

# Nurturing the Learning Spirit of First Nation Students

The Report of the National Panel on First Nation Elementary and Secondary Education for Students on Reserve





This Report is dedicated to Kenzie and all of the First Nation students who are using education to achieve their dreams.

### ***Essay on How Education Can Make My Life Better***

*Education can make my life better by helping me succeed in life. Education is very important to me as it will help me reach my goal in becoming a fighter jet pilot. I am in grade seven right now and it will help me to graduate from high school and then university or college. Education will open many doors to more knowledge or opportunities, and it will teach me responsibility. After all of that, hopefully I will become a better citizen. The more education I have the more money I make, and the more opportunities will come. Education will get me one step closer to my dream. As I said before, my goal in life is to become a fighter jet pilot. I will do everything I can to reach my goal and education will help me do this. I know how to use computers and I am in Cadets so I know people that I can ask where a good pilot school is that I can go to. Sometimes I go on Google and search for pilot schools but I only search for them when I have free time. So far, this is what education has taught me. But there is so much to learn.*

*My Auntie Dora is a nurse and she completed high school and she has a nursing degree and makes good money. My dad has a grade ten education. He started off as a labourer for hydro and he cannot move up because he does not have a grade twelve degree. But my dad has been trapping since he was twelve and he was brought up the traditional way. He knows the trapline like the back of his hand. He also has skills that cannot be learned in the classroom. He has a different kind of degree. My dad learned different things and the different skills that are not recognized by a piece of paper. I am proud of my dad and I'm learning from him. And I cannot learn this from my teacher. My friends know very little of the traditional way of life. So, I am privileged to learn these teachings from my dad. I believe that there are different kinds of way to get an education. No matter what kind it is, we will be better off with education. We become better people and better citizens and we also can have better lives. The only difference between the two types of education that I have discussed is that one is recognized and one isn't. We need papers behind our names to live in today's world but we still need those traditional teachings to learn who we are and where we come from.*

*Kenzie*

*Cross Lake First Nation, Manitoba  
Presented at the National Roundtable meetina. November 22. 2011*



# Letter of Transmittal

To: *The Honourable John Duncan, Minister of Aboriginal Affairs and Northern Development Canada and Mr. Shawn A-in-Chut Atleo National Chief of the Assembly of First Nations*

From: *The National Panel on First Nation Elementary and Secondary Education for Students on Reserve*

*Dear Minister Duncan and National Chief Atleo,*

Please find attached the report of the National Panel on First Nation Elementary and Secondary Education for Students on Reserve.

This report is intended as a road map or pathway forward for improving education outcomes for First Nation elementary and secondary students who live on reserve. It also provides recommendations for improving governance and clarifying accountability for First Nation education.

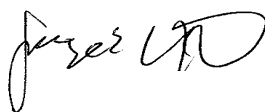
It is our sincere hope that these recommendations will pave the way to creating a child-centered, quality First Nation education system, based on the strengths and needs of each individual child. It is imperative that First Nation students be given the chance to reach their full potential, achieve their deeply held hopes and aspirations, and become actively engaged in their respective communities and broader society.

The Panel urges the Minister and National Chief to come together in the current spirit of reconciliation and work to achieve the shared vision for the child-centered, 21<sup>st</sup> Century First Nation education system as highlighted in this report.

Sincerely,



Scott Haldane  
Panel Chair



George E. Lafond  
Panel Member



Caroline Krause  
Panel Member



On June 21, 2011, the National Panel on First Nation Elementary and Secondary Education for Students on Reserve\* was jointly launched by the Honourable John Duncan, Minister of Aboriginal Affairs and Northern Development Canada, and Mr. Shawn A-in-Chut Atleo, National Chief of the Assembly of First Nations.

The Panel's mandate was to identify ways of improving education outcomes for First Nation students who live on reserve, as well as to develop strategies for improving governance and clarifying accountability for First Nation education.

From September to December 2011 the Panel led a very extensive engagement with First Nation people and other interested parties. Engagement activities included eight regional roundtable sessions, a national roundtable session, more than twenty-five visits to First Nation schools, sixty key meetings involving over hundred stakeholders, and a dedicated website. Hundreds of people were directly involved in discussions on how best to improve education provided to Canada's on-reserve First Nation students.

\*Information about the Panel members is contained in Appendix A.

## Acknowledgements

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The National Panel expresses its deepest appreciation to First Nation students, parents, teachers, administrators, directors of education, elders, chiefs, and all other interested parties who participated in this comprehensive, cross-country engagement process. Their insights, the information provided on matters affecting First Nation education for children living on reserve, and their examples of successful initiatives contributed significantly to the National Panel's understanding of key issues and changes that must take place.

The Panel acknowledges the contribution of the Education Secretariat, who supported the Panel throughout its engagement process with First Nations and other Canadians; the facilitators of the engagement sessions; and the consultants who provided research and writing support to the Panel and communication and media relations advice.

The Panel also gratefully acknowledges the important assistance of legal and education policy advisors who helped to clarify complex issues and to bring the report to fruition. Without their help, this important task would not have been achieved.



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# Executive Summary

## Nurturing the Learning Spirit of First Nation Students

The National Panel on First Nation Elementary and Secondary Education for Students on Reserve was established by the Minister of Aboriginal Affairs and Northern Development Canada and the National Chief of the Assembly of First Nations to engage First Nations and Canadians in an exploration of First Nation education and to make recommendations for change and improvement. The Panel met with hundreds of people including students, parents, Elders, First Nation educators and leaders, representatives of provincial education systems and the private sector. We conducted 8 regional roundtable meetings and a national roundtable meeting, visited over 30 First Nation communities and 25 First Nation schools. We also received multiple submissions from interested parties through our website and directly during visits and meetings. The Panel took our role as witnesses, listeners and messengers seriously and we have tried to convey the passionate and committed voices of the people who care so much about the success of First Nation children.

First Nations and Canadians have a collective public responsibility to ensure a high quality system of education for First Nation students in both First Nation and provincial schools. We have a duty to do better and an obligation to protect and support the rights of First Nation children to a good education that builds a strong First Nation identity, language and culture and ensures that these students are learning and achieving at the same level as non- First Nation students.

Despite the work of governments and educational leaders over decades and the development of promising initiatives in a number of regions across the country, there is no First Nation education system that consistently supports and delivers positive outcomes for First Nation students in Canada. What we have now is a patchwork of policies and agreements that do not provide an adequate foundation to support comprehensive improvement or meet the accountability requirements of ensuring that all partners in the education of First Nation students do better.

First Nation students are not failing. Rather, we are failing students through the impact of legislative provisions that are more than one hundred years old and linked to a period that we now accept as deeply harmful and destructive...the residential school era. We need to leave all residue of this time behind by removing the residential school references from the *Indian Act*. This should be a straightforward task that underscores the important message of change that is consistent with the apology and commitment to reconciliation that the Prime Minister of Canada offered in June 2008.



However, more than this, we need to build a system of education so that First Nation students have the same opportunity and support to succeed as any other child in Canada.

A strong First Nation Education System would be built upon a solid foundation that encompasses the following:

- The co-creation of legislation in the form of a First Nation Education Act that outlines responsibilities for each partner in the system and recognizes and protects the First Nation child’s right to their culture, language and identity, a quality education, funding of the system, and First Nation control of First Nation education
- Statutory funding that is needs-based, predictable, sustainable and used specifically for education purposes
- The establishment of regional educational support organizations that are designed and delivered by First Nations
- Development of strong partnerships and reciprocal accountability between First Nation schools and educational organizations and provincial education institutions

These structural elements of a First Nation Education System are all designed to support and enable school-based initiatives that are necessary to ensure a positive educational experience for First Nation learners, whether they attend school in a First Nation community or in provincial or private schools.

It is critical that the system meets the needs of each First Nation child. We believe that we must put the child at the center of First Nation education reform. We need Canada and First Nations to pledge that they will work together to improve the lives of First Nation students through the development of an effective education system... properly funded, respectful of First Nation language, culture and identity, and able to provide opportunities for life choices and options, including making a positive contribution to the community and participating in the Canadian and global economy.

Our report, entitled “Nurturing the Learning Spirit of First Nation Students”, includes 3 fundamental principles to guide First Nation education reform and 5 recommendations to support the goal of an effective First Nation Education System. We believe that these are practical recommendations that provide a roadmap to the future while pushing for an urgent timeline designed to ensure that improvements begin now.





The passion, dedication, resilience and hope that we witnessed in First Nation children, parents, caregivers, Elders, educators and leaders, as well as their non-First Nation supporters, gives us confidence that there is momentum to make the changes that are necessary. They ask for no more than anyone else – an effective and responsive system of education that enables students to reach their full potential.

We must do better. And we can do better if we embrace a model of co-creation and reconciliation. It is imperative that we adopt a new direction to working together and abandon the harmful approaches of the past. We believe that our recommendations, combined with the expressed good will and determination of federal and provincial governments and First Nations will make this a successful national priority.

We hope that you will find guidance from this report. We offer it to you in a spirit of deep respect and understanding that the decisions and actions that will be required of you will not be easy, that the issues are urgent and that we must not fail another generation of First Nation students.

### Principles

1. First Nation Education Reform must be based on the child’s right to their culture, language and identity, and to a quality education that is appropriate to their needs. The First Nation child must always be at the center of this effort through a “child first” commitment that is embraced by all.
2. First Nation Education Reform must be undertaken in the spirit of reconciliation and collaboration among First Nations, the Government of Canada, and provincial and territorial governments.
3. First Nation Education Reform must feature a commitment to mutual accountability for roles and responsibilities as well as financial inputs and education outcomes.

### Recommendations

1. Co-create a Child-Centered First Nation Education Act
2. Create a National Commission for First Nation education to support education reform and improvement
3. Facilitate and support the creation of a First Nation education system through the development of regional First Nation Education Organizations (FNEO) to provide support and services for First Nation schools and First Nation Students



4. Ensure adequate funding to support a First Nation education system that meets the needs of First Nation learners, First Nation communities and Canada as a whole
5. Establish an accountability and reporting framework to assess improvement in First Nation education



# 1. Doing Better for First Nation Students: A National Priority

Education, and the systems and structures that a society creates to educate its children and youth, are the ways in which a society manifests its love, caring and hope for children. Education imparts knowledge and supports the development of the whole child giving them the skills and abilities to achieve their life hopes and aspirations and fulfill their potential, personally and as a member of their community and broader society. Education is also the way that a society seeks to ensure its own capacity to continue and to flourish.

Education is, however, not a certain process. Sometimes the hopes of a society and its members and the processes of education rhyme, but sometimes those hopes can be defeated by education that does not recognize children's needs, or is too remote from the values and practices of the community that should be strengthened and renewed by it, or has not been given the resources and attention that strong education systems require. When education fails and children and youth do not see its promise or find in it the channel for realizing their dreams, the individual's and society's future is compromised and all those in it bear the risks of weakened identity and diminished social bonds.

This is the case in Canada today with respect to the education of many First Nation students. The education available to First Nation learners is not meeting their personal needs or desires, or the needs and desires of their community and broader Canadian society. Their education often does not adequately support their identity as First Nation peoples, particularly where there are significant barriers to transmitting culture, language and knowledge of their traditional and contemporary relationship with their lands through the school curriculum.

In those places where reliable information on education achievement is available, the data points to a significant disparity in education outcomes between First Nation and non-First Nation students and overall low education attainment by First Nation individuals. Generalizations are required because the limited quality, reliability and availability of information does not permit us to speak with confidence at a national level to the education outcomes obtained for First Nation students.

*The 2006 Census indicates that only 39% of First Nation people aged 20 to 24 living on reserve have completed high school or obtained an equivalent diploma. By comparison, the Canadian average for high school completion for non-Aboriginal people aged 20-24 is more than 87%.*



According to the former Auditor General Sheila Fraser, the education gap between First Nation students and their non-First Nation peers could take up to twenty-eight years to reach the national average. There are gaps in early readiness to learn, benchmarks of achievement in the elementary years, and successful completion of high school within the expected timeframe. Closing these gaps will require a significant investment of effort, resources, and determined leadership by many partners.

It is beyond question that this national priority is essential for Canada—as a nation of people that prides ourselves on the equal opportunities we provide for children and youth, and a deep commitment to recovering from the damaging impacts of residential school policies on successive generations of children, we need to see these grim circumstances change, and quickly.

*Youth without a grade 12 education are twice as likely to be unemployed. They are also more likely to receive social assistance, engage in anti-social or self-destructive behaviour, and be involved in the justice system. Those who do work often have lower incomes.*

*In 2006, the Canadian Council on Learning estimated that the social and economic costs of First Nation people who have not completed high school will amount to \$3.2 billion over ten years. Based on the current 40 percent graduation rate, the cost of non-completion among the 15-19 year old cohort alone is \$887 million; which would be repeated for each subsequent cohort if conditions do not change.*

The individual and societal impacts of low education achievement can be profound. For the individual, a failed education may act as a barrier to fulfillment and limit the pursuit of choices in one’s life. Lack of a Grade 12 diploma can preclude future training and education opportunities. Being deprived of real opportunities for self-determination and advancement often results in dependency and social exclusion.

This is not to overshadow the positive and productive elements of First Nation education that currently exist. There are many examples of First Nation students achieving their education aspirations, of dedicated and inspiring First Nation educators and leaders, of First Nation schools providing strong education programs balanced with cultural and language training to build First Nation students’ sense of pride and identity, and of education organizations coordinating and providing strong supports and services to schools and students.

Overall, however, First Nation education is not meeting the education and social goals to which First Nations aspire, and the education attainment among First Nation students is not sufficiently strong, both in comparison to their non-First Nation peers, and in terms of giving them the skills, capacity and abilities needed to allow them to reach their potential.



The fact that the First Nation population is young and growing underscores the necessity of improving First Nation education. 42 percent of the Registered Indian population is 19 years of age or younger as compared to 25 percent of the Canadian population as a whole. By 2026, the on-reserve Registered Indian population is expected to increase by 64 percent from 407,300 in 2000. This represents both a challenge and an opportunity. Unless significant changes are made to improve First Nation education, many First Nation youth will continue to suffer the negative consequences and be deprived of education and career choices. On the other hand, improving education outcomes will help confident, educated First Nation graduates achieve their personal aspirations and ambitions and will open doors for them to contribute in the broader economy and workforce.



## 2. What the Panel Heard

*We are working together because we share a desire to see a Canada where all First Nations people participate fully in our social, economic and cultural prosperity, a Canada where strong healthy self-sufficient First Nation communities are full participants will benefit all of us. We acknowledge the many challenges still before us. There are many success stories but there are still many communities that are still struggling to break down the barriers of poverty and dependency.*

*We want to move past those barriers. It will not be easy and it will require all of us to work together. Before we can move forward we must recognize the importance of coming to terms with the past. The Prime Minister's statement of apology on behalf of all Canadians to former students of Indian residential schools was an important part of this process.*

The Honourable John Duncan,  
Minister of Aboriginal Affairs and Northern Development Canada  
Speech Delivered at the Crown-First Nations Gathering - January 24th, 2012

In our meetings across Canada, we heard from children and youth, from parents and caregivers, from Elders, community leaders including chiefs, councilors, as well as teachers, principals and citizens, who spoke with passion and commitment. They greatly enhanced our knowledge of First Nation priorities and we thank each person for sharing his or her views, information and time with us.

We heard the voices of First Nation students.

Many spoke of their dreams and hopes for education. They expressed a yearning for respect and recognition that they were capable and had a great capacity to learn...just perhaps in a different way. They spoke of their desire for a balanced education – one that would give them the skills and abilities to succeed in any chosen endeavour, including pursuing further formal education or a career, but also one that was grounded in their heritage and culture. Many youth expressed the importance of knowledge and education about their culture, traditions and language to build their sense of belonging, self-esteem and sense of identity – “knowing where you come from is essential to knowing where you are going”.



Students expressed their desire for a “nice” school that was safe and welcoming, for caring and committed teachers, mentors and principals, for adequate learning resources including well-stocked libraries and access to computers and the internet, and for access to a variety of programs to cover their range of interests and needs including academic electives, and sports, music and arts.

### The Voices of First Nations

*Education can make my life better by helping me succeed in life ... we will be better off with education. We become better people and better citizens and we also can have better lives.*

First Nation Student

*First Nation students such as myself can learn the same things as other students. I just learn a different way.*

First Nation student

*Just because we are native, does not mean we deserve less.*

First Nation student

*Learning Mik'maq is the most important thing here. I want to be able to speak it.*

First Nation student

*I am having trouble getting into university because I'm told I don't have grade 12 after all, even though I've received my grade 12 certificate.*

First Nation student

*We are not proud of our building, but we are proud of what goes on inside our building.*

First Nation student

*Its hard leaving the band school to go to provincial school – the teachers don't know you and the school does not do much to support First Nation language and culture*

First Nation student

*I look up to my teacher. I hope that someone will look up to me someday, too.*

First Nation student



First Nation students also related both redeeming and disturbing experiences with the education system. Several young people spoke about the positive influence and role modelling of dedicated and inspiring teachers, about innovative school programs that connected them to their culture and language, and about school as a beacon and haven in their life. Some First Nation students expressed a deep frustration that they will likely not realize their dreams and aspirations given the current barriers and limitations of their education opportunities. Others recounted their experience with discrimination. With a profound sense of insight some suggested that greater tolerance and respect could be achieved if there was strong education about the history and culture of First Nations in the mainstream curriculum and if educators learned culturally sensitive teaching methods. This message of hope and tolerance is something that should inspire all of us.

The Panel became aware of the powerful voices of a new generation of First Nation youth who are organizing, using social media and campaigning along with their advocates for Canadians to hear their plea for a safe and effective education system. While Shannen Koostachin, a determined young woman from the Attawapiskat First Nation died before her dream of a safe school in her community was realized, there are many others as passionate and determined who spoke to us in the same spirit.

We were also struck by how resilient and determined First Nation children and youth are to succeed. Their resilience – their inherent belief in their own sense of self, knowledge of where they come from and determination to achieve - is evident in the positive contributions many First Nation students are making in their own communities and broader society, despite the barriers and challenges.

#### Shannen's Dream

Following the diesel contamination of the Attawapiskat elementary school, Shannen Koostachin, a member of the Attawapiskat First Nation, led the campaign to build a new school in her community. Her dream was that every child should have and a "comfy" school and receive a quality, culturally based education. For many years she campaigned tirelessly, and spoke out publicly, to convince the federal government to build a school in Attawapiskat and to ensure all First Nation children have a proper education. Sadly, Shannen passed away at the age of 15, without achieving her goal – Attawapiskat still does not have an elementary school although a three year design and construction plan was announced by the Minister of Aboriginal Affairs and Northern Development in May 2011. Her dream, however, is being carried forward by her family, friends and community "to make sure all First Nations children across Canada have 'safe and comfy schools' and receive a good quality education that makes them proud of who they are".

*"School should be a time for dreams. Every kid deserves this." –Shannen Koostachin*





While there is great diversity in the First Nation peoples of Canada, almost without exception, the First Nation people we heard through the engagement process spoke movingly of their belief in the fundamental rights of their peoples to transmit their language, culture and identity to their children through the education system, as well as in their families, communities and First Nations. Many also stressed the importance to First Nation people of a life-long, holistic approach to learning.

*It's about education...but also, more broadly, it's about the productivity challenge. How are we preparing First Nations to play a vital role in Canada's future economic growth and our competitiveness?*

Participant - National Panel /  
Aboriginal Human Resource  
Council Business Forum

Parents and educators expressed many of the same hopes and concerns about First Nation education as First Nation youth. They desire a strong education structure and system that can provide sound and safe schools, adequate funding to support the learning needs of all students, and access to the required learning tools and resources to deliver a quality education. Parents want competent and caring teachers and strong school leadership. They want their child to achieve in school, and graduate, so that doors are open for them in their future. Educators called for a system that has high expectations of First Nation students and provides the appropriate supports and attention to special learning needs and culturally sensitive teaching practices so that all students can achieve their potential. They also underscored the important role played by an involved and interested parent in supporting their child in school. First Nation leaders and community members spoke of their commitment to education based on their control and involvement, and of the many barriers they faced in providing for improvement and effective partnership with Canada, provinces, and provincial schools and school boards. They spoke of the harm of residential schools that sought to 'take the Indian out of the child' and caused such grief, harm and disruption to their families and of the need to address, recognize and overcome the legacy of this experience in order to move forward to improve education for First Nation learners.

*Tell me and I will forget; show me and I may remember. Involve me and I'll understand. That's how I was taught.*  
*This is First Nations Learning: my land; my ocean; my environment*

Elder at the Terrace Roundtable session

Policy experts, academics, business representatives, and others contributed to our efforts to prepare a report that would move Canada forward in improving First Nation education outcomes. The general state of First Nation education and its impact on First Nation children and youth has been a concern for many decades and information gleaned from meetings

and reports inspired the Panel to pursue and consider a range of issues from various viewpoints.



In the hearings of the Panel, the submissions by many interested parties, and in our informal discussion with students and educators, one clear message came through: work together to make sure the full learning potential of First Nation children and youth will be realized in Canada, without exception and without delay.



### 3. Findings - First Nation Education Today

The education “system” for First Nation students on reserve is a far cry from any system that other Canadians would recognize in terms of its equivalency with the legislative provisions and structures supporting their respective provincial school systems, or the degree of input, accountability, and democratic governance most Canadians take for granted.

The current system – or rather non-system of First Nation education – has its basis in history. Education has been part of First Nations and the Government of Canada relationship and negotiations from the earliest stages. As part of the treaty making process, First Nation chiefs and spokespersons negotiated for the provision of education as a way to prepare First Nation youth for a changing world. Under treaties, First Nation leaders also sought to protect their right of self-government, as well as their right to hunt, fish and trap, and they made agreements for access to traditional lands for these purposes. Today, First Nation leaders continue to talk about these promises and of the need to teach Canadians about these defining processes. The failure to fully implement the treaty promises remains a concern for First Nation leaders, and they point to the importance of education and creating opportunities for their children to participate in the new economy.

In the early 1970s, following the dissolution of the residential school system, and the devolution of First Nation education to individual First Nations, virtually no thought was given to the necessary supporting structure for the delivery of First Nation education. There was no clear funding policy, no service provision and no legislation, standards or regulations to enshrine and protect the rights of a child to a quality education and to set the education governance and accountability framework.

*The Office of the Treaty Commissioner for Saskatchewan is leading an innovative education program, “Teaching Treaties in the Classroom”, in collaboration with Saskatchewan teachers, the Federation of Saskatchewan Indian Nations, the Saskatchewan Department of Education and the Government of Canada.*

*The goal is to teach about treaties in order to promote understanding and awareness between First Nations and other citizens of Saskatchewan, build positive relationships with each other, create mutual respect, honour diversity within an understanding of universal human values; and train teachers to assist other teachers to teach treaties in the classroom. As a result of this important project hundreds of school children in Saskatchewan receive a solid foundation in learning the history of treaties based on the wisdom of the Elders.*



No consideration was given to the connections and inter-relationships to provincial systems and no accountability was put in place for transitions of students between provincial and First Nation schools. Currently, there is a lack of student information tracking and monitoring systems and no context for evaluating success or for regularly making improvements through ongoing assessment of student achievement.

### *No System of Protection of First Nation Education Entitlements*

There is no comprehensive legislative framework guiding and protecting the delivery of First Nation education. The *Indian Act*, in less than ten short provisions on education, deals mainly with truancy and outdated rights to preference in denominational instruction<sup>1</sup>. As two writers in this area conclude of the stark reality of the *Indian Act* -- “that’s it, that’s all”<sup>2</sup> for First Nation students.

This is in stark contrast to provincial education legislation that establishes comprehensive and detailed frameworks for the provision of elementary and secondary education. Legislative requirements cover the governance of schools, the roles and responsibilities of all parties, including students, parents, and educators as well as education authorities; curriculum and program standards and delivery; school, teacher and student assessment; and regulation of the school environment.

The absence of any legislative framework for education for First Nations is filled through stipulations in Government of Canada funding agreements that require First Nation schools to satisfy provincial standards.

### *Education Supports and Services*

#### *A Fractured and Patchwork System*

First Nation education currently suffers from the lack of a “system” that provides essential education supports and services to First Nation schools.

Schools are the first level of organization in the system and bear the largest part of the responsibility for educating children. In provincial systems, schools are supported in this important task through school boards or divisions (second level) and ministries of education (third level) that provide aggregated education services and supports to schools. There is no broad system of education supports and services available to First Nation schools and, because of size and efficiency considerations, many individual First Nations are unable to effectively fulfill these functions themselves, resulting in gaps in

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<sup>1</sup> *Indian Act* RSC 1985, c I-5, ss 114-121.

<sup>2</sup> Jerry Paquette & Gerald Fallon, *First Nations Education Policy in Canada: Progress or Gridlock* (Toronto: University of Toronto Press 2010, at 23.



services and supports, and deficits in the overall education programs available to First Nation students.

This is not to suggest a standard model or approach for filling the gaps or a replication of the provincial structures, but there is broad agreement on the necessity of education services and supports as an essential component of First Nation education reform. There are likely many different ways of organizing to provide needed programs and services, but what is important and required is that certain functions be fulfilled to ensure the programs and services to deliver a standard of education for First Nation children comparable to that provided to other Canadian children.

*Functions provided by ministries include: setting and maintaining curriculum, instructional and professional standards; coordination of teacher education; educational policy for instruction, teaching evaluation and discipline; school reviews and evaluations; research and advice, liaison with other education agencies; and funding.*

*Functions provided by school boards or divisions include: school operating policies; the implementation of school programs; attendance policies and programs; professional development; teacher retention and transfers; employment and personnel management; the maintenance of school buildings and facilities; and the supply of learning resources including special education assessment and services and support for libraries and information technology systems.*

It is notable that where self-government agreements have been negotiated and include recognition of authority at the community level for education, many First Nations have chosen not to draw down their jurisdiction because of the lack of support for the elements of a system of education<sup>3</sup>. Acquiring jurisdiction, without supports for a system, is too daunting for communities. The work for many of the self-governing First Nations, and those eighty others in the process of negotiation, is ongoing in the area of education. This work provides a clear example of the beginning of partnerships for the common good of all citizens, through which ongoing relationships will build strong systems, and the interface between systems on First Nation territory and provincial or territorial systems.

### Initiatives and Practices From Which to Learn

The Panel is aware of the efforts being taken by First Nations and the Government of Canada to overcome the gaps in the system and find a better way forward. First Nation communities, and regional and provincial education leaders have been working tirelessly

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<sup>3</sup> Self-government agreements that contain education jurisdiction components include Sechelt (1986), Nisga'a (2000), Westbank (2004), Tlicho (2005), Tsawwassen (2009), Maa-nulth First Nations (2011), 11 agreements in the Yukon (between 1995-2005) and the Yale First Nation (near completion at the time of this report)



and with great innovation at discussion tables to establish structures and arrangements to deliver needed education supports and services.

There are a range of approaches in place and being undertaken. Some First Nation communities have joined together to form school boards, others have partnered with provincial education authorities. Some are also currently underway including a Memorandum of Understanding signed on February 24, 2010, by the Government of Canada, the Government of Alberta and the Assembly Treaty Chiefs in Alberta (represented by Treaty 6, Treaty 7 and Treaty 8). Two regions have negotiated tripartite agreements, with enabling legislation, to build a system of education and to provide funding, a range of supports and a focus on education attainment necessary to improve First Nation student outcomes and engagement.

**Ahkwesāhsne Mohawk Board of Education**

*We make the road for them* (mission statement)

The Ahkwesāhsne Mohawk school board is situated on Cornwall Island, Ontario. The Ahkwesāhsne territory is located in Ontario, Quebec, and New York State. This school board is unique due to its international and provincial jurisdictional relationships with the USA, Ontario and Quebec. The Ahkwesāhsne Mohawk Board of Education oversees three schools: the Ahkwesāhsne Mohawk School; Kana: takon School; and Tsi Snaihne School. The Ahkwesāhsne Mohawk School is located on Cornwall Island, in Ontario while the other two schools are located in Quebec. The Ahkwesāhsne Mohawk School was established in 1980 and currently offers a Head Start program, kindergarten, and grades four to six. The Kana: takon School is located in the western portion of the Ahkwesāhsne territory in Quebec and was constructed in 1993<sup>1</sup>. The school offers pre-kindergarten, kindergarten and grades seven and eight<sup>1</sup>. The Tsi Snaihne School is located in the Quebec eastern portion of the Ahkwesāhsne territory. It was established in 1976 and offers a Head Start program, pre-kindergarten, kindergarten, and grades one and two. The school also offers a Mohawk immersion program in pre-school through to grade four.

On December 10, 2011, the Ahkwesāhsne Mohawk school board signed a five-year tuition agreement with the Upper Canada District School Board.



### **British Columbia – First Nations Education Steering Committee**

Established in 1992, the First Nations Education Steering Committee (FNESC) conducts research and facilitates discussions on First Nation education. FNESC provides support for First Nations languages in British Columbia schools and more inclusive curricula. In British Columbia, the provincial government has signed agreements leading to enabling legislation with BC FNESC that includes the requirement for the Province to consult with FNESC on matters that could impact First Nation learners. The Province has also collected data and reported on the educational outcomes for Aboriginal students. The agreement with FNESC also includes a reciprocal tuition agreement, whereby the Province will pay the same rate for provincial students to attend First Nation schools as that charged for on-reserve children to attend public schools. The Province has expanded the availability of First Nation curriculum.

On January 27, 2012, the First Nations Education Steering Committee (FNESC), the Government of Canada and the BC Government signed the Tripartite Education Framework Agreement to provide BC First Nation students with access to quality education programs whether they attend school on or off reserves.

### **Nova Scotia - Mi'kmaq Kina'matnewey Agreement**

In 1999, the Mi'kmaq Education Act was proclaimed as federal law.

Through this agreement, the Mi'kmaq communities were responsible for the education of their children for the first time in over 100 years, enabling them to respond to their unique educational and cultural needs, and ensure that their culture - language, identity, customs and history - is taught and learned.

MK's key activities and responsibilities include:

- Research and design effective and appropriate learning programs
- Manage a resource headquarters for Mi'kmaq language and cultural education
- Provide resources (facilities, technology, curricula) relevant to secondary and post secondary needs
- Work with all First Nations to meet their unique educational needs
- Work with the other levels of government to provide information on Mi'kmaq education principles and practices
- Represent the interest of the communities at all levels of government

Despite progress, the parties to these tables and discussions told us how slow, piecemeal and difficult the process is when building a system through negotiation and with limited, dedicated resources. They expressed their frustration with inadequate funding, lack of



flexibility to address the needs of First Nation students with special needs, and the lack of support for education programming and services that focus on cultural identity, language and transmission of First Nation traditions and knowledge.

In 2008, the Government of Canada implemented an initiative to reform First Nation education based on the three themes of results-based accountability; partnerships; and provincial comparability. This reform initiative includes two programs: the First Nation Student Success Program to provide support to the improvement of literacy, numeracy and student retention; and the Education Partnerships Program to provide support to the establishment and advancement of formal partnership arrangements aimed at developing practical working relationships between regional First Nation organizations and schools, and provincial organizations and schools.

These programs have supported change, but change is slow, not comprehensive and is plagued by uncertainty given the requirement for proposal-driven funding. They have become part of the patchwork approach to the provision of education in First Nation schools; and this patchwork is completely incapable of supporting a school environment that enables First Nation students to achieve at a level equal to or better than their peers in Canada.

*Intersection with Provincial Education Systems*

Provinces have jurisdiction and responsibility for all children and youth enrolled in the provincial education system, including First Nation students who live on reserve, but attend a provincial school. Attention and support from provincial education systems is therefore critical to improving education outcomes for First Nation students as many will move during their childhood and adolescence, and frequent periods of study in provincial schools will be part of their life course. As well, most First Nation adolescents will likely attend secondary schools in the provincial environment due to the absence of high school programs in their communities. At present, approximately 40 percent, or about 45,000 First Nation students who live on reserve attend school in the provincial system.

Education outcomes for First Nation students attending schools in provincial systems are not substantially better than those attending First Nation schools. In fact, there is a marked decline in student retention once students enrol in secondary school programs which are largely provided through the provincial school system. Often when First Nation students transfer from a First Nation school to a school in the provincial system they find it difficult to adapt. Some spoke to the experience of isolation and lack of acceptance and support for their unique cultural identity and circumstances. Many spoke to their experience with racial discrimination and low expectations; the Panel heard several stories about First Nation students being automatically placed in alternative learning programs. As well, on transition from one school to another, the education file often fails to follow





the student. Since the level of achievement and attainment may be very different depending on the school, the child and family are placed in a situation of confusion and frustration.

The required work on transitions to and from provincial education systems at the elementary, middle and secondary levels, as well as to post-secondary institutions, has not happened in any systematic or focussed fashion. In addition, consistent and dedicated resources have not been invested in removing barriers to successful transitions, and have not ensured that First Nation students receive support and respect for their cultural identity.

There is, however, much to learn from those examples of First Nation leadership working with provincial education partners in a spirit of cooperation and shared interest. With little formal support and resources, but with perseverance and commitment, First Nations and provinces have been able to create partnerships based on coordination and cooperation that make a positive difference for First Nation children attending schools in the provincial system.

#### **British Columbia – Aboriginal Enhancement Agreements**

In 1999, British Columbia recognized that its education system was having limited success in ensuring quality education for Aboriginal students that “allows students to succeed in the larger provincial economy while maintaining ties to their culture”. In response, the Provincial Minister of Education, the Chiefs Action Committee, the Minister of Aboriginal Affairs and Northern Development Canada and the President of the BC Teachers Federation entered into a Memorandum of Understanding (MOU) to “work together within the mandates of [their] respective organizations to improve school success for Aboriginal learners in British Columbia”. The MOU led to a framework for the creation of Enhancement Agreements entered into by First Nations and local school districts that outline new relationships and commitments to improve the education success of Aboriginal students. Fundamental to these Agreements is recognition of the integral nature of Aboriginal traditional culture and languages to student development and success. Provincial, public schools are required to provide strong programs on the culture of local Aboriginal peoples.

As of January 2012, 50 British Columbia School Districts have an Enhancement Agreement in place; five school districts have a draft Agreement and three are in the planning stage. While reporting requirements are evolving, the enhancement agreements have opened a dialogue and placed greater expectations of accountability and support for First Nation learners.



Early engagement of provincial education systems as partners in First Nation education reform is essential to ensuring shared accountability for the achievement of First Nation students in provincial systems, and to setting in place the appropriate interface and support for student transitions and success. First Nations should recognize the long-standing experience and expertise of provinces in the area of education, and wherever possible, incorporate provincial partnerships in First Nation education reform. Provinces should also recognize the experience and expertise of First Nation educators; learn from First Nation pedagogies and provide culturally sensitive education methods; broadly educate all students about First Nation history, culture and traditions, and fulfill the duty to support First Nation schooling based on partnerships entered into with First Nations.

### *Enabling Student Success*

The hopes and needs of many First Nation people for the education of their children are dashed by the realities of First Nation education today. Systemic and institutional issues affect and in many cases impede the delivery of quality education to First Nation learners.

Some of the more startling gaps in the education provided to First Nation students found by the Panel were:

- Insufficient early and on-going assessment of the needs of children and youth, including identification of areas where support is required to bring the child up to grade level.
- No regular reporting on the education attainment of the child.
- Poor quality of reporting on learning needs or growth in learning during the school year, and the absence of tools to track and follow student achievement success in order to engage in appropriate planning for home and schools supports for individual children and youth.
- Inadequate or non-existent early literacy and numeracy programs, and no clear programs for First Nation literacy and reading recovery directed at closing the known gaps for First Nation children who may be vulnerable due to social factors that impact their learning, including poverty, family breakdown, and special needs.
- Absence of any meaningful or functioning special needs system to support the quick assessment and diagnosis of special needs and to provide effective supports for children with special needs, including a requirement for an individual learning plan, consistent resources (trained teaching assistants, personal support workers), or therapeutic supports such as speech pathology, occupational therapy, and



modifications to the school curriculum or teaching methods to allow the child to learn and prosper and reach their full potential.

- No funding or support for language and culture curriculum and programs that ensure that First Nation students enjoy their right to have their identity supported, and the right of First Nations to transmit their culture and language to future generations to sustain their collective identity.
- Poor school facilities, including at least 100 schools that are not up to standard in terms of physical facilities, and are not safe places for learning, and for which no comprehensive remedial plan has been developed to date.
- Limited curricula and inadequate range of foundational programs to support math, science and other areas of learning to permit students to transition to post-secondary or participate in a meaningful way in a knowledge-based economy where foundations in these areas are required.
- Limited curricula in terms of electives, or innovative programs to support their strengths (such as specialized programs on First Nation knowledge of the environment, sports academies, or arts and cultural courses that build identity and allow for cultural expression).
- Very limited programs for quality distance learning, limited availability of technology or library support, limited scope and quality of learning resources, and the absence of planning to support these areas to ensure that new approaches to learning based on individual needs could be adopted or developed.
- Poor quality athletic and recreation programming, facilities and resources both during school and out of school to support pro-social development, improved quality of life, and life-long health and wellness.
- Significant discrepancies in remuneration, institutional supports and benefits for school staff, including teachers and principals, resulting in recruitment and retention challenges and inconsistencies in many places.
- No consistent practices, regulations or policies in terms of teacher certification, regulation or discipline, so that child safety is paramount, or quality is consistently assured throughout all schools and programs, when a complaint or concern is raised.
- Absence of effective programs to ensure school attendance, provide a school calendar consistent with the child's needs, and ensure that the school is a safe place for children to learn and grow throughout the year.



In reflecting on these limitations, it is important to emphasize that while First Nation children and youth are not achieving at a level equal to their non-First Nation peers in Canada, the responsibility cannot be placed on their shoulders. They do not have a system in place, and many of the key elements to education success for children and communities, are simply non-existent, inadequate, or without the degree of collaboration or partnering required.

Overcoming the challenges that First Nation students face in Canada today, particularly when compared with non-First Nation children, will mean facing up to some systemic challenges with a brave and determined commitment for change. Among the persistent systemic challenges are deep socioeconomic and health inequities, higher rates of poverty and higher rates of youth suicide; loss of language and traditions; higher levels of child apprehensions in the child welfare system; higher rates of youth incarceration and interaction with the criminal justice system; and higher teen pregnancy rates and poorer life expectancy, infant mortality and chronic disease.

First Nation education reform is not a quick fix or initiative that will operate outside any of these systemic issues. These challenges must be addressed through a collaborative approach involving all sectors and by adopting a strategy of building the resilience of children and youth through meaningful supports to them and their families. Multiple sensitive and supportive approaches to community development and enhancing the opportunities for First Nation children and youth must be explored, supported and implemented.

The frustration and sometimes anger that students and families expressed regarding these fractured systems and patchwork policies are completely understandable and need to be heard. What is remarkable, and speaks to the resilience and determination of First Nation children, families and community leaders, is that they have taken up the issue and pushed very hard for many years to see that a better education system is realized.

The cost of not having a good system, geared to the needs and circumstances of each child who deserves to reach his or her full potential, has enormous moral and economic implications for all of us. First Nation students require a school and learning environment that can protect and nurture their learning spirit. It should be based on a commitment to fully realizing the development opportunities and potential of every child. It should be able to speak with confidence about what it can achieve for and with children, and contain a high degree of accountability and flexibility to ensure that every child is supported and feels the commitment of their family, community and nation to their learning experience.



## 4 Principles for Reform

### 4.1 Students First: Putting Children at the Center of First Nation Education Reform

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*The First Nation child must be placed at the center of the national priority of building an education system. Improving education attainment, and ensuring that children receive the supports needed to enable them to excel and thrive as learners, while their identity, culture and language as First Nation peoples is strengthened, is essential.*

*The shift from an ad hoc fractured system to a meaningful education system requires a focused national strategy, the product of a new relationship between government and First Nation leaders. The foundation for this priority and plan must be an unwavering commitment to put children first and must be grounded in deep respect for the unique rights of First Nation children to reach their full potential in equal measure with other Canadian children.*

*As members of First Nation communities, children are entitled to deliberate protection of their cultural identity and deserve positive measures to ensure the continuation of their distinctive languages, cultures and traditions. First Nation education reform will be judged effective if it can demonstrate with confidence that it is closing the attainment gap for First Nation students quickly and that it is responsive to their rights to a strong identity as First Nation children.*

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Appropriate and effective education is a universal entitlement of children because it enables them to choose for themselves what they will become committed to, and it gives them the ability to pursue their life aims. At the root of personal fulfilment is awareness of one's own intrinsic and social value. Recognition of personal value is formed through many social processes, but education plays a central role in creating a sense of worth.

It is through education that children gain the capacity to make social contributions based on their skills, needs and understanding of others. It is through education that they gain the tools of self-reflection and self-understanding that will help them determine their course in life and clarify their personal values. The sound education of a child equips him or her to pursue a chosen career and produces the higher satisfaction of identifying specific gifts and strengths and setting life goals. Education that does not speak to a child's spirit of hope serves only to separate school experiences from the choices that a child will ultimately come to make. Education serves to meet children's most basic



entitlement. We believe that education grounded in the needs of children is the education principle that will build social commitment and capacity.

What is true generally for education is certainly true for the education of First Nation children. However, the elements of a child-first education policy that is directed to First Nation children are more specific and more extensive. Their needs go beyond having schools in sound buildings, programs that build pride, curricula that equip them for economic inclusion, and skilled and dedicated teachers. These are certainly essential elements of a good First Nation education system, but a richer conception of education that addresses existing shortcomings and reflects the complex context of First Nation communities must be adopted.

### Elements of Child Centered Education

- First Nation education must be given the mandate to recognize the need for, and the capacity to provide, programs to overcome the many social barriers to children's learning, such as psychological impairment, fear, neglect, instability, hunger and negative peer influence. This will require considerable diagnostic and service elements in order to meet social and psychological conditions that stand in the way of student engagement. Frequent failure to produce the academic results desired might be less due to inadequate or unsuitable teaching than to the barriers resulting from the context of students' lives. Insofar as learning barriers are greater in First Nation communities, than in other Canadian communities, First Nation education can be expected to require a higher level of funding than is normal in Canadian primary and secondary education. This principle will also require a high level of service co-operation and co-ordination, often between three orders of government. While this will not be easy to achieve, we believe it is essential if students are to be engaged in the processes of learning.
- First Nation education should reflect and incorporate First Nation culture in order to provide the basis on which learning inevitably depends and in order to help confirm a positive sense of identity in students as First Nation persons. This includes First Nation languages so that the richness of worldview and the honouring of relationships that language reflects can engage First Nation students emotionally and intellectually.
- First Nation education must take place in a safe and healthy environment. Schools housed in old, worn pre-fabricated buildings and trailers, that contain unwanted wild-life, or are poorly heated or over-crowded, will defeat any sense of pride or social comfort, and will only devalue the school experience and undermine student commitment to attendance and engagement.



- First Nation schools should be strong communities with a tradition and culture. Education flourishes when it takes place in the context of a community tradition – a tradition of committed teachers, enthusiastic students, engaging programs, and strong academic achievement. Good schools are places of belonging and fulfillment.
- First Nation education should be conducted by teachers who are committed to their students, who recognize their special challenges and opportunities, who are trained to meet their intercultural and social condition challenges and who are paid as true teaching professionals.
- First Nation education should instill literacy, numeracy, knowledge of science and scientific method, and analytic and critical skills in order to develop the capabilities needed for life-long intellectual development. To these academic abilities can be added problem solving, relating positively and compassionately to others, and adaptability to change.
- The rights of children to be supported when they have special needs, including developmental disabilities, mental health challenges, or if they falling behind in achievement for their age, is an important principle for Canadian children which has not been extended fully to First Nation students. Education funding needs to be adequate to meet the higher cost of providing quality First Nation education, and to address the complex needs of students living in distant and sparsely populated communities.
- The First Nation population in Canada is increasingly mobile between First Nation communities, and cities and towns, often in response to the need for housing, health care and education. The education of First Nation children cannot be compromised as a result of this pattern of movement. Their classroom experience must be as seamless as possible; efforts must be made to ensure social acceptance; full respect must be given to their potential; and recognition and appreciation of different cultural experiences must be present.
- First Nation education should include early childhood education in order to prepare the very young with basic learning skills and make a positive connection between the school experience and enjoyable social interaction. Education research indicates that “head start” programs are the most effective way to equalize readiness for school between populations with different early childhood experiences. Early familiarity with language and reading represents one of the sharpest indicators of school success and the opportunities for language facility produced by early childhood education need to be available to First Nation children.



- First Nation education should include a commitment to developing a strong capacity with information technology and success in a modern economy.
- First Nation education should develop understanding of citizenship, especially the special and distinct elements of citizenship for First Nation persons. It should also emphasize the value of diversity and the central place of acceptance, equality and inclusion in Canadian society.
- First Nation education should be evaluated through regular review of children’s achievements across a broad range of skills and abilities.

Even this long list may not be exhaustive of the key and distinct goals of First Nation education. What is necessary in the improvement of First Nation education is to go beyond proposals for new structures and new authorities and find substantive ways to alter the character of the learning experience for First Nation children. We believe that the best prospects for improvement in First Nation education are realized through a reform program that is based on a clear vision of the education needs of these students and that places the First Nation child at the center of education reform.

## 4.2 First Nation Education Reform Founded in Canadian Political Reconciliation

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*Moving forward on the child-centered priority of improvement is not possible without a functioning, respectful and appropriate relationship between Canada and First Nation leaders. While this relationship should be motivated by mutual interest in improving the lives of children, it must be grounded in the positive and helpful context of reconciliation.*

*This new, or renewed in the case of the treaty First Nations, partnership must enable sustained and focused efforts at improving the education outcomes of First Nation children with strategic and operational strategies to promote and report on accomplishments. It cannot come from a place of unilaterally imposing the government’s will on First Nations, which tragically marred education during the residential school experience. Nor can it be an “off-load” onto struggling communities of the full imperative of improvement without meaningful partnership, support and collaboration in building the systems required.*

*The Indian Act does not provide the basis for this relationship, but the starting point can be found in the Prime Minister’s apology for residential schools, and in the many efforts of reconciliation currently underway.*

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*A new relationship also needs to support effective involvement of provincial governments so that education attainment and support for students moving between provincial and First Nation schools can be improved, and accountability for the effectiveness of education supports for First Nation children in all schools in Canada can be regularly assessed, reported on, and improved.*

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The concept of reconciliation includes acknowledging and meeting the specific challenge of resolving intercultural tensions in First Nation education through a respectful process of cooperation and ultimately a better definition of which services are shared or separate, while keeping the interests of the First Nation child at the center. While the sources of an education system's deficiencies are likely to be many - some internal, some external, some structural and some contextual - the particular question of correspondence between the culture of the education system that is experienced and the culture of the society in which education is occurring is very important. This is not because the aims of the established system are inappropriate. In this highly integrated world with social and economic systems relying on common and universal competencies, there will inevitably be common education aims (e.g. literacy, numeracy, a sense of scientific proof, analytical and critical intelligence, and the ability to function in the global economy). The issue of cultural difference manifests itself at a deeper level – at the level of intellectual assumptions and framework.

It is certainly dangerous and possibly misleading to adopt cultural stereotypes about the intellectual methods of Europeans, Indigenous peoples, Africans and Asians. Nevertheless, a general distinction might be drawn between, on the one hand, gaining wisdom and knowledge by seeing a universal connectedness (or oneness) and the underlying interdependence of all things and, on the other hand, believing that wisdom and knowledge come through separation and classification as is the case in European thought.

As Richard Atleo in *Tsawalk: A Nuu-chah-nulth Worldview*, has written, describing the Nuu-chah-nulth understanding of experience:

Nuu-cha-nulth life-ways and experience indicate that the basic character of creation is a unity expressed as *heshook-ish-tsawalk* (everything is one). [This] is a matter of first principles laid out in the original design of creation. The Creator and creation are one.

These general orientations at least partially explain how education processes sometimes fail. When a general worldview is not reflected in classroom experience, its relevance and even its truth or validity is doubted. Furthermore when there is a gulf between the explanations received in the education system and the daily learning from parents,



grandparents and elders, a sense of confusion is formed and neither cultural outlook is trusted or valued.

Education systems that do not reflect any society's deepest sense of how we arrive at knowledge can be like education systems that fail to incorporate the language of students and their society. Both conditions act to discredit children's knowledge and create a hierarchy of learning that causes students to doubt their native intelligence and home-based knowledge. Such education not only demeans students, it confirms a sense of exclusion from the education experience.

These concerns are reflected in the United Nations Declaration on the Rights of Indigenous Peoples, which Canada signed in November, 2010 as a step in the process of both political and cultural reconciliation with Canada's Aboriginal peoples. In announcing Canada's signing of the Declaration, the Minister of Northern and Indian Affairs, John Duncan, said, "Canada has endorsed the Declaration to further reconcile and strengthen our relationship with Aboriginal peoples in Canada." The responsibilities of signatory states with respect to education are set out in Article 14 of the declaration:

- 1. I  
Indigenous peoples have the right to establish and control their education systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
- 2. I  
Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
- 3. S  
States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

This Article reflects both structural commitments and substantive education policy, but the key aspects of correspondence between it and the Government of Canada's reconciliation policy are the entitlements to equal education opportunities, to culturally appropriate education and to respecting First Nation political authority to determine the education policies and structures that will serve the needs of First Nation children.

The relationship between meeting the challenge of education in an intercultural setting and proceeding with education reforms in the spirit of national reconciliation is implicitly addressed in Prime Minister Stephen Harper's Statement of Apology of June 11, 2008. The



Apology was the Government of Canada's response to the long-standing Canadian policy of educating First Nation children in Indian Residential Schools.

The federal policy of providing formal education to First Nation children was as sensible in the 19<sup>th</sup> and 20<sup>th</sup> centuries as it is today. In fact, a key element in treaty making in the last quarter of the 19<sup>th</sup> century and the early part of the 20<sup>th</sup> was the Chiefs' demand for government assistance in educating the young people of First Nations so that they would have the capacity to adapt to the changing social and economic environment that was being created through European settlement.

However, the decision in the 1920s that the proper way to do this was to remove children from their parents, their homes and their communities and send them to residential schools that often practised the most extreme form of assimilation, including prohibiting children from speaking in their mother tongue, was based on a sense of intrinsic inferiority of Canadian Indigenous culture and society. It was destructive of communities, eroded traditional knowledge and inflicted serious physical and psychological harms on the children, the destructive consequences of which persist to the present time. Both Canada and its First Nation population have continued to pay the costs of this mistaken policy.

The Prime Minister's apology was an essential step in restoring justice to Canada's First Nation people. However, what equals this in importance is the Prime Minister's recognition that the apology can only be a first step in producing reconciliation between First Nation people and Canada for the injustice and harm of Indian Residential Schools. We view our present enquiry into reforms in First Nation education and the preparation of this report to be important steps in that reconciliation process.

This Report is not another government solution to the question of how best to provide education to First Nation children but an examination of the values and processes that, we believe, will likely lead to improvements. The exploratory and suggestive approach to education reform is mandated by the Prime Minister's apology<sup>4</sup>.

The commitment in the apology to go forward on the basis of policies that come from working together represents a keystone of this

*"The burden of this experience has been on your shoulders for far too long. The burden is properly ours as a Government, and as a country. There is no place in Canada for the attitudes that inspired the Indian Residential Schools system to ever prevail again. You have been working on recovering from this experience for a long time and in a very real sense, we are now joining you on this journey"*

<sup>4</sup> The commitment to move forward together reflects First Nation political development in Canada. See, Gerald R. (Taiaiake) Alfred, *Heeding the Voices of Our Ancestors: Kahnawake Mohawk Politics and the Rise of Native Nationalism* (1995) in which arrangements made in co-operation with state institutions and structures are the recommended channel for achieving cultural sovereignty.



Report and informs the basis of reconciliation in education.

We base our Report on the notion of reconciliation as both an aspirational principle and a political commitment. Reconciliation has meaning for how we build new national approaches to First Nation relations rooted in deep appreciation of the past failures of policy, including the experience of the residential school system. It provides a way of moving forward in a more respectful fashion, while encouraging professional and service coordination and collaboration, which are required to support better education supports for First Nation students. These principles will also allow First Nations to further develop and express their own education authority so that the emerging First Nation education system will be grounded in culture and community.

In several jurisdictions, First Nation leaders, educators and governments have already started along a reconciliation path to improve education outcomes of First Nation students—they have mostly done this without adequate support, and with the *Indian Act* provisions still limiting what can be done to create a genuine system. In these promising initiatives, First Nation leaders have demonstrated community development skills and a capacity to network and build alliances with those in provincial education systems. They have used specific legislative instruments that enable new relationships that match the principles of sharing endorsed in the treaty-making process and in historic First Nation rights. These experiences show how reconciliation processes can build positive relationships. They show how different concepts of public governments can be brought to common ground and demonstrate that by working together First Nation children can receive a stronger, more effective, education experience.

The experience in Canada of First Nation education also contains remarkable tales of innovation, perseverance and dedication. It is part of a reconciling process to recognize the sacrifices and efforts of those who have sought improvements in less collaborative times. These developmental experiences show the historic resilience and determination to make positive differences, community by community and sector by sector. Reconciliation cannot pretend to be a whole new world. It is only an adapted version of dedication to the social and community development ambitions of those who have gone before. By remembering this heritage, the moral imperatives gain a human face.

Reconciliation concepts—acknowledging mutuality of interest, carefully building good relationships, respecting modern expression of rights and powers that have been ignored or suppressed in past policies and practices, building or enhancing capacity, recognizing First Nation authority, striving to meet needs based on community circumstances, and recognizing orders of government within a broad constitutional framework—are essential starting points. Treaties, held sacred by First Nations, and fiduciary obligations of governments need to be recognized in the process because they are the historic



foundation of what reconciliation means for us in Canada—finding agreement through peaceful and orderly relationships in order to work and live together and share this rich and diverse place.

### 4.3 Shared Accountability for First Nation Education Reform

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*Accountability is a necessary feature of any modern education system. Education is complex and made up of many parts. The performance and success of each part is dependent on all of the other parts. The principle of accountability requires that each be accountable to the others for performance and for carrying out important aspects of their independent duties and responsibilities. Accountability is mutual and reciprocal.*

*Accountability expectations change and evolve over time, depending on such things as our understanding of what is needed to ensure effectiveness in the current environment, what works and what doesn't in today's conditions, how different measures affect education based on current knowledge, public values and public expectations today. While there are enduring aspects of accountability principles, our understanding of accountability arrangements that will best contribute to the improved education for children also changes as circumstances and conditions change. A modern, effective approach must accord with today's realities.*

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As with all aspects of education, accountability approaches and measures adopted must start with the child and the impact of measures on the child's needs. The first principle of child centered education must be paramount. All accountability measures and activities must be assessed through a filter that starts with children in schools and determines what will support and enhance the provision of an appropriate, quality education for one.

There are many dimensions to a child centered approach to accountability. Children in schools must be accountable to teachers and administrators for their behaviour and their participation in classrooms and other activities. Teachers must be accountable to school administrators and professional organizations for their performance and for their adherence to standards in the teaching of children. Schools must be accountable to governing councils and boards and to education authorities for the quality of child centered instruction and programs, for personnel and financial management and for school activities generally.

In a well developed system schools and governing councils or boards are accountable to an education body such as a government department for their oversight, management and administration of their schools, for the quality and standards of education offered in their schools and for the use and disposition of funds, including those provided by government, which in most cases make up almost the whole of funds available. Resources



must be used to support children. Government departments are accountable to all parts of the system, including but not limited to parents, communities, parliaments and legislatures for the adequacy of the resources provided to support the education of children and for the appropriateness of the instruments used to account for resources provided. This is not an exhaustive list of the complex and inter-dependent accountability relationships that are needed if education is to be appropriate, efficient and effective. It is important that as part of education reform, others be identified and expanded upon to the level needed to develop clear understandings of needs, legitimacy and relevance.

Trust and shared understandings are critical. In a complex and interdependent world, the absence of a common understanding of accountability needs and expectations can give rise to considerable conflict. Trust and a common understanding of the legitimate needs of others is a must if accountability is to be workable and effective. Tensions and conflict between central authority and community delivery can result in a fear that the central authority is using accountability to usurp control. This fear is pronounced in First Nation education. Since the 1970's, First Nations and the Government of Canada have agreed on a policy of First Nation control of First Nation education. There is nevertheless an observable fear by many First Nations that accountability demands are being used as a mechanism to undermine this control. This fear is not completely groundless. So long as it persists, it will be difficult to implement a modern understanding of legitimate reciprocal accountabilities. This applies to such diverse aspects of accountability for standards of education, for school performance and for spending and the use of resources, to mention only three.

Accountability only works if there is a common and shared understanding of what is legitimate, what is required and who should be accountable to whom. Given the complexity of education and of accountability measures that contribute to improvement and success, it is very difficult to achieve cooperation and participation on the basis of edicts. The day is long past, if there ever was, when education can operate under a command and control system. This applies as much to accountability and accountability reporting as to anything else. Effective compliance can only be realized if responsible parties see, understand and share the commitment. The day is also long past when any one party can prioritize its accountability needs over those of other parties. Accountability itself must be a shared undertaking based on common understandings, mutual trust and commitment. These can take considerable work and effort to establish and maintain.

All of those involved must work to establish and maintain accountability in First Nation Education in Canada today. There must be accountability for resources devoted to education in accordance with modern standards of governance and there must be outcome measures and performance assessments, both of which matter to government.



But government must also be accountable to First Nations. The expectations and needs of First Nation governments, communities and parents and caregivers must also be understood and supported by government. And this must not be what government thinks they need, but what they actually need based on their own knowledge and understanding. First Nation knowledge and understanding must be valued as much in setting up accountability arrangements as with any other aspects of education.

Accountability is an important dimension of national First Nation education reform. It cannot be designed by the Government of Canada alone. Like everything else in the reform process, it must be a creation of both First Nations and the Government of Canada. It must be understood, developed and implemented on the basis of reconciliation and accommodation. Only then is it possible to look forward to a modern, comprehensive, workable approach to accountability. Without that, education reform will fail.



## 5. Recommendations

*Now is the time to turn the page of past history,  
time to write the page for a new history*

*Shawn A-in-Chut Atleo*

*National Chief of the Assembly of First Nations*

In its travels across, the Panel was impressed by the many dedicated First Nation educators and community leaders who, through perseverance and hard work, have created strong education programs and environments that are making a positive difference for young people in their community. What makes their efforts particularly inspiring is that these successes were accomplished against the odds, with limited resources and few supports.

The fundamental finding and overriding recommendation of the Panel is that a First Nation education system must be created to support the delivery of education to First Nation students – a system that provides the necessary infrastructure and the programs and services to support positive education experiences and outcomes for First Nation students.

The structural elements of a strong First Nation education system are:

- a child-centered *First Nation Education Act* that outlines the roles and responsibilities of each partner in the system and establishes and protects the First Nation child's right to a quality education;
- education services and supports for schools, educators and students provided by national and regional organizations that are designed and delivered by First Nations;
- strong partnerships and mutual accountability between First Nation and provincial schools and education organizations;
- statutory funding that is needs-based, predictable and sustainable; accountability for the use of funds for education purposes and the achievement of successful outcomes for First Nation students must be tied to this new approach to funding.

These structural elements of a First Nation education system set the foundation and framework for the necessary school-based programs to ensure an education that meets the needs of First Nation students. School-based investments can then be targeted to





those areas that have been proven to support First Nation student success and achievement in school.

These recommendations contain suggestions that are directed to provincial governments, provincial education systems and provincial education authorities. Much can be gained, if First Nations and the Government of Canada are joined by the provinces in working together on the First Nation education reform initiative.

In moving forward on the basis of accommodation, reconciliation and shared objectives, First Nations are encouraged to draw on provincial education experience and expertise. In turn, provincial education systems learn from First Nation pedagogies to provide culturally sensitive education. Provincial education systems should broadly educate all students about First Nation history, culture and traditions, and should fulfill the duty to support First Nation education based on partnerships with First Nations.

Based on this framework, the Panel makes the following five recommendations.

## Recommendation # 1

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### *Co-Create a Child-Centered First Nation Education Act*

First Nation children are entitled to effective and culturally-sensitive education. A fundamental part of an education system that supports this goal is comprehensive legislation that establishes and protects the rights of the child to a quality education, ensures predictable and sufficient funding, provides the framework for the implementation of education support structures and services, and sets out the roles, responsibilities and accountabilities of all partners in the system.

Based on the spirit of reconciliation and shared objectives, the Panel recommends the co-creation of a child-centered First Nation Education Act in order to ensure a sound and permanent basis for the establishment of a system that will support First Nation education. The Act should not be introduced in Parliament without the support of the Interim National Commission for First Nation Education (See Recommendation # 2). It should be introduced in Parliament within 18 months of the delivery of this report. The Act must be accompanied by an implementation plan and schedule.

Consistent with the Prime Minister's apology, the references to residential schools should be immediately removed from the *Indian Act*.

The Act will acknowledge and recognize First Nation entitlement to enact laws for the management and administration of First Nation schools and will recognize those laws



based on First Nation legislative jurisdiction. The Act must fully recognize and incorporate the treaty and self-governing rights of First Nations. To this end, the Act will contain a non-derogation clause to the effect that nothing in the Act shall abrogate or derogate from any existing Aboriginal or treaty right of the Aboriginal peoples of Canada under section 35 of the Constitution Act, 1982. The scope and powers of the Act must be consistent with the legislation underlying modern education systems in Canada and other democracies.

The First Nation Education Act must establish the essential elements of a “child first” First Nation education. The rights of the child to a quality education must apply to all children regardless of the school or education system in which he or she is enrolled.

There must be a clear set of education objectives if governance is to be effective, positive outcomes achieved and accountability ensured throughout the system. The responsibilities and powers of the various parts of the First Nation education system must be articulated and understood. Responsibilities for developing and implementing curriculum must be clearly assigned. Accountability for assessment and testing to ensure that children’s needs are met must also be clear. A complete and modern set of education policies and regulations must be in place with clarity regarding their development, approval and oversight. The basis for the operation of schools and school programs must be set out including reporting on outcomes and performance measures.

The following powers and duties must be included in the Act:

Part 1:

- The rights of First Nation children, including the right to their cultural language and identity and the right to a quality education in a safe environment that is appropriate to their needs
- Objectives of the First Nation education system
- Roles, responsibilities and accountabilities of all partners within the First Nation education system including First Nations, First Nation Education Organizations, provinces and territories, and the Government of Canada
- Powers and duties of the National Commission for First Nation Education (see Recommendation # 2)
- Coordination of curriculum, standards, performance measurement and accountabilities
- Commitment to strengthening cultural identity through First Nation education
- Statutory funding for First Nation education that is needs-based, predictable and sustainable
- Other matters that may be identified by the parties



## Part 2:

- Student testing and assessment
- Policies and regulation of First Nation education
- Teacher employment, remuneration and standards
- School management
- Attendance and student retention
- Reporting based on outcomes and performance measures
- Dispute resolution
- Other matters that may be identified by the parties

Part 1 of the Act must apply to all First Nation children, including those attending provincial schools under Government of Canada funded tuition agreements. Part 2 of the Act would apply to students attending First Nation schools. First Nations that assume law making authority over children's education may opt out of all or some of the provisions in Part 2 provided that they enact laws with respect to those provisions. Upon enactment of the First Nation Education Act, the education provisions of the *Indian Act* (sections 114 to 122) will no longer apply to those First Nations who opt into the new Act. If First Nations choose to opt out, it is assumed that the education provisions of the *Indian Act* (except those pertaining to residential schools) would continue to apply.

The First Nation Education Act will be designed to accommodate existing education legislative agreements currently in place among certain First Nations, provinces and the Government of Canada, such as the First Nation Education Steering Committee agreement in British Columbia and the Mi'kmaq Kina'matnewey agreement in Nova Scotia, as well as existing and future self-government agreements that contain provisions on education. In cases such as these, legislation enacted by regional First Nation structures, with the authority to pass laws, or self-governing First Nations, would take precedence over provisions of the First Nation Education Act, with the exception of the rights of First Nation children, including the right to their cultural language and identity and the right to a quality education in a safe environment that is appropriate to their needs.

## Recommendation # 2

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### *Create a National Commission for First Nation Education to support education reform and improvement*

The overall responsibility for monitoring, reporting and ensuring accountability for progress related to reform of First Nation education should be shared in the spirit of reconciliation and common child-centered objectives.

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To support advancement of First Nation education, the Panel recommends the creation of a National Commission for First Nation Education. The National Commission will replace the responsibilities, other than funding, of the Department of Aboriginal Affairs and Northern Development Canada for First Nation education. This will be historic in that a significant responsibility will be transferred from a Government of Canada department to a co-created independent National Commission.

#### Interim National Commission:

The findings and recommendations contained in this report will require further review, analysis and consultation. Reconciliation, accommodation and co-creation will be necessary each step of the way forward. The time is long past when First Nations can be considered a junior party in developing legislation, regulations, policies and systems as described in this report. Treaty and inherent rights require full and complete respect if any change is to take place.

An interim National Commission for First Nation Education must be co-created by First Nations and the Government of Canada in the spirit of reconciliation and based on equal representation. An independent Chair should be appointed based on mutual agreement.

The responsibilities of the Interim National Commission to ensure the child's right to a quality education will include the following:

- Guiding the early implementation of the recommendations in this report
- Supporting the various parties in fulfilling their roles in the implementation of the recommendations
- Facilitating the development of work plans and implementation instructions
- Acting as “keepers of the process” related to the drafting of the First Nation Education Act
- Ensuring the creation of a permanent National Commission on First Nation Education with a clear role and mandate
- Creating the climate for co-creation and reconciliation
- Periodically reporting on progress

The Interim National Commission should not operate for more than 18 months from the delivery of the report or the creation of the permanent National Commission under the Act.



## Permanent National Commission:

The National Commission for First Nation Education will be responsible for the overall coordination, guidance and oversight of the education of First Nation children in Canada. The National Commission must be independent and directed by a Board that is co-appointed.

The National Commission will be responsible for reviewing and reporting on the responsiveness and effectiveness of First Nation and provincial schools in Canada to the needs and rights of First Nation students. This oversight will protect First Nation children's rights to a quality education that strengthens their identity and culture.

The National Commission will be responsible for overseeing the quality of First Nation education in Canada including effectiveness and efficiency through aggregation and collaboration in service provision and programming. Given its national scope, the National Commission will be in a position to identify promising practices, successes and challenges and make use of these to strengthen the overall system.

The Panel recognizes the need for coordination and research on First Nation languages, culture and identity, including the reform of curricula and the training of teachers and principals. There is also a need to better understand the approach to education that best serves First Nation learners. The National Commission should consider the creation of a *First Nation Education Centre of Excellence*. The exploration of this concept should include discussions with First Nation and other researchers and scholars in the area of First Nation education.

The powers, duties, composition and funding of the National Commission will be established in the First Nation Education Act. The National Commission may delegate some of these duties to regional First Nation Education Organizations (see Recommendation # 3) upon mutual agreement. Roles and responsibilities of the National Commission will include the following:

- Developing national First Nation education goals
- Developing and monitoring implementation of national curricula
- Developing national standards and testing criteria
- Developing national education policies
- Developing funding allocation policies
- Developing standards for culturally appropriate education
- Developing a framework for reconciliation of overlapping or conflicting jurisdictions



- Developing and applying professional standards for teachers, principals and administrators
- Maintaining and monitoring instructional and teaching standards
- Developing performance and outcome measures, assessment instruments and procedures, and reporting requirements
- Managing national performance measurement and accountability
- Monitoring performance of schools attended by First Nation children living on reserve and intervening when necessary
- Undertaking financial and effectiveness audits
- Developing standards and requirements for the protection of children, including the protection of identity and culture
- Monitoring and undertaking measures to address the physical state, condition and adequacy of First Nation school buildings and infrastructure
- Guiding and encouraging relationships between the First Nation education system and provincial education systems
- Conducting and gathering research on First Nation education
- Intervention in situations in which the management of education is fragile and requires external support while preserving a child-centered approach
- Other national responsibilities as determined by both First Nations and the Government of Canada

### Recommendation # 3

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*Facilitate and support the creation of a First Nation education system through the development of regional First Nation Education Organizations (FNEO) to provide support and services for First Nation schools and First Nation Students*

The establishment of First Nation education services to support school and student success is critical to First Nation education reform. Until such time as a complete system is in place it is impossible for First Nation schools to provide a full and complete education.

Many of the services and supports typically provided by the Ministry or Department of Education in provincial systems will be assumed by the National Commission for First Nation Education. In some cases, these responsibilities may be delegated to regional FNEOs based on mutual agreement.

The Panel recommends that funding and other incentives be provided to support and facilitate the creation of regional or district level FNEOs to provide education services and



supports for First Nation schools and First Nation learners. Partnerships between FNEOs and provincial departments of education should be developed wherever possible. In each case there must be sufficient numbers of participating First Nations to provide for an efficient aggregation of the programs and services provided by the FNEO.

In some regions of Canada, progress has been made related to the development of FNEOs, but much work remains to be done to ensure that every First Nation school in Canada receives these supports. This need is particularly acute in northern and remote communities.

Clear objectives and principles must be established regarding the role of FNEOs. The governance of schools is one clear responsibility as is the aggregation of services to schools that cannot be effectively supplied by individual schools.

In many cases, First Nation schools will be better served through new governance models in which a number of smaller schools amalgamate under common management. This approach will increase management effectiveness and efficiency.

Regardless of whether schools choose to go under common management, arrangements to cooperate in the delivery of a variety of education services to First Nation schools are long overdue. Where specialized services cannot be efficiently provided by an individual school, they can usually be delivered through a system that serves a number of schools. This can be done either through existing or new First Nation Education Organizations or through shared services models.

The Panel recommends that funding and other incentives be provided to encourage First Nations to develop shared service arrangements among themselves and with provincial education systems. This would include the purchase of service from provincial school boards or other qualified providers including the private school system. In general, shared services are most effective and efficient when they serve a substantial number of schools and children. Economies of scale and scope are essential.

Services provided through either existing or new First Nation Education Organizations or through shared services models can include curriculum implementation support, specialized counseling services, psychological and learning diagnostic services, teacher and classroom supports, professional development, school access including transportation, special learning tools, supports for children with special needs, student assessments, discipline and attendance management, work experience programs, and back office personnel and financial services. In some cases, these shared services could be further strengthened through partnerships with provincial school boards including purchase of service arrangements.



It will take some time to develop and implement FNEOs and shared service models across the country. Much planning and consultation will be required. However, existing initiatives must be supported and new efforts must begin without delay.

The development of FNEOs or shared services models should be driven by First Nations and supported in a spirit of collaboration and reconciliation. However, in cases where this is taking an unreasonable period of time to complete (3 years from the delivery of this report), the National Commission for First Nation Education should take all reasonable measures to ensure that all First Nation schools in Canada are provided with these services.

## Recommendation # 4

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*Ensure adequate funding to support a First Nation education system that meets the needs of First Nation learners, First Nation communities and Canada as a whole*

First Nation education reform must be based on strong, positive education outcomes, not on an average cost per student approach. The Panel believes that First Nation learners deserve to be educated in a system that will generate the same, or even better, education outcomes as achieved by students in the provincial system. Given the magnitude of barriers faced by First Nation learners, the level of resources and investment required per student will likely be substantially greater than the average level of expenditures provided in the public school system.

There is much dissatisfaction with the existing system of funding First Nation education. First Nations, school administrators and teachers and the Government of Canada are all critical of the status quo, although perhaps for different reasons.

Finances are important to the system, but they are essentially a means to an end. Until there is agreement on the steps to be taken in building a robust First Nation Education System, disagreement on funding the system will likely persist.

Many call for an increase of funding immediately. Others see little purpose in adding more resources until there is an understanding of how the funding will be used, how it will be managed, how results are to be measured and assessed and how accountability for spending will be assured. The First Nation education system must be based on appropriate standards of performance measurement and accountability as greater investment of public funds is made.





While the limitations of the Panel’s mandate and timeframe have not made it possible to understand the scope and magnitude of underfunding, it does seem clear that most First Nation schools do not have sufficient resources to properly support the success of their students. The Panel saw evidence of significant gaps in compensation of teachers and principals, a lack of equipment and supplies in libraries, shops, gymnasiums and technology, inadequate supports for special needs students, school facilities in disrepair or in portable units, and many other indications of gaps in funding.

In order to provide some relief to this current funding pressure, the Panel recommends three immediate measures for implementation in fiscal 2012-2013:

- Increase education funding for the 2012-2013 school year by an amount equal to the percentage increase for provincial schools in the province in which the First Nation school is located
- Increase teacher and administrator compensation in First Nation schools in the 2012 – 2013 school year to be equivalent to provincial schools in the province in which the school is located
- Work with First Nations to develop and launch, or expand existing early literacy programs in the 2012 – 2013 school year that will focus on preparing First Nation students in the early years for success in reading. The National Panel believes that an emphasis on helping First Nation students to read at level by Grade 3 would be significant in improving education outcomes for this generation of First Nation learners.

Assuming the recommendations in this report are adopted and implemented, it is clear that new funding will be required. A new funding formula that is needs-based and ensures stable, predictable and sustainable funding that is sufficient to produce desired outcomes will be required. The new funding formula must also be coupled with standards of accountability for both expenditures and results. This will not be easy to accomplish. The process will test the commitment of First Nations and the Government of Canada to reconciliation.

The Panel recommends the following actions related to funding of First Nation education:

#### Operational Funding

- The new funding model should be based on a “cost of service” approach in which required funding is calculated based on what is provided to provincial schools operating in a similar location or region, with similar services and needs. The new funding model would therefore consider such elements as school size, community remoteness, number of special needs students



enrolled in the school and other factors, including unique curriculum or learning needs.

- Under the new funding model, annual increases in funding should match increases in provincial education systems in which the First Nation school is located.
- The funding for First Nation education should be provided through statutory appropriation rather than the current grants and contributions model. Proposal-driven funding should be eliminated and replaced by multi-year statutory funding that is predictable and sustainable.
- First Nation education funding should be used for education purposes only and reported in a transparent manner. The Panel strongly believes that with this increased level of investment, First Nation leaders should be obligated to report on the use of the funding, and that the success of education programs delivered by First Nation and provincial schools should be demonstrated by both First Nations and provinces.
- Under this model, additional funding may also be allocated to provincial schools in which First Nation students are enrolled. However, this additional funding should come with conditions, including the requirement that the funding be used to directly support First Nation learners. Mechanisms should be developed to require the fair adjustment of funds to provincial districts to account for First Nation students who drop out and/or leave provincial schools.
- Additionally, the Panel recommends that the Government of Canada consult First Nations on the benefits of pooling all language and culture funding for First Nations into a single new fund. This new fund must not negatively impact the support for current language and culture programs.

### Capital Funding

- The Panel recommends that capital funding of First Nation education infrastructure also be addressed through the following measures:
  - a. A specific capital fund should be established to be used solely for First Nation education facilities and infrastructure. Aboriginal Affairs and Northern Development Canada's (AANDC) current capital infrastructure, maintenance and repair budget should be transferred to this fund once established. The fund should include allocations for new construction, as well as for facility maintenance and repair.



- b. A comprehensive inspection should be undertaken to define the physical state, condition and adequacy of First Nation school buildings and infrastructure in order to establish a baseline and provide the necessary information for moving forward on a First Nation education capital plan.
- c. A 10-year capital plan should be developed to identify First Nation school infrastructure earmarked for capital repair and replacement, as well as a timetable for the construction of new First Nation schools.
- d. An *Emergency School Repair and Replacement Fund* should be established to address critical requirements that are unplanned or arise due to a variety of factors (asbestos, mould, weather or fire damage).

## Recommendation # 5

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### *Establish an accountability and reporting framework to assess improvement in First Nation Education*

Education reform must be founded on information that is reliable and accurate. Understanding what progress is being made is critical to assessing improvements and taking corrective action. This applies equally to evaluating the system as a whole and the individual progress of each First Nation child.

In reviewing First Nation education and the education indicators and outcomes of First Nation students, the Panel was challenged by significant data gaps that exist at the provincial, school and individual student levels.

A national First Nation education standards, performance and accountability information system must be developed and implemented. In the absence of such an information system, it is impossible to carry out basic planning, programming and evaluation.

There must be a common set of objectives if governance is to be effective and if there is to be the required degree of outcome and performance evaluation and accountability throughout the system. Education standards must be clearly articulated to know what needs to be measured and assessed. Each First Nation child's school progress must be assessed using culturally and socially appropriate measures. Employee assessments are required for use in teacher and school evaluations. Concrete outcomes must be articulated and measures established to observe and report on levels of success. There must be clear financial and management accountability throughout the system.



The collection and reporting of such data is critical to demonstrate to all parties – First Nations, the Government of Canada, First Nation students, First Nation parents, First Nation educators, and all Canadians – the extent to which progress is being made to improve First Nation education. All those with responsibility for the First Nation education system must be satisfied that the system serves the needs of First Nation students.

As a first step, a comprehensive assessment of First Nation students should be developed and implemented to determine elementary, high school and post-secondary education readiness, assess academic levels and establish the extent to which students require special education and supports.

Given the high mobility of First Nation students, the information system should be designed to effectively track students as they move from school to school and community to community. The information system should also have the ability to link with provincial management information systems to allow for sharing of data on First Nation students attending provincial schools. Education Information System, currently in development by Aboriginal Affairs and Northern Development Canada, could form the basis of this new system.

The information system should uphold the principle of First Nation ownership, control, access and possession of information.

## Next Steps

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- The Interim National Commission for First Nation Education should be established within three months of the delivery of this report.
- Co-creation of the First Nation Education Act should commence immediately under the direction of the Interim National Commission with legislation and an implementation plan to be presented to Parliament within 18 months of the delivery of this report.
- The National Commission for First Nation Education should be co-created by First Nations and the Government of Canada and established within the First Nation Education Act.
- First Nation Education Organizations and shared service agreements should be developed with start-up funding within three years from the delivery of this report. Should this not be accomplished within this period, the National Commission for First Nation Education will take all necessary measures to ensure that all First Nation schools in Canada receive these services.



- A new statutory funding formula that is needs-based, predictable and sustainable and includes accountability for education expenditures and student success should be developed within the First Nation Education Act. In the meantime, funding pressures should be relieved in First Nation schools through increases that are equal to those of provincial schools serving similar locations and regions with similar needs.
- Funding of transitional costs should be accompanied by performance measures, and reporting and accountability requirements, that ensure that these resources are dedicated to effectively and efficiently implementing the recommendations in this report.

## Other Considerations

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Recent research has demonstrated a number of factors that correlate strongly with First Nation student success. These seven areas represent a compelling list for priority investments at the school level. They include the following:

- Increasing attendance rates. The more days that students spend in class, the greater likelihood that the student will experience success. Programs designed to improve attendance should be supported.
- Schools that are well run. First Nation students achieve better results in schools that are seen as well managed. School management is primarily a function of strong leadership especially demonstrated by the principal of the school. Programs that focus on recruitment, training and retention of well-qualified and highly effective principals should be supported.
- Good relations between students and teachers. Student success is highly dependent on the quality of instruction and the interpersonal relationships between teachers and students. Programs that focus on recruitment, training and retention of well-qualified and highly effective teachers should be supported.
- Good relations among students. Students prosper in schools that are safe and respectful and free from racism, bullying and other forms of oppression. Programs that focus on creating positive school social environments should be supported.
- Reading every day. It is critical to ensure that students learn to read in the early years and that literacy is reinforced in the school, the family and the community. Programs that introduce reading in the early years to all students and implement reading recovery programs for special needs students or those experiencing difficulty learning to read should be supported.



- Sports, art and music. The Panel heard consistently that these programs attract and retain students and improve academic success. School-based extracurricular programming should be supported.
- Trades programs for high school students. It is essential to provide training and support for students who need a non-academic focus or who have a keen interest in developing a skill that will lead to a productive career.

There are opportunities for private and not-for-profit sectors as well as individual donors to support First Nation student success in areas such as sports, music and arts; technology; and employment training.

In addition to these seven priorities that are strongly correlated with First Nation student success, there are three other important areas for investment:

- The Panel heard consistently about the right of First Nation learners to know who they are and where they come from. Exposure to their own language and culture builds linguistic and cultural awareness and pride that is essential to building confidence, self-esteem and resiliency among First Nation students. Programs that emphasize First Nation language and culture must be supported.
- Special needs are a significant challenge in First Nation education. The Panel was told that the incidence of special needs among First Nation children is very high. However, assessment is limited and resources for special need students are inadequate in most First Nation schools. Given this double-edged sword, programs that accurately assess special needs, especially at the early primary level, and provide individual learning plans should be supported.
- The Panel witnessed a number of First Nation schools without connectivity or sufficient bandwidth to meet their education needs and provide for student access to remote learning opportunities. In addition, existing technology hardware and software was often either outdated or inoperable. Initiatives that provide connectivity and technology equipment, training and content should be supported.

The Panel suggests that these priority investments must be comprehensively taken into account in all aspects of education renewal. Everyone needs to consider them in devising programs and services that are intended to improve First Nation education. If they are recognized and incorporated in all that we do and if the recommendations in this report are adopted and implemented, the Panel is confident that this generation of First Nation children will receive the education that they deserve and to which they have a right.



## 6. Conclusion

Childhood lasts only 988 weeks, and school years pass by even more quickly. It is, therefore, critical that the Government of Canada and First Nation leaders move forward together to change a system that has consigned so many First Nation students to an education that poorly prepares them to take full advantage of the education and career opportunities that are readily available to other students across the country.

Access to quality education is the right of every child in Canada. Education is an integral component of personal success and well-being, and it is the basis of a prosperous and healthy society. A quality education nurtures the social, emotional and intellectual development of children, helps them realize their full potential, and provides them with the skills and confidence to become contributing members of their own communities and of the broader society as well. Education cannot be taken for granted, or provided in a manner that ignores the fundamental conditions that best support the children it serves.

First Nation education is complex, as it is defined by inherent and treaty rights, self-government, overlapping jurisdictions, and provisions of the *Indian Act*. There are immense challenges in developing recommendations that respect these complexities. The overarching consideration that guided the Panel was the fundamental desire to place students at the center of education reform. Working from this premise, the Panel has charted a path forward that challenges the status quo and represents a significant change in the way education should be provided to First Nation students in the future.

The Panel firmly believes that education reform must also be based on the principle of reconciliation, which will lead to respectful dialogue, mutually beneficial undertakings and accountability, and renewed relationships between the Government of Canada and First Nation communities. Given the profound and adverse consequences of historical decisions made without consultation or collaboration, it is essential that First Nations become equal partners in the design and development of a modern education system that will truly nurture the learning spirit of all First Nation students.



# Annex A: Panel Member Biographies

## Scott Haldane (Chair)

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Scott Haldane is President and Chief Executive Officer of YMCA Canada which represents the 53 local YMCAs and YMCA-YWCAs in Canada. Together, these charities involve over 2 million people annually in programs that are designed to strengthen the foundations of community through nurturing the potential of youth, promoting healthy living and fostering social responsibility.

Scott has an extensive 34 year history with the YMCA. His first contact with the YMCA was in 1969, in his hometown of Montreal, as a part-time summer swimming instructor. In the decades following, he has held a variety of senior management positions including Executive Director of the West Island branch of the Montreal YMCA; National Director of Employment Initiatives with

YMCA Canada; President and Chief Executive Officer of the YMCA of Hamilton/Burlington; and President & CEO of the YMCA of Greater Toronto. He was appointed President and CEO of YMCA Canada on January 1, 2010.

Scott has contributed leadership and vision to each of his YMCA roles. Under his tenure, for example, the YMCA of Greater Toronto was the proud recipient of the prestigious Canadian Urban Institute's City Soul Award, and the North American YMCA Development Organization's Eagle Award for Excellence in Philanthropy. Recently, the YMCA of Greater Toronto has been recognized as one of Greater Toronto's Top Employers and has received the Trailblazer Award for Diversity in Governance from the Maytree Foundation. In 2009, Scott was a finalist in the Toronto Business Excellence Awards in the Leading CEO category.

Under Scott's leadership, Canada's YMCA has recently approved a national focus on improving health outcomes for children, teens and young adults. As part of this call to action, the YMCA signed a Memorandum of Understanding with the Assembly of First Nations in December 2010 which commits both organizations to work together to achieve common goals. The YMCA has had considerable experience on which to build this important relationship. Fifty percent of the YMCAs and YMCA-YWCAs across Canada





already have formal partnerships with First Nation organizations and the YMCA, in partnership with the federal government, has provided a wide range of programs for First Nation youth including internship opportunities in all federal ridings.

Scott holds a Master of Management degree from McGill University and a B.A. with Great Distinction also from McGill University. As part of his belief in the benefits of lifelong learning, he completed Harvard Business School’s Advanced Management Program in 2003 and the Leading Change and Organizational Renewal Program in 2006. He has recently become a Certified Corporate Director through McMaster University’s The Director’s College.



## George Lafond

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George Lafond from Muskeg Lake Cree Nation, Saskatchewan, is an experienced business and social development advisor known for successfully leading strategic initiatives requiring First Nation engagement. He has worked successfully with First Nation bands, national, regional and local governments, universities, corporations, business associations and organizations. He is presently on a special initiative with the University of Saskatchewan.

Between 1995 and 2002, Mr. Lafond served as a Vice Chief, and Chief of the Saskatoon Tribal Council, promoting inclusion and opportunity for Aboriginal people.

As Special Assistant to the Minister of Indian Affairs and Northern Development in the mid 1980's and early 1990's, he advised

on several matters including the creation of the Royal Commission on Aboriginal Peoples and its mandate, new strategies to strengthen First Nation governance, and the establishment of the first urban reserve in Canada. In 1991, as part of the Spicer Commission on Canadian Unity, Mr. Lafond managed the provincial consultations in Regina, Saskatchewan. The consultations were considered one of the most effectively managed regions in the country due to a thorough community consultation process.

He has been a strong builder and supporter of community partnerships across sectors and groups to achieve common goals. These include coalition-building with Métis, non-Aboriginal and other community representatives leading to successes like the Wanuskewin Heritage Park, Treaty Land Entitlement, the White Buffalo Youth Lodge in downtown Saskatoon, and other lasting partnerships for change such as the first urban Aboriginal youth centre in Canada.

Mr. Lafond has a Bachelor's degree in Education from the University of Saskatchewan.



## Caroline Krause

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Caroline Krause is a nationally recognized Aboriginal educator whose areas of expertise are second language instruction, diversity, social justice, and Aboriginal education. She has a Bachelor's degree from the University of North Carolina, a Master's degree from the University of British Columbia, and thirty-eight years of experience in various educational settings.

Mrs. Krause worked for the Vancouver School Board, first as an elementary and secondary teacher and then as an administrator in three inner city schools. With the financial support of corporate partners, she was instrumental in turning a troubled school, located in one of the most disadvantaged neighbourhoods and comprised of 50 percent Aboriginal enrolment, into an academic success story.

From 2005 to 2010 Mrs. Krause was a Faculty Associate in the Faculty of Education at the University of British Columbia. She taught a number of courses and oversaw the Diversity Cohort Program, which enabled student teachers to explore important social justice issues, such as improving educational outcomes for Aboriginal students.

Mrs. Krause recently participated in a national Canadian research project that brought together researchers and high profile members of Aboriginal communities from across the country to look at issues related to Aboriginal people who live off reserves, results of which were published in the 2010 Urban Aboriginal Peoples Study by the Environics Institute of Canada.

Mrs. Krause has also participated in several committees including the Vancouver School Board Aboriginal Education Advisory Committee, the Vancouver School Board Aboriginal Enhancement Agreement Steering Committee, the Vancouver Board of Trade Aboriginal Opportunities Committee, and the Royal Bank After-School Program Selection Committee.



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