



## **MINISTERIAL DIRECTIVE ENROLMENT OF STUDENTS IN FRENCH FIRST LANGUAGE EDUCATION PROGRAMS (2016)**

### **PURPOSE**

This Ministerial Directive – Enrolment of Students in French First Language Education Programs (“Directive”), made by the Minister in accordance with the *Education Act*, S.N.W.T. 1995,c.28 and its regulations, hereby establishes admission requirements for children of eligible non-rights holder parents in French first language education programs in the Northwest Territories (NWT) and also sets out what documentation must be submitted by parents and retained by Commission scolaire francophone des Territoires du Nord-Ouest (“CSFTNO”) to evidence entitlement to enrolment of all children in French first language schools. It replaces the Ministerial Directive dated July 7, 2008.

### **SCOPE**

The Directive applies to the following:

- Rights holder parents under section 23 of the *Canadian Charter of Rights and Freedoms* (“Charter”);
- Non-rights holder parents of children applying for admission to French first language schools;
- CSFTNO; and
- Superintendent of CSFTNO.

The Directive aims to:

- Establish admission requirements for children of eligible non-rights holder parents in French first language schools;
- Define the roles and responsibilities of those involved in the process; and
- Ensure appropriate records are maintained by CSFTNO documenting the entitlement to enrolment of all children in French first language schools.



## **RATIONALE**

The Government of the Northwest Territories (“GNWT”) is committed to respecting the constitutional rights granted to official language minority communities under section 23 of the *Charter* by providing quality French first language education to school-aged children of rights holders pursuant to section 23.

Section 23 guarantees minority language education rights to the children of rights holders. A parent may enrol their child in a primary or secondary French first language education program if they fall into one of the three categories identified in section 23.

The GNWT is also committed to supporting language and culture revitalization. An inherent part of revitalization is supporting population growth. This Directive aims to support the growth of the French first language rights holder population in the NWT by allowing a limited number of children of non-rights holder parents to attend French first language schools in the NWT.

## **DEFINITIONS**

For the purpose of this Directive, the following definitions shall apply:

**Parent** – The biological, adoptive (including custom adoption) or blended-family parent, or legal or de facto guardian, who has lawful custody of a child.

**Rights holder parent** – A parent who has the right to enrol their child(ren) in a French first language school under section 23 of the *Charter*, namely if one or more of the following criteria applies to his or her situation:

- a) His or her native language is French, that is, the first language learned and still understood;
- b) He or she has received his or her education at the elementary level in a French first language education program in Canada ; or



- c) He or she is the parent of a child who has received or receives his or her education at the elementary or secondary level in a French first language education program in Canada.

**Eligible non-rights holder parent** – A parent who is not a rights holder under section 23 of the *Charter* but is eligible to apply for admission of his or her child under this Directive through one or more of the following streams:

**Reacquisition** – The parent would have been a rights holder but for his or her lack of opportunity to attend a French first language school or his or her parent’s lack of opportunity to attend a French first language school (i.e. the child’s grandparent);

**Non-citizen francophone** – The parent meets the criteria of section 23 of the *Canadian Charter of Rights and Freedoms* except for the fact that he or she is not a Canadian citizen; or

**New immigrant** – The parent is an immigrant to Canada, whose child upon arrival, does not speak English or French and is enrolling in a Canadian school for the first time.

**Lack of opportunity** – refers to physical or legal barriers to a person’s participation in French first language education including, but not limited to, no French first language school within a reasonable proximity during childhood, or his or her enrolment in a residential school.

### **ADMISSION REQUIREMENTS FOR CHILDREN OF NON-RIGHTS HOLDER PARENTS**

An eligible non-rights holder parent may apply for admission of their school-aged child to a French first language education program managed by CSFTNO, so long as enrolment at the school does not exceed 85% capacity, per the NWT Schools Capital Standards and Criteria. If school capacity reaches or exceeds 85% then enrolment



will be limited to children of rights holder parents until such time as the enrolment numbers drop below 85% capacity.

Any eligible non-rights holder parent wishing to enrol their child in a French first language education program shall provide the following original documentation to the school administration:

- a) School enrolment form;
- b) Statement of eligibility for non-rights holder parents; and
- c) Official documents in support of the statement.

For applications made by eligible non-rights holder parents there is a two-tier approval process, involving first CSFTNO and then the Minister.

Firstly, CSFTNO must assess the application of a child of an eligible non-rights holder parent with respect to the required documentation set out above. In addition, CSFTNO must assess the language skills of the child, using an objective assessment tool approved by the Minister, to determine the impact of the admission of the child on the quality and delivery of the education program. CSFTNO then must make a determination of whether the application should be recommended to the Minister for approval.

Where CSFTNO recommends approval of the application, the application for admission is further assessed by the Minister. Approval will be based on whether the correct documentation has been provided in full, the assessment of CSFTNO with respect to language skills, the current capacity of the school and any other relevant considerations. For reasons based on humanitarian grounds, the Minister may approve an application made without some or all of the required documentation. The decision of the Minister is final and cannot be appealed.

### **APPEALS**

Where CSFTNO does not recommend approval of an application to the Minister, a parent of the child may submit a written appeal directly to the Minister as outlined in the *French First Language School Non-Rights Holder Admission Policy*. The decision



to admit the child of the non-rights holder is at the discretion of the Minister and is final and cannot be appealed.

### **ENROLMENT FILE MANAGEMENT**

CSFTNO must ensure the retention of original documents relating to the enrolment of children whose parents are rights holders and original documents, as set out above, for children of eligible non-rights holder parents who have been granted admission to the school by the Minister per this Directive.

For the enrolment of children whose parents are rights holders, the documentation to be retained are (a) School enrolment form; (b) Rights holder statement; and (c) Official documents in support of right holder's statement.

School administration shall enter all the information pertaining to enrolment in the electronic student information system, including supporting documents provided.

Using the student information system, ECE shall ensure that each student's application file admitted to the French first language school is complete and shall notify CSFTNO of any missing documents that need to be obtained. The Minister reserves the right to examine information in the school registry pertaining to enrolment eligibility.

### **COMMUNICATION OF THE DIRECTIVE**

ECE and CSFTNO shall ensure that this Directive and all related forms are posted on their respective websites to inform school staff, parents, students and the school community of the admission procedures for children of non-rights holder parents in French first language education programs in the NWT and to inform parents of the documentation that must be submitted by parents and retained by CSFTNO to evidence entitlement to enrolment of all children in French first language schools.



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Minister  
Education, Culture and Employment

AUG 11 2016

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Date