

SECTION 17

Education – Inuit

17.0.1 There shall be one school municipality for the whole territory north of the 55th parallel under the control of a school board called the Kativik School Board.

Notwithstanding the foregoing,

- a) any future municipality, not contemplated by the provisions of the Agreement, may be constituted as a separate school municipality, after prior consultation between the Department of Education and the Kativik School Board;
- b) the Cree population of the community of Great Whale River shall be under the jurisdiction of the Cree School Board; and
- c) the Inuit population of the community of Fort George shall have the option to be under the jurisdiction of the Kativik School Board.

17.0.2 The Kativik School Board shall be governed by the provisions of the Education Act (1964 R.S.Q., c. 235, as amended) and all other applicable laws of general application in the Province, save where these laws are inconsistent with this Section, in which event the provisions of this Section shall prevail.

17.0.3 The Kativik School Board shall have jurisdiction and responsibility for elementary and secondary education and adult education.

17.0.4 The Kativik School Board shall be represented and its affairs administered by its council. Such council shall be known by the name of : “The Council of the Kativik School Board.”

17.0.5 Ordinances, resolutions and other enactments of the Kativik School Board must be passed by the Council in session.

17.0.6 Each municipality, whether erected under Schedule 2 of Section 12 of the Agreement or any general law or special act, shall be represented by one commissioner to the Kativik School Board. In addition, the council of the Regional Government shall delegate by resolution one regional councillor to represent it to the Kativik School Board.

17.0.7 The Council of the Kativik School Board shall determine annually by ordinance the time, place, frequency and procedure respecting its meetings.

17.0.8 Each member of the Council shall have one vote and one additional vote if he represents more than 500 inhabitants and two additional votes if he represents more than 5,000 inhabitants according to the last official census.

17.0.9 If there are no longer any commissioners or if there is no longer a sufficient number of them to constitute a quorum, the powers of the Kativik School Board shall be exercised by the Minister who may, after prior consultation with the Regional Government, delegate them to an administrator appointed by him, until the Kativik School Board is re-organized.

17.0.10 There shall be an executive committee responsible for the management of the affairs of the Kativik School Board. It shall see that the law, the ordinances, the resolutions and decisions of the Council and contracts are complied with and carried out.

Such executive committee shall consist of five (5) members appointed as follows, including a president and a vice-president designated as such by the council :

- a) four (4) members shall be appointed annually by resolution of the Council from among the commissioners; and

b) the fifth member shall be ex officio the regional councillor delegated by the council of the Regional Government under paragraph 17.0.6.

17.0.11 The president and vice-president of the executive committee shall ex officio discharge the duties of president and vice-president of the Council.

17.0.12 The executive committee, with the approval of the Council, may make a resolution respecting its government and its internal management.

17.0.13 Three (3) members shall constitute a quorum of the executive committee. Each member of the executive committee shall have one vote.

17.0.14 The executive committee shall direct the affairs and activities of the Kativik School Board and shall see that its ordinances and decisions are faithfully and impartially observed and carried out.

17.0.15 During the first five (5) years following the first election of the commissioners, and afterwards if deemed necessary after prior consultation between the Minister and the Kativik School Board, the president of the executive committee must devote all his time to the service of the Kativik School Board, and shall not have any other remunerative employment or occupation or hold any other public office, except as member of the parents committee of the municipality which he represents or as regional councillor. The president of the executive committee shall be entitled to the remuneration fixed by the Lieutenant-Governor in Council.

17.0.16 Every physical person of full age and Canadian citizenship who is not legally disqualified may be nominated, elected or appointed a commissioner of the Kativik School Board representing the municipality wherein he resides if he has been domiciled or ordinarily resident in the school municipality for at least thirty-six (36) months. In the case of a newly erected municipality, the Minister of Education may, for the first thirty-six (36) months following the date of erection, change the said requirements with respect to domicile and residency.

17.0.17 The following persons shall not be nominated for, elected or appointed a commissioner :

- a) persons mentioned in paragraphs (3), (4) and (5) of section 123 of the Cities and Towns Act;
- b) any person who has, directly or indirectly, by himself or his partner, any contract with the Kativik School Board unless the description of all such contracts has been publicly posted in the office of the Kativik School Board and of the municipality at the time of his nomination, election or appointment and remains so posted, with all additions or deletions, if any, at all times during his tenure of office. This paragraph does not apply in the case of the consort of a teacher.

Nevertheless, a shareholder in any incorporated company which has any contract or agreement with the Kativik School Board or which receives any grant or subsidy therefrom shall not be disqualified from acting as a commissioner; but he shall be deemed to be interested if any discussion should arise before the Council or a committee with reference to any measure relating to such company, save when such company is the Inuit Development Corporation or one of the local Inuit community corporations to be formed or one of their subsidiaries, in which case he shall only be deemed to be interested if he is an officer or director of such corporation;

- c) any person convicted of an act punishable under a law of the Parliament of Canada or of the National Assembly of Québec by imprisonment for one year or more. Such disqualification shall continue for three (3) years after the term of imprisonment fixed by the sentence and, if only a fine was imposed or the sentence is suspended, for three (3) years from the date of such condemnation;

- d) any person convicted of an indictable offence punishable by imprisonment for five (5) years or more after having previously been convicted of two (2) indictable offences so punishable; such disqualification

shall continue for ten (10) years after the term of imprisonment fixed by the sentence and, if only a fine is imposed or the sentence is suspended, for ten (10) years from the date of the conviction;

e)

- i) any persons who are responsible for moneys belonging to the Kativik School Board, or
- ii) who are sureties for any employee of the Council or
- iii) who receive any pecuniary allowance or other consideration from the Kativik School Board for their services, otherwise than under a legislative provision, save, in the case of (iii), when a description of the pecuniary allowance or other consideration has been publicly posted in the office of the Kativik School Board and of the municipality at the time of his nomination, election or appointment and remains so posted, with all additions or deletions, if any, at all times during his tenure of office.

JBNQA, par. 17.0.17
A. corr.

17.0.18 No person may act as commissioner nor hold any other office in the Kativik School Board unless he is eligible and possesses at all times the qualifications required by law.

17.0.19 Every person, commercial partnership or association entered on the electoral list in force and used at the poll and, in the case of a physical person, not affected during the preparation of the electoral list and at the time of voting by any disqualification contemplated by law, shall be entitled to vote at an election.

17.0.20

- a) Every physical person of full age and Canadian citizenship shall be entitled to be entered on the electoral list if he has been domiciled or ordinarily resident in the municipality for at least twelve (12) months before the date of the election.
- b) Corporations, commercial partnerships and associations shall also be entered on the electoral list if they have had their head office or principal place of business in the municipality for at least twelve (12) months before the date of the election.

They shall vote through a representative authorized for that purpose by a resolution of the board of directors, a copy whereof shall be filed at the office of the municipal corporation within thirty (30) days from the date of publication of the election notice.

17.0.21 In the case of a newly erected municipality, the Minister of Education may, for the first twelve (12) months following the date of erection, change the delays mentioned in paragraph 17.0.20.

17.0.22 The general election for commissioners shall be held every two (2) years on the first Wednesday of September.

In the case of a newly erected municipality, the first general election shall be held on the tenth Wednesday following the erection of such municipality.

17.0.23 The secretary-treasurer of the municipality shall be the presiding-officer for any election held under this Section. The presiding-officer may appoint a deputy presiding-officer and as many election clerks as he deems fit to assist the presiding-officer in discharging his duties.

In the case of the first general election, the duties and obligations of the presiding-officer shall be discharged by a person appointed by the majority of the inhabitants in each municipality in the manner approved by the Minister responsible.

JBNQA, par. 17.0.23
A. corr.

17.0.24 The presiding-officer shall prepare the list of electors in the municipality between the first of July and the following first of August, and shall, on the first of August, deposit the electoral list in the office of the municipal corporation for public reference.

During the period extending from the first to the fifteenth of August, the electoral list shall be revised by a board of revision composed of the presiding-officer and two (2) persons entitled to be entered on the electoral list and appointed by him.

17.0.25 Any person, commercial partnership or association who believes that his name or that of any other person has been omitted from the list or wrongfully entered thereon may file in the office of the municipal corporation, between the first and the fifteenth of August, application in writing to have the name entered or struck off, as the case may be.

17.0.26 The board of revision shall consider the written application, hear the parties concerned and, if it deems necessary, take their evidence on oath.

The board of revision, by its final decision on each application, may confirm or revise the list. Every insertion in, erasure from or correction of the list shall be authenticated by the initials of the presiding-officer.

The electoral list shall come into force as soon as it has been prepared and revised in accordance with this Section and shall be kept among the archives of the municipal corporation.

17.0.27 No informality in the preparation, completion, revision or putting into force of the list shall invalidate the same unless an actual injustice results therefrom.

17.0.28 On the first of July of the year in which the election is held, the presiding-officer shall, by public notice, publish :

- a) the place, day and hour fixed for the nomination of candidates;
- b) the day of the opening of the polls for taking the votes of the electors in case a poll is held; and
- c) the appointment of the deputy presiding-officer and of the election clerks.

The election period shall begin on the day of publication of the notice of the election and end, for each candidate for any office, on the day on which the presiding-officer declares the candidate for such office elected.

17.0.29 The nomination of candidates for election shall be held on the last Wednesday of August between the hours of one (1) and five (5) o'clock in the afternoon.

JBNQA, par. 17.0.29
A. corr.

17.0.30 Five (5) electors qualified to vote and whose names are entered on the electoral list in force in the municipality may nominate a candidate for the office of commissioner.

17.0.31 With each nomination paper there shall be filed a declaration by the candidate that he is a Canadian citizen and duly qualified, accompanied by the consent in writing of the person therein nominated.

17.0.32 If at the expiration of the delay fixed for the nomination of candidates for the office of commissioner only one candidate has been nominated, such candidate shall ipso facto be elected and the presiding-officer forthwith proclaim such candidate elected.

When several persons are nominated for the office of commissioner, the presiding-officer shall announce that a poll will be held.

17.0.33 Any candidate nominated may withdraw at any time before the closing of the poll by filing with the presiding-officer a declaration to that effect; and any votes cast for the candidate who has so withdrawn shall be null and void; and if after the withdrawal there remained but one candidate for the office of commissioner, the presiding-officer shall return as duly elected the candidate so remaining.

17.0.34

a) If at the expiration of the delay prescribed for the nomination of candidates no person has been nominated or if all the persons nominated have withdrawn before the close of the poll, the presiding-officer shall immediately send notice thereof to the Regional Government which shall forthwith transmit its recommendation to the Minister of Education for the nomination of a commissioner.

b) If the nomination of candidates could not be held because the electoral list was not put in force in time, the presiding-officer shall immediately recommence the election proceedings to fill the office and give for such purposes the notice prescribed by paragraph 17.0.28. In such case the presiding-officer must see that the election proceedings already commenced are continued if they were validly made.

17.0.35 When a poll is necessary, the presiding-officer shall give a public notice thereof, establish a polling station and cause the necessary number of ballot boxes to be made. The ballot paper shall be a paper on which the names of the candidates, together with their syllabic transcription, are alphabetically arranged.

17.0.36 The poll shall be opened at the hour of nine (9) o'clock in the forenoon and kept opened until six (6) o'clock in the afternoon the same day. The Kativik School Board may, by resolution, fix a later hour than six (6) o'clock in the afternoon, but not later than eight (8) o'clock on the same day, for the closing of the poll.

JBNQA, par. 17.0.36
A. corr.

17.0.37 In addition to the presiding-officer, the only persons who shall be permitted, during the time that the polling station is open, to remain in the room where the votes are given, shall be : the election officers, the candidates and not more than two (2) duly appointed agents or representatives of the candidates.

17.0.38 An elector shall vote by secret ballot only once for the election of the commissioner.

17.0.39 The presiding-officer, upon the application of any voter who is unable to read or is incapacitated by any physical cause from voting in the manner prescribed, shall assist such elector by marking his ballot paper in the manner directed by such elector in the presence of the candidates or their agents or representatives.

17.0.40 The presiding-officer shall enter in the poll book opposite the name of each elector voting the word "voted" as soon as his ballot paper has been deposited in the ballot box.

17.0.41 Every employer on polling day must allow each elector in his employ at least four (4) hours to vote beside the time usually allowed for the midday meal and shall make no deduction from the salary of such elector.

17.0.42 At six (6) o'clock in the afternoon, or at the hour determined by the Kativik School Board under paragraph 17.0.36, the poll and the voting shall be closed and the presiding-officer shall open the ballot boxes and proceed to count and draw up the list of the number of votes given for each candidate.

17.0.43

- a) As soon as the final result of the polls is known, the presiding-officer shall at once proclaim elected for the office of commissioner the candidate who is found to have obtained the greatest number of votes and give public notice thereof.
- b) In the case of equality of votes, the presiding-officer shall proceed by a public drawing of lots and proclaim elected the person whom the drawing has favoured.
- c) Copy of the public notice shall be inserted in the books of the Kativik School Board and of the municipal corporation.

17.0.44 Every candidate, election officer, agent or representative of a candidate, in attendance at a polling station, shall maintain and aid in maintaining the secrecy of the voting at such polling station; and no such candidate, officer, agent or representative shall, before the poll is closed, communicate to any person any information as to whether any person on the list of electors has or has not applied for a ballot paper or voted at that polling station.

17.0.45 No candidate, election officer, agent, representative or other person shall interfere with or attempt to interfere with an elector when marking his ballot paper, or otherwise attempt to obtain at the polling station information as to the candidate for whom any elector at such polling station is about to vote or has voted.

17.0.46 No candidate, election officer, agent, representative or other person shall communicate at any time to any person any information obtained at a polling station as to the candidate for whom any elector is about to vote or has voted.

17.0.47 Every candidate, election officer, agent or representative of a candidate in attendance at the counting of the votes shall maintain and aid in maintaining the secrecy of the voting; and no such candidate, officer, agent or representative shall attempt to obtain at such counting any information or communicate any information obtained at such counting as to the candidate for whom any vote is given in any particular ballot paper.

17.0.48 No election shall be declared invalid by reason of any want of qualification in the persons signing a nomination paper received by the presiding-officer under the provisions of this Section.

17.0.49 No election shall be declared invalid by reason of non-compliance with the provisions of this Section as to the taking of the poll or counting of the votes if it appears to the Court having cognizance of the question that the election was conducted in accordance with the principles laid down in this Section, and that such non-compliance or mistake did not affect the result of the election.

No election shall be declared invalid by reason of non-compliance with the provisions of this Section regarding delays, unless it appears to the Court that such non-compliance may have affected the result of the election.

17.0.50 Any election of a commissioner by the electors may be contested by any elector on the ground of violence, corruption, fraud or incapacity or on the ground of non-compliance with the necessary formalities by filing a notice of contestation with the Regional Government.

17.0.51 Such contestation is brought before the Court by an ordinary action which on pain of nullity must be served upon the interested parties within forty-five (45) days from the date of the election.

17.0.52

- a) The commissioner may resign his seat in the Council by transmitting his resignation signed by himself to the director-general; the term of office of the commissioner shall expire upon the delivery of the writing to the director-general who shall transmit it to the Council at the next sitting.
- b) The death of the commissioner shall terminate his term of office.
- c) The term of office of the commissioner shall also terminate if he has failed to attend at least three (3) consecutive regular sittings of the Council.
- d) Whenever the Provincial Court annuls the election of the commissioner or a commissioner loses the eligibility or qualification required by law during his tenure of office, such office shall ipso facto become vacant.

17.0.53 Subject to the provisions of paragraph 17.0.54, when the term of office of a commissioner expires more than six (6) months before the general election fixed by paragraph 17.0.22, the Council may, within fifteen (15) days following the vacancy, elect a person who has the qualifications required by paragraph 17.0.17 to fill the office of such member for the remainder of the term.

Such election shall be by secret ballot and the director-general of the Kativik School Board shall proclaim elected the person who obtains the majority of the votes of the members of the Council present. In case of a tie vote, the president must give a casting vote.

17.0.54 Proceedings for a new election to fill vacancies in the Council shall be taken within eight (8) days if :

- a) the election of commissioner has not taken place within the time prescribed by this Section; or
- b) by reason of vacancies, there remains less than a quorum of the members of the Council in office; or
- c) the Council has not availed itself of the provisions of paragraph 17.0.53.

Such election must be conducted in the same manner, in all respects, as a general election. The secretary-treasurer of the municipality shall not recommence these election proceedings more than once.

17.0.55 Whenever the election contemplated by paragraph 17.0.54 is not held within the time prescribed by this paragraph, notice thereof shall be forthwith sent to the Regional Government which shall forthwith transmit its recommendations to the Minister of Education for the nomination of a commissioner.

17.0.56 Every member of a Council elected or appointed to replace another holds office only for the remainder of the term for which his predecessor had been elected or appointed.

17.0.57 There shall be a parents' committee in each municipality.

The parents' committee shall be composed of five (5) to eleven (11) parents as determined by the Kativik School Board according to the size of the municipality.

The commissioner of the municipality shall be ex officio a member of the parents' committee without having the right to vote or to be appointed chairman thereof.

The principal and one or more teachers, as determined by the parents' committee, shall be members thereof. They shall not have the right to vote unless the parents' committee so decides.

The parents' committee shall be consultative bodies with advisory powers except for responsibilities that may be delegated to them by ordinance of the Kativik School Board. Sections 66 to 70 of the Education Act shall not apply.

17.0.58 Every child shall be entitled to receive moral and religious instruction in accordance with a program approved by a clergyman or priest serving the municipality and by the Protestant or by the Catholic Committee of the Superior Council of Education. Any child, upon request of his parents for reasons of conscience, shall be exempted from such moral or religious instruction.

17.0.59 The teaching languages shall be Inuttituuṯ and with respect to the other languages, in accordance with the present practice in the territory. The Kativik School Board will pursue as an objective the use of French as a language of instruction so that pupils graduating from its schools will, in the future, be capable of continuing their studies in a French school, college or university elsewhere in Québec, if they so desire.

After consultation with the parents' committee, and having regard to the requirements of subsequent education, the commissioners shall determine the rate of introduction of French and English as teaching languages.

JBNQA, par. 17.0.59

A. corr.

17.0.60 Travelling expenses and a per diem allowance covering all other expenses such as meals and lodging shall be paid to committee members when attending meetings outside of their municipality.

17.0.61 The Kativik School Board may, for educational purposes, enter into agreements with Canada or with any school board, educational institution or individual, subject to the laws governing such agreements.

JBNQA, par. 17.0.61

A. corr.

17.0.62 The delegation of powers under sections 202b and 202d of the Education Act shall be made by ordinance of the Kativik School Board.

17.0.63 The Kativik School Board may establish a curriculum development centre whose functions shall be to select courses, text books and materials appropriate for the Native people and arrange for their experimental use, evaluation and eventual approval.

17.0.64 The Council may by ordinance provide for the establishment of programs, the teaching of subjects and the use of course materials based on Inuit culture and language.

17.0.65 All ordinances shall be forthwith transmitted to the Minister of Education upon their passing. The Minister shall review such ordinances within forty (40) days and, except where the matters dealt with therein are based on Inuit culture and language, may disallow same in writing. Unless disallowed, all ordinances shall automatically come into force forty (40) days after the date of their passing or at any earlier date indicated by the Minister.

17.0.66 It shall be the duty of the Kativik School Board to engage teachers duly qualified to teach in the schools under its control. No commissioner shall vote on any questions regarding a member of his family. Section 203(1) of the Education Act shall not apply.

17.0.67 The Kativik School Board may establish by ordinance one or more school calendars, the existing rules serving as guidelines.

17.0.68 The Kativik School Board shall, in consultation with the Minister of Education, negotiate the working conditions of its employees, except basic salary, basic marginal benefits and basic work load which are negotiated at the provincial level.

17.0.69 The Kativik School Board may establish by ordinance special training courses for its teachers.

17.0.70

- a) Subject to the provisions of paragraphs 17.0.14 and 17.0.15, the Council of the Kativik School Board shall appoint a director-general, and, under his direction, may appoint an assistant director-general and a secretary-general.
- b) It shall also appoint under the director-general the senior and management staff and all other staff required for administration.
- c) If the director-general is absent or unable to act, the assistant director-general shall exercise his functions and powers.
- d) The director-general and the assistant director-general may be designated from among the persons holding senior positions, excluding that of secretary-general, and may perform all or some of the duties of senior officers.
- e) Subject to the by-laws made under sub-paragraph 1 of Section 16 of the Education Act, the Council of the Kativik School Board shall establish by by-law the functions of the senior staff.

17.0.71 The commissioners shall be indemnified for expenses such as transportation, meals, lodging, actually incurred when attending meetings of the Kativik School Board. In addition, representation allowances provided under the Education Act shall be paid to the commissioners.

Alternatively, the commissioners may choose to be indemnified for expenses such as meals, lodging and travel expenses actually incurred when attending meetings of the Kativik School Board and in addition, be indemnified for loss of income they suffered as a result of attending such meetings, in accordance with the regulations to be adopted by the Kativik School Board. Such regulations shall take into consideration the prevailing conditions in the territory as well as the following :

- a) commissioners' meetings shall be scheduled, whenever possible, to avoid conflict with the remunerated work of the commissioners and to take advantage of convenient or inexpensive transport;
- b) if, in spite of the foregoing, individual commissioners suffer loss of income, the Kativik School Board may indemnify such commissioners for such loss, upon application therefor and where :
 - i) the commissioner represents or normally resides in a municipality other than that in which the meeting is held, and
 - ii) the commissioner is either employed on a full time basis or employed under conditions which preclude continuation of remuneration during time absent to attend such meetings, and
 - iii) loss of remuneration is clear and unequivocal rather than potential.

17.0.72 The Kativik School Board may provide for the transportation of children to a school under its jurisdiction subject to budget approval for this service.

17.0.73 Commissioners, after having decided by resolution at a regularly held meeting not to re-engage for the following year a person holding a pedagogical or educational position, shall, at least sixty (60) days before the date of expiration of the engagement of such person or, in the case of an engagement terminating at the end of a school year, sixty (60) days preceding the end of such school year, notify such person in writing of their intention to terminate the said engagement, but need not in such notice assign any cause therefor.

17.0.74 The Council may establish by ordinance qualifications and employment criteria for Native teachers involved in the teaching of Inuit culture and language. Such teachers shall not be subject to the provisions of the regulations in effect concerning teachers' qualifications.

17.0.75 The Kativik School Board may incur expenditures for the construction, improvement or enlargement of buildings for educational purposes, including residences for teachers, provided that such expenditures are included in the approved capital assets budget. Section 225 of the Education Act shall not apply.

17.0.76 All buildings used for educational purposes, including residences for teachers, belonging to the Department of Indian Affairs and Northern Development or to the School Board of New Québec and all material and other assets located in such buildings as part of the regular equipment shall be taken over by the Kativik School Board in accordance with a procedure to be determined and at nominal cost.

JBNQA, par. 17.0.76
A. corr.

17.0.77 Buildings transferred by the Department of Indian Affairs and Northern Development to the Kativik School Board shall not be sold, leased, exchanged or alienated and shall again revert to the Crown if and when they cease to be used by the Kativik School Board for educational purposes.

JBNQA, par. 17.0.77
A. corr.

17.0.78 the Kativik School Board shall not be obliged to prepare evaluation rolls or to levy school property taxes to cover operating expenses or for the construction of schools.

17.0.79 The manner of conducting the annual school census shall be determined by ordinance of the Kativik School Board.

17.0.80 Any child who maintains or helps to maintain his family may be declared exempt from compulsory school attendance by the Kativik School Board.

17.0.81 The Kativik School Board may determine by ordinance the manner of posting public notices required by law.

17.0.82 The School Board Grants Act (S.R.Q., 1964, chapter 237) shall not apply.

17.0.83 Subject to budgetary approval, provisions shall be made for maintaining the necessary levels of financial aid to students attending school outside the territory when following courses not offered by the Kativik School Board.

17.0.84 Québec and Canada will jointly maintain, through the Kativik School Board, adequate funding for educational services and programs presently available to the population in the territory.

17.0.85 Based on annual budgets providing for operating and capital costs approved by a joint committee named by Québec and Canada, each of the said Governments shall contribute to the approved budget of the Kativik School Board on the following basis :

Québec : 75%

Canada : 25%

This provision shall take effect two years after the execution of the Agreement.

Commencing in 1982 and every five (5) years thereafter, the percentage contribution of Québec and Canada shall be reviewed taking into account changes in the ratio of Native students to non-Native students under the jurisdiction of, and receiving services from, the Kativik School Board.

JBNQA, par. 17.0.85
A. corr.

17.0.86 The Kativik School Board may make recommendations to the Lieutenant-Governor in Council to declare inapplicable, in whole or in part, any regulation enacted under the Education Act which may affect it.

17.0.87 This Section shall come into force gradually over a minimum transition period of two (2) years to be jointly determined by the Kativik School Board and the Minister, beginning with the first complete school year following the execution of the Agreement in accordance with the provisions of Schedule 1 of this Section.

17.0.88 The provisions of this Section can only be amended with the consent of Québec and the interested Native party, save for the provisions of paragraphs 17.0.76, 17.0.77, 17.0.84 and 17.0.85 which in addition shall require the consent of Canada.

Legislation enacted to give effect to the provisions of this Section may be amended from time to time by the National Assembly of Québec.

Annex 1

During the first year, the parents' committees shall be constituted, the commissioners elected and the director-general appointed by the commissioners. The School Board of New Québec and the Department of Indian Affairs and Northern Development shall continue to operate the schools they now administer. The Kativik School Board will plan the operations for the second year and, with the assistance of the School Board of New Québec and the Department of Indian Affairs and Northern Development, will draw up the operating and capital assets budget for the second year.

During the second year, the Kativik School Board will administer all schools in the territory. All its decisions shall be subject to the approval of a tripartite committee composed of the director-general, the administrator of the School Board of New Québec and an appointee of the Federal Government.

As of the third year, all teachers and principals of the School Board of New Québec and of the Department of Indian Affairs and Northern Development assigned to schools in the territory shall become employees of the Kativik School Board. The School Board of New Québec and the Department of Indian Affairs and Northern Development shall withdraw from the operation of schools in the territory.