

**SUMMARY REPORT
OCTOBER 2007**

**‘FIRST NATIONS EDUCATION FUNDING: TUITION AGREEMENTS AND
SPECIAL EDUCATION’ INFORMATION SESSIONS**

**PREPARED FOR: INDIAN AND NORTHERN AFFAIRS CANADA
ONTARIO MINISTRY OF EDUCATION**

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Preamble

The Ministry of Education (EDU) Aboriginal Education Office and Indian and Northern Affairs (INAC) Ontario Education collaborated to develop a resource package as outlined below. The Chiefs of Ontario Education office was consulted in the process. Seven sessions were conducted throughout the province of Ontario in March and April 2007. This report has been prepared as a follow-up to the sessions. It will offer the background and purpose of the sessions, outline issues and challenges that emerged, and suggest next steps for consideration.

Attachments are as follows:

- Sample workshop agenda
- Table of workshop times and locations
- Q's and A's
- Presentation deck is available upon request

Resources Used at Sessions:

- "Calculation of Fees" EDU regulation
- "Special Education Transformation" 2006 EDU report
- National First Nations Special Education Program Guideline
- Ontario First Nations Special Education Program Guideline

Resource personnel and presenters:

INAC education and Funding Services; EDU Aboriginal Education Office, EDU Transfer Payment and Financial Reporting branch, EDU Special Education Policy and Planning Branch, EDU regional office Field Services Branch

Background and Participants

Currently in Ontario there are approximately 5600 on-reserve students attending publicly funded schools. Most do so under the terms of a tuition agreement that has been developed between boards and First Nations. Some are in the process of developing formal agreements. First Nations, INAC, District School Boards and EDU have identified that a more informed approach in developing and negotiating education service agreements appeared to be an area of need.

- Differing interpretations and practices around tuition fee calculations
- Absence of formal agreements between DSB's and First Nations
- A cap and in some cases, a decrease, in Special Education funding available to First Nations to direct to District School Boards where students attend under tuition agreement
- First Nations at the community level, EDU, DSB staff required more information about the National Special Education Program (SEP)
- Effective data collection is needed
- INAC and the Ontario First Nations Special Education Working Group agreed that capacity development sessions would be organized for Ontario First Nations with the purpose of bringing a higher profile and level of understanding of the

SEP and to the provincial calculation of fees for tuition for First Nation on-reserve students

Participants	Numbers
District School Board Directors	19
District School Board Supervisory Officers and Principals	141
District School Board Trustees	4
First Nation community elected leaders	19
First Nation representatives	150
First Nation school staff	40
First Nation Political Territorial Organizations, Education Service Organizations, Tribal Councils and other	8
Indian and Northern Affairs Canada Staff	10
Total number of participants	391

Summary Notes

An attempt to capture the concerns expressed throughout the sessions is outlined in this section, informed by summary notes that were prepared following each session and through participant feedback.

Formal Tuition Agreements

In some cases, on-reserve First Nation students are attending schools within the local DSB with no formal agreement in place. The Education Act and the Indian Act provide for the development of a formal agreement. Ensuring a current, formal agreement will assist in clarifying roles and responsibilities.

Provincial Grants and Tuition Fees

There appears to be varied interpretations around the link between the GSN and the tuition fee calculation as well as what programs and services are included in the base tuition fee.

First Nation Special Education Incidence Rates

The data being gathered through the annual First Nation Special Education report over the past four years indicates an incidence rate in line with that of the province. In some cases actual costs of Special Education programs and services for on-reserve students attending publicly funded schools may indicate a higher incidence rate.

Definitions

There is no standard definition of “high cost” for the purposes of the federal SEP. First Nations utilize SEP funding to cover various levels Special Education needs. The interface of the EDU SEPPA, High Needs, Special Equipment Amount, and Special Incidence Portion and the federal SEP requires additional clarification. In some cases, all special education programs and services are deemed “high cost” for billing purposes.

Specific Issues

Over 40 specific issues were raised during the course of the sessions. The issues refer specifically to federal and provincial funding models, tuition agreements, and special education. Considerable time and effort was spent in reviewing these issues involving finance staff, special education and other policy experts within both INAC and the Ontario Ministry of Education. These issues and responses were then produced in a question and answer format document (see attached Q's and A's document June 2007) that form part of this summary report.

Conclusion:

The following comments were gleaned from participant feedback and would be used to inform next steps:

- This collaboration between the federal and provincial governments and the First Nations is a positive step in improving understanding and practices around tuition agreements
- Accurate data is needed to determine and define Special Education needs
- An understanding of the importance of data collection in relation to program development as well as federal and provincial processes
- The method of calculating tuition fees needs to be aligned with current Special Education terminology and practice
- There is a strong interest in the opportunity for further joint capacity development

Next Steps

The authors of this report will meet with representatives of school boards and the Chiefs of Ontario Office to review this report and determine next steps to continue the dialogue among all the parties.