

Framework for the Provision of French First Language Instruction Programs in the Yukon Education System	
Minister Approval: 	Effective Date: <i>August 8, 2019</i>

GENERAL INFORMATION

Minority language primary and secondary school instruction rights are recognized and protected by s. 23 of the *Canadian Charter of Right and Freedoms*.

Students whose parents have a right under section 23 of the Charter to have their children receive an educational program in the French language are entitled to receive that program in accordance with the provisions of the *Education Act* ('the Act') and regulations.

Education Area No. 23 (the whole of Yukon) has been established as the education area for the purpose of establishing and providing French first language instruction programs. The Yukon Francophone School Board ('the School Board') is the School Board for Education Area #23.

The mandate of the School Board and the schools providing French first language instruction programs in Yukon is to protect, transmit, and enhance the language, culture and francophone identity of the community they serve.

The School Board is not an institution of the Government of Yukon. Except to the extent that an agency relationship is created by the Act or by a contract between the School Board and the government, the School Board is also not an agent of the Government of Yukon.

As a separate legal entity from the government, the School Board has the authority to administer, manage and control the provision of French first language instruction programs in Yukon as permitted under s. 23 of the Charter and under the *Education Act* and regulations.

The Minister of Education is responsible for the overall operation of the Yukon education system, and in accordance with the Act and the regulations has authority for oversight of the operations of the School Board and its delivery of French first language instruction programs.

In accordance with s. 23 of the Charter and the *Education Act* and regulations, the School Board is therefore accountable to the residents of Education Area No. 23 as well as to the Minister of Education.

PURPOSE

The purpose of this framework is to set out the responsibilities of the Minister of Education and the School Board with respect to the provision of French first language instruction programs in the Yukon education system.

DEFINITIONS

‘Charter’ means the Canadian Charter of Rights and Freedoms

‘Department’ means the Department of Education.

‘Educational Program’ means a set of learning activities for schools and does not include any post-secondary, college, or adult training programs.

‘French first language instruction program’ means a school or an educational program, including a home education program or a distance education course or program, for which the primary language of instruction is French, and does not include a French language immersion program or a program for the purpose of learning French as a second language.

‘Minister’ means the Minister of Education.

‘School Board’ means the Yukon Francophone School Board No. 23.

FRAMEWORK

Oversight of the Yukon Education System

The Act provides that the Minister is responsible for establishing the goals and objectives of the Yukon education system, for establishing schools, educational programs and courses of study for the implementation of those goals and objectives, and for contributing to the professional development of teachers.

The Minister also has the authority to issue policies and guidelines to give effect to any provision of the Act.

Delegation of Authority from the Minister to the School Board

The Minister has the authority under the Act to delegate in writing to the School Board any duty or function conferred on the Minister by the Act.

Provision of French Language Instruction Programs

The School Board has authority over the administration, management, and control of every French first language instruction program that is provided in Yukon, subject to the *Education Act* and regulations.

The School Board also has the authority to establish policies for the administration, management and operation of the schools it operates, subject to the *Education Act* and regulations.

In exercising its authority, the School Board is responsible for ensuring that the schools and programs operated by it are conducted in accordance with the requirements of s. 23 of the Charter and the Education Act and regulations.

Educational Programs, Courses of Study, Policies, and Contributions to Professional Development

When establishing new educational programs, courses of study, contributions to professional development, and policies for the Yukon education system, the Department

will clarify the roles and responsibilities of the School Board in relation to the application of those educational programs, courses of study, contributions to professional development, or policies. The Department will ensure that the CSFY is adequately funded so that it can provide French first language instruction to students who have access to educational programs, services and opportunities in accordance with the requirements of s. 23 of the Charter and the Education Act and regulations.

Recognizing that, subject to the *Education Act* and regulations, the School Board has authority to administer, manage and control the provision of French first language instruction programs in Yukon, any educational program, course of study, contributions to professional development, or policy established by the School Board must meet the requirements established by the Minister for the Yukon education system.

Communication in the French Language

The Department of Education will respect the Language Act of the Yukon regarding communications and services in French.

When the Department confirms that the School Board is required to meet (in whole or in part) the requirements of any educational program, course of study, contributions to professional development or policies approved for the Yukon education system, it will ensure that any required resources are provided in the French language, in whole or in part as the case may be.

When the Department chooses to communicate directly to the staff, students, and parents of the schools operated by the School Board, it will ensure that the communication is in the French language. When the Minister communicates in writing with the Board of Trustees of the School Board, it will ensure that the communication is in the French language.

The Department will ensure that all formal agreements with the School Board are available in English and French.

Consultation

The Department of Education and the School Board will consult regarding any changes that will have an impact on French first language instruction programs in the Yukon. The consultation will include inviting the School Board to participate in all committees and advisory groups that are considering matters that will have an impact on French first language instruction programs in the Yukon. The CSFY may propose changes to the legislation, regulations, and policies that affect its authority to administer, manage and control the provision of French first language instruction programs in Yukon.

HISTORY

Framework for the Provision of French First Language Instruction Programs in the Yukon Education System, effective August 8, 2019.