

May 30, 2018

K-12 Funding Review Panel
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Re: Ministry of Education K-12 Funding Review – Implications for First Nations Education in BC

Dear Panel Members:

On behalf of the BC First Nations Education Steering Committee (FNESC), I would like to express our appreciation for the opportunity to meet on May 17, 2018 with the Independent Review Panel that is making recommendations with respect to the Ministry of Education's K-12 funding review.

On February 2, FNESC and the Department of Indigenous Services Canada (DISC) sent the Deputy Minister of Education a joint letter regarding this review. That letter highlighted the critical need for FNESC to be represented in the review process. FNESC was established by, and is accountable to First Nations leadership and communities, as the lead policy and advocacy voice for BC First Nations education.

In our letter, FNESC and DISC requested that Keith Miller be appointed as FNESC's representative on the Technical Review Committee to provide input into any proposed changes to the funding model. Keith is a consultant with FNESC on education funding, and is a former Assistant Deputy Minister in education, and has significant familiarity with funding issues in both the First Nations education system, and the provincial education system.

The full involvement of FNESC in the Ministry's funding review process is consistent with Premier Horgan's commitments to adopting and implementing the United Nations Declaration on the Rights of Indigenous People (UN Declaration) and the Truth and Reconciliation Commission (TRC) Calls to Action for reconciliation. The UN Declaration and TRC Calls to Action include a number of key standards and calls in relation to education, particularly as education was a tool of "cultural genocide", as concluded by the TRC. By the same token, improvements in education for First Nation students can be a profound tool of reconciliation.

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Among other things, the UN Declaration states:

Article 14: 2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.

Article 23: Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining health, housing and other economic and social programmes affecting them and, as far as possible, to administer such programmes through their own institutions.

And, the TRC Calls to Action include:

Call to Action 43. We call upon federal, provincial, territorial, and municipal governments to fully adopt and implement the United Nations Declaration on the Rights of Indigenous Peoples as the framework for reconciliation.

British Columbia's endorsement of the UN Declaration and the TRCs Calls to Action requires collective efforts to support improved outcomes for First Nations students. It requires recognition of and respect for First Nations' inherent rights and jurisdiction related to education, and supporting First Nations control of First Nations education.

First Nations have long identified the need for immediate and systemic shifts in how education programs and services are provided to First Nation learners. Included in this is increased accountability for First Nations students' outcomes. As such, FNEESC's participation in all aspects of the Ministry's funding review – including the Panel - is critical to bring forward input, solutions and recommendations.

The need for systemic shifts is illustrated in the data.

- The annual How Are We Doing? Report shows that Aboriginal students are overrepresented in elementary/secondary ungraded, alternate programs, special education behavioural designations, Adult dogwood, and Evergreen certificates, and they are more likely to be in care.
- Ministry data shows that for several key indicators, First Nations students' results are actually becoming more problematic, rather than improved. For example, Grade 7 Foundation Skills Assessment literacy results for status on-reserve students have decreased from 46% meeting or exceeding expectations in 2013/14 to 36% in 2016/17 – a 10% decrease in four years. Similarly, the Grade 7 Foundation Skills Assessment numeracy results have decreased from 34% to 30% in the same timeframe. In other words, 64% of status on-reserve grade 7 students are still not meeting expectations for literacy, and a staggering 70% are not meeting expectations for numeracy.
- In spite of some gradual improvement, there is almost a 30% gap between the six-year completion rate of status on-reserve students compared to non-Aboriginal students, and we are also concerned about the significant variance in (and in many cases extremely low)

graduation rates for First Nations students across BC's school districts, as compared with the non-Aboriginal student population.

This data is critical context for the funding review and emphasizes the need for increased accountabilities for Aboriginal education generally, and the education of status on-reserve students specifically, including pro-active and meaningful attention to the issues of Local Education Agreements and transportation. This data also underlines the need for system-wide, bold changes, consistent with the newly released *Draft Principles that Guide the Province of British Columbia's Relationship with Indigenous Peoples*, which recognizes the need "to move away from the status quo and to empower the Province to fundamentally change its relationship with Indigenous peoples, a process that will take time and will call for innovative thinking and action."

In addition to better supporting First Nation students in the provincial school system, the Ministry's funding review will have major implications for First Nations students and First Nations schools operated by First Nations on-reserve, which is funded in accordance with the Tripartite Education Framework Agreement (TEFA). This is an agreement between British Columbia, Canada and FNEC (on behalf of BC First Nations), which commits the parties to work together to improve the educational outcomes of First Nation students in BC, and which implemented a new funding model based on the provincial funding formula, with specific adaptations to address the unique needs of First Nations.

As demonstrated in the attached TEFA Funding Handbook, any changes to the provincial education funding approach will have direct impacts on the funding provided by Canada for First Nations students and schools.

Further, British Columbia, Canada and FNEC are currently engaged in the renewal of TEFA, building and expanding on the successes of TEFA and continuing to bring about systemic change to support First Nations education in BC. The new agreement will continue to be based on the provincial funding model, so it is imperative that FNEC have meaningful opportunities to bring forward key issues, interests and concern to the Ministry's funding review.

An important provincial commitment in TEFA, as well as the BC-FNEC Bilateral Protocol, is that the Ministry will consult with FNEC regarding proposed policy changes that will affect FNEC or First Nation Schools. The Province has committed to "ensure the new government reviews policies, programs and legislation to determine how to bring the principles of the Declaration into action in BC" (NDP-Green Party Confidence and Supply Agreement). This commitment is also mandated to all Cabinet Ministers in their respective mandate letters from the Premier.

In our view, in order to fulfil these commitments, FNEC and First Nations leadership has called upon the Ministry to establish a formal process of meaningful engagement on the funding review, informed by the data, provincial commitments to Indigenous peoples, and TEFA and TEFA renewal. We also note that the Commitment Document between the Province and BC First Nations sets out key guiding principles, goals and objectives around our shared agenda of reconciliation. First Nations in BC have the legitimate expectation that FNEC will have a key role in informing the Ministry's funding review, and the implementation of any

resulting changes to the funding model.

We bring this information to your attention as it is important context for the Panel's understanding of the relationships and agreements that exist in BC for supporting First Nation learners, and to ensure an understanding of the direct implications of the review on First Nation communities and learners.

On this basis, as such, FNEESC respectively submits the following key interests and concerns, and proposed recommendations, for the Panel to consider as part of the funding model review. We also request that we be included on the Technical Review Committee, and that we be involved in all decision-making before any changes are determined and before any recommendations are made or implemented.

Sincerely,

A handwritten signature in cursive script, appearing to read 'D. Jeffrey'.

Deborah Jeffrey
Executive Director

Cc: Scott MacDonald, Deputy Minister of Education
Catherine Lappe, DISC
Milica Nauman, DISC
Colleen Austin, FNSA President
Tom Christensen, Ministry of Education
Ted Cadwallader, Provincial Director of Aboriginal Education

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