challenge in Nunavut's schools. To address this challenge, the Hall Report identifies five focus areas to reform Nunavut's system of inclusive education. The recommendations within the five focus areas together form a comprehensive strategy to reform inclusive education in Nunavut. The proposed legislative amendments to inclusive education in Bill 25 represent two of the five areas identified. The five areas for reform include:

- laying the foundation through legislation and policy;
- defining expected roles for staff, parents, students and agencies;
- allocating resources in the form of funding and personnel;
- developing tools; and
- enhancing knowledge and skills of various staff positions.

The department is actively taking steps to implement the recommendations from all five focus areas to strengthen its model of inclusive education to better meet the needs of students and teachers. As part of laying the foundation through legislation and defining the expected roles of all individuals in the inclusive education system, the review recommended a number of proposed amendments to the 2008 *Education Act* that have been included in Bill 25 for consideration. Appendix A provides a detailed list of proposed roles and responsibilities under Bill 25 that are related to inclusive education.

Principal and DEA Responsibilities

The first proposed amendment recommended by the Hall Report is to have principals be responsible for overseeing the implementation of inclusive education rather than DEAs. As identified in the Hall Report, principals function as instructional leaders and represent a constant presence in the school. As such, they are in the best position to ensure that established processes are being followed. **The department has included a proposed amendment in Bill 25 (clause 49 subsection 42) reflecting this recommendation.**

While the department is proposing to shift responsibility for the oversight of inclusive education from the DEAs to the principals, it also recognizes that DEAs have a role to play in supporting parents and ensuring students have the supports and services they require to access the education program. The department has included a proposed amendment in **Bill 25 (clause 49 subsection 43(2))** allowing DEAs to provide teachers with information that may be useful in the identification of student needs.

Under Bill 25's proposed amendments, DEAs may also request specialized services or assessments on behalf of the parent or adult student (**clause 53 subsection 47(2)**). Additionally, DEAs may appoint one member to the review board that decides on inclusive education appeals filed by parents or adult students (**clause 57 subsection 51**). These proposed amendments have been included in Bill 25 for consideration.

Primary Responsibility for ISSPs

The second proposed amendment recommended by the Hall Report is to have one teacher retain primary responsibility for developing and evaluating Individual Student Support Plans (ISSPs) rather than multiple individuals who do not each have clearly defined duties. ISSPs are short documents that outline agreed-upon adjustments and / or supports to meet the unique needs of each student, allowing that student to be a successful learner. Currently, in the 2008 *Education Act*, teachers have the responsibility to assess the learning progress of students and to identify those students who require additional support (section 43). Once the teacher has identified the supports required, the responsibility for developing and evaluating the ISSPs is passed on to the school team (sections 43(5) and 46).

According to the Hall Report, assessment and diagnosis must be closely tied to the supports and adjustments provided. Therefore, it is in the best interest of the student to have one primary teacher, ideally the teacher who spends the most time with the student, responsible for identifying needs, developing the ISSP and evaluating progress. **The department has included proposed amendments in Bill 25 (clause 49 subsection 43(7) and clause 52) reflecting this recommendation.**

Support for the Main Teacher in Development of ISSPs

In order for this proposal to be practical for teachers, the Hall Report identifies two necessary conditions. First, the main teacher must be provided with the necessary support from many individuals, services and organizations. The department has taken steps to ensure the necessary support is provided to the main teacher throughout the ISSP development process. **Clause 49 subsection 43(8) of Bill 25 requires the**

participation of student support teachers, parents and students, if the student is an adult. Student support teachers serve to build capacity in classroom teachers by providing support as they develop ISSPs. Parents and adult students have the most knowledge of the supports and services that may be needed as part of an ISSP.

Beyond this legislative proposal, the department recently introduced a Directive on Education Support Services (2019) to provide clear directions to teachers when assessing and identifying required supports and adjustments. This directive requires teachers to engage the support of the school team, consisting of the principal, student support teacher, Ilinniarvimmi Inuusilirijit, classroom teacher and other education staff appointed by the principal; local service providers; occupational therapists; speech language pathologists; physiotherapists and educational psychologists when assessing students and identifying required supports.

As the diagnosis of most disabilities is a medical responsibility, the department has partnered with the Department of Health to ensure students are being properly diagnosed. The Kitikmeot schools receive support services in school through the Department of Health's agreement with Stanton Hospital in Yellowknife. The Kivalliq schools receive education services through a Department of Health and Education collaboration, with each department providing at least one visit per school per year. The Qikiqtani schools outside of Iqaluit receive education services directly through the Department of Education. In Iqaluit, there is joint provision between Health and Education.

The second necessary condition needed to make the proposal to have the main teacher develop ISSPs practical is that the number of students on ISSPs must be manageable. In order to achieve this, several recommendations were made, including providing clear guidelines on Nunavut's inclusive education framework, simplifying current ISSP templates, and providing regular teacher training on inclusive education assessment and methods. The department has taken steps to address all of these recommendations.

In 2017, school staff were provided with an ISSP Handbook that outlines the process for planning, developing, implementing, monitoring and revising ISSPs. In 2018, the department launched its first annual face-to-face Student Support Teacher conference. This annual conference is an opportunity to enhance capacity, clarify best practices and support collaboration. In 2019, the department also launched the use of video conferencing to provide ongoing supports to schools through one-hour workshops on inclusive education topics. The department is currently in the process of finalizing its Inclusive Education Policy and Framework to provide clear guidelines and expectations to schools.

Engaging Parents

The third proposed amendment recommended by the Hall Report is to clearly indicate where schools are required to reach out to parents and invite them to become engaged. Parental engagement in schools is a priority in Nunavut and a necessary component of ensuring inclusive education is successful. The department has included several proposed amendments in Bill 25 reflecting this recommendation to ensure that there are multiple points throughout the process to encourage parental engagement. The following proposed amendments have been included in Bill 25 for consideration:

- **Clause 49 subsection 43(3) provides parents the ability to request that their child be assessed to determine if they require additional support;**
- **Clause 49 subsection 43(9) outlines the process main teachers must use to reach out to parents to engage them in the process;**
- **Clause 49 subsections 43.1(4) to 43.1(8) outlines the process that must be used to notify parents of the ISSP, provides timelines for a parent to accept or reject the ISSP, and outlines the process to be taken should the parent reject the ISSP; and**
- **Clause 56 subsections 50(1) to 50(5.2) outlines the process to be followed should a parent decide to appeal an ISSP.**

Eliminating undocumented exclusions from the classroom and the use of “soft suspensions”

Finally, the fourth proposed amendment recommended by the Hall Report is to eliminate the use of undocumented exclusions from the regular classrooms and “soft suspensions.” Soft suspensions occur when students are sent home for the day without the documentation required by the *Education Act*. As identified by the Hall Report, the practice of excluding students from the classroom under section 45 of the *Act* without the proper process being followed or the necessary documents in place can result in students not getting referred for supports and services they may require. This can have serious consequences for a student’s progressions throughout the education program. By including a proposal to have principals recommend these exclusions to the Minister, the department is attempting to ensure that the necessary processes and supports are in place before students are excluded from the regular classroom setting. **The department has included a proposed amendment (clause 51) reflecting this recommendation in Bill 25.**

Ongoing Departmental Action

Beyond the legislative proposals to the *Education Act* in Bill 25, the department is actively taking steps to address all the other recommended focus areas highlighted in the Hall Report, including allocating resources; developing tools; and enhancing the knowledge and skills of school staff.

Specifically, the 2015 review recommended that department allocate resources in the form of funding and personnel. In 2017, the department underwent a restructuring process to establish the Student Achievement Division, a division dedicated to overseeing the implementation of inclusive education in Nunavut through the development of policies, procedures, and standards. The division includes a multidisciplinary team of specialists, including a behaviour and social emotional learning coordinator; a counselling development coordinator; a deaf and hard of hearing specialist; and student assessment and evaluation coordinators. The team serves to provide all schools with the support they require to implement inclusive education.

Additional funding has been allocated to the installation of sound field equipment in all k-12 learning spaces in Nunavut to support students with hearing loss. Teachers are being provided with ongoing training to support the implementation of this technology in the schools. The Education Support Services Program was also established in 2017 to ensure students in all regions have regular access to specialized support from outside agencies at the community level. Through this program, all schools have access to multidisciplinary specialists including an occupational therapist, speech language pathologist and physiotherapists.

As recommended under the fourth area of the Hall Report, the department is developing a range of tools to support school staff. In 2017, the department released a Group Process Guide to help Ilinniarvimmi Inuusilirijiit develop their skills in group facilitation and inclusion. Ilinniarvimmi Inuusilirijiit serve as a resource person for staff on student social, emotional and behavioural issues and help students cope with difficulties in their lives. The department has also developed Northern Zones, a social-emotional learning tool that teaches self-regulation, and Mind Masters, a health promotion tool that teaches skills in relaxation, positive thinking and mindfulness. Ilinniarvimmi Inuusilirijiit use both tools, which were developed in Inuktitut to support students in the learning environment.

The department is currently in the process of finalizing a Student Support Assistant (SSAs) Handbook to help SSAs understand their role in the classroom. SSAs serve as a support to students to help them access the education program in the classroom. A School Checklist for Student Support Assistant Requests has also been developed in

response to the high volume of requests for additional SSAs from schools. The department has also partnered with the Nunavut Arctic College to develop and deliver an SSA certificate program to provide SSAs with professional development opportunities and strengthen their ability to support inclusion in the classroom.

Finally, as recommended under the fifth area of the review, the department is continually providing training opportunities and in-servicing to enhance the knowledge and skills of school staff as related to inclusive education. As previously mentioned, the department offers annual SST conferences to provide SSTs with training specifically designed to guide them in their work.

The department also hosts an annual Ilinniarvimmi Inuusilirijiit conference to support their work with individual students and small groups. A dedicated department position also offers ongoing support, regular conference calls and follow-ups for Ilinniarvimmi Inuusilirijiit throughout the school year. The department also organizes an annual Principals' Conference to offer relevant professional development to school leaders to ensure they are effectively delivering the education program. Video-conferencing workshops allow staff to receive ongoing training and support in the school and a department email has been set up to provide school staff with a method to immediately reach department level staff for ongoing guidance and support.

Taken together, these initiatives, actions, and proposed legislative amendments represent a comprehensive strategy to strengthen Nunavut's inclusive education system and improve the educational outcomes of students. The department has done a significant amount of work since the initial 2013 audit and the subsequent 2015 review to support student needs to ensure that every child reaches their full potential. The amendments in Bill 25 seek to reinforce this work and lay the foundation in our legislation. The department will continue to actively review, update and evaluate its programs, resources, policies and initiatives to ensure that Nunavut's inclusive education system is responsive to the needs of our students.

Appendix A- Inclusive Education Roles and Responsibilities

Position	Proposed Role in Bill 25
Principal	<ul style="list-style-type: none"> - Oversee implementation of inclusive education; - Support Main Teacher in the identification of services and supports; - Approves ISSP (with school team); - Ensure main teacher assesses progress of and reviews ISSPs at least once a year; - Recommend the exclusion of students from the regular classroom; - Ensure school team develops ISSPs for students excluded from the regular classroom; - Report quarterly to the DEA on the implementation of Inclusive Education
Main Teacher	<ul style="list-style-type: none"> - Develop ISSP; - Notify parent of obligation to participate in development of ISSP; - Assess and evaluate the progress of each student on ISSP; - May appear before the review board in cases of an Inclusive Education appeal
Student Support Teacher	<ul style="list-style-type: none"> - Support Main Teacher in the development of ISSPs;
Teacher	<ul style="list-style-type: none"> - Assess each student and identify students who are entitled to adjustments and support; - Provide adjustments and supports, if they can reasonably provide it
School Team (<i>principal or vice principal; SST, II, classroom teacher and other education staff as appointed by the principal</i>)	<ul style="list-style-type: none"> - Support Main Teacher in the identification of services and supports; - Approve ISSP (with principal); - Develop ISSPs for students working outside of the regular classroom; - May appear before the review board in cases of an Inclusive Education appeal
District Education Authority	<ul style="list-style-type: none"> - Provide information to teachers to assist in the identification of student needs; - Request student be assessed to determine need on behalf of the parent or adult student;

	<ul style="list-style-type: none"> - Appoint a member of the DEA to the review board
Student	<ul style="list-style-type: none"> - Support Main Teacher in the development of ISSPs as they can reasonably be expected to; - May appear before the review board in cases of an Inclusive Education appeal, unless the review board determines that is inappropriate
Parent	<ul style="list-style-type: none"> - Request student be assessed to determine need; - Support Main Teacher in the development of ISSPs; - Approve ISSP; - Request a review of an inclusive education decision; - May appear before the review board in cases of an Inclusive Education appeal
Adult Student	<ul style="list-style-type: none"> - Request assessment to determine need; - Support Main Teacher in the development of ISSPs; - Approve ISSP; - Request a review of an inclusive education decision; - May appear before the review board in cases of an Inclusive Education appeal
Review Board	<ul style="list-style-type: none"> - Decide on inclusive education appeals made by parents or adult students
Minister	<ul style="list-style-type: none"> - Ensures students have access to supports and adjustments they are entitled to under Inclusive Education; - Provide direction to teachers on the assessment and identification of student needs; - Decide on exclusions of students from the classroom on the recommendation of the Principal; - Appoint two individuals to the review board; - Prepare an annual report on inclusive education; - Consult with DEA Coalition before providing directions to DEAs on inclusive education