



FRENCH FIRST LANGUAGE SCHOOL NON-RIGHTS HOLDER ADMISSION POLICY

POLICY STATEMENT

The *Ministerial Directive – Enrolment of Students in French First Language Education Programs* (Directive) establishes admission procedures for students in French first language education programs in the Northwest Territories (NWT). These programs are designed to meet the requirements outlined in section 23 of the *Canadian Charter of Rights and Freedoms*.

This policy sets out how applications for admission of non-rights holders will be transmitted to the Department of Education, Culture and Employment (ECE) for consideration by the Minister of Education, Culture and Employment (Minister), as well as how the Minister’s decision will be communicated.

MANDATE

The mandate of the Minister and the Department is to invest in and provide for the development of the people of the NWT, enabling them to reach their full potential, to lead fulfilled lives and to contribute to a strong and prosperous society.

GOALS

Pride in our Culture – Northerners who are knowledgeable about and proud of their culture, heritage and language. Culture, heritage and language are the foundation for learning.

Education of Children and Youth – A strong foundation for learning and students achieving their potential in a results-based education system.

People Participating Fully in Society – Northerners actively participating in community and society to their fullest potential within an integrated, comprehensive and responsive system of supports.



DEFINITIONS

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

Admission – The process that children of eligible non-rights holder parents must undergo in order to be admitted to a French first language school.

Eligible non-rights holder parent – A parent who is not a rights holder under section 23 of the *Charter of Rights and Freedoms* but is eligible to apply for admission of his or her child under the Directive.

French first language program – An education program provided in accordance with section 23 of the *Charter of Rights and Freedoms*, where French is the language of instruction; does not include French Immersion programs.

Lack of opportunity – For the purposes of this document, the term 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.

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 enroll their child(ren) in a French first language school under section 23 of the *Charter of Rights and Freedoms*, 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 program in Canada; or



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

POLICY

School Capacity

As stated in the Directive, if school capacity reaches or exceeds 85%, per the NWT Schools Capital Standards and Criteria, then admission will be closed to the children of non-rights holders until such time as the school capacity drops below 85%.

Eligibility to Apply for Admission

As stated in the Directive, so long as there is sufficient capacity in a French first language school, any parent of a school-aged child that is a resident in the NWT may apply for admission to that school 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 receive education in a French first language program education institution or his or her parent’s lack of opportunity to attend a French first language education institution (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, speaks neither English nor French and is enrolling in a Canadian school for the first time.



Admission Process

Step 1 – Application for Admission

An eligible non-rights holder parent may submit an application for admission of their child to the school administration following a process determined by the CSFTNO.

Step 2 - CSFTNO Recommendation

CSFTNO will assess the application of a child of an eligible non-rights holder parent, including the language skills of the child. In doing so, the CSFTNO will prepare an assessment report, including a detailed rationale, that indicates whether the application will be supported.

The CSFTNO must provide a copy of the assessment report to the applicant parent.

A parent may appeal the results of the CSFTNO assessment report to the Minister in accordance with the Appeal of CSFTNO Assessment Report section of this Policy.

If the CSFTNO wishes to recommend admission of the child to a French first language education institution then they must forward the following admission documents to ECE for consideration by the Minister:

- a) School Enrolment Form

Following section 11 of the *Student Record Regulations*, the CSFTNO will forward to ECE the child's Enrolment Form. This must include full contact information for the parent.

- b) Statement of Eligibility for Non-Rights Holder Parents Form



The Statement of Eligibility for Non-Rights Holder Parents Form must be provided. Using the form will ensure parents provide all the information necessary for the Minister to make an informed decision.

- c) Official documents in support of the statement
- d) CSFTNO Assessment Report

The required admission documents should be forwarded to:

Director
Education Operations and Development Division
Department of Education, Culture and Employment
Government of the Northwest Territories
P.O. Box 1320, Yellowknife NT X1A 2L9
Email: Director_EOD@gov.nt.ca

Step 3 – Ministerial Review

ECE will send the CSFTNO and the parent a letter or email acknowledging receipt of their application for admission.

The Director of Education Operations and Development will review the application documentation to ensure it is complete before sending the application materials to the Minister. The Director will also make a recommendation regarding the applicant’s eligibility under the terms of the Directive. This recommendation will include an update on the school capacity per the NWT Schools Capital Standards and Criteria.

The Minister may decide to either accept or reject the application for admission.

The Minister’s decision is final and cannot be appealed.



Step 4 – Communicate Results

The Ministerial decision regarding admission will be communicated in a letter or email to the parent and CSFTNO within ten (10) business days from the date ECE receives the complete application documentation from CSFTNO.

Appeal of CSFTNO Assessment Report

Parents of children whose CSFTNO assessment report does not support enrolment in a French first language program may submit a written appeal directly to the Minister.

Step 1 – Appeal Submission

A letter from the parent(s) requesting an appeal with copies of all available documentation relating to the initial application must be forwarded to:

Director
Education Operations and Development Division
Department of Education, Culture and Employment
Government of the Northwest Territories
P.O. Box 1320, Yellowknife NT X1A 2L9
Director_EOD@gov.nt.ca

ECE will provide the parent and the CSFTNO with a letter or email acknowledging receipt of an appeal.

Step 2 – ECE Review

The Director of Education Operations and Development will review the appeal submission to ensure it is complete before providing the package to the Minister.

The Director may contact the parent and CSFTNO to request additional information for consideration by the Minister.



Step 3 – Ministerial Review

The Minister’s review will be based on the information included in the original application and any other information that the Minister considers necessary.

The Minister may uphold or reverse the decision of the school administration or CSFTNO.

Step 4 – Communicate Results

The Minister’s decision, including a detailed rationale, will be provided in writing to the parent and the CSFTNO within thirty (30) business days from the date the Minister receives the complete appeal package.

The Minister’s decision is final and cannot be appealed.

Minister
Education, Culture and Employment

AUG 11 2016

Date