



Policy Proposal

First Nations-led, local, regional and/or Treaty-based Post-Secondary Education Models

DRAFT

Policy Co-development Team
Assembly of First Nations
National Indian Education Council
Indigenous Services Canada

PREFACE

First Nations are proposing regional post-secondary education (PSE) models with increased funding, resources, and support for First Nations post-secondary education from the Government of Canada to meet the diverse needs of First Nations across the country. A region, for the purpose of this document, is defined as any territory which First Nations choose to implement First Nation control of First Nation education and negotiate First Nations post-secondary education models. This could include, but not be limited to, a territory defined as a single First Nation, Tribal Council, Treaty affiliation, language family, or an entire province. Only Treaty First Nations will speak for Treaty First Nations.

First Nations are implementing the right to self-determination and any decision-making processes in all aspects relating to education. First Nations assert an inherent and Treaty right to education that is in accordance with their culture, values, traditions and languages to support holistic lifelong learning.

Authority and autonomy rests with, and will continue to reside with, First Nations at the local level. As such, First Nations will lead the negotiation and conclusion of First Nations-led, local, regional, and/or Treaty-based PSE models, which will respect First Nations control of First Nations education. This process will be consistent with the spirit, intent, and principles of the 2018 First Nations Post-Secondary Education Policy Proposal and Assembly of First Nations (AFN) Resolution #21/2020: *First Nations-led Local, Regional and Treaty-based Post-Secondary Education Models*.

This co-developed policy proposal is not intended to hinder or detract from principles or processes already underway by First Nations in implementing their vision of First Nations post-secondary education in their region. First Nations or a region may decide to seek their own bilateral process with Indigenous Services Canada or tripartite process with the federal government and relevant provincial or territorial government to develop their own policy solution, identify the funding, resources and supports required to implement their respective models. In all cases, First Nations will define their own models and decide when to involve or include the federal, provincial and/or territorial government. First Nations have the right to self-determination in all aspects relating to education.

SUMMARY OF RECOMMENDATIONS

ISSUE: First Nations require adequate, predictable, and sustainable funding and resources to support strong student outcomes, develop local capacity, and establish and advance First Nations post-secondary institutions through First Nations-led local, regional and Treaty-based post-secondary education models.

DECISION: It is recommended that the Minister of Indigenous Services Canada (“The Minister”) be authorized by Cabinet to:

1. Approve the policy authority for Indigenous Services Canada (ISC) to negotiate, conclude and fully implement First Nations-led local, regional and Treaty-based post-secondary education models. Models will include some or all of the following:
 - a. Student Supports
 - b. Community-Based Student Supports
 - c. First Nations Institutions
 - d. First Nations Community-Based Program Supports
 - e. Administration, Governance and Leadership Capacity
2. Allocate investments of \$\$ over 5 years with gradual implementation for First Nations-led local, regional and Treaty-based post-secondary education models. Table 1.0 shows allocations over the 5-year period.
3. Provide \$\$ of funding for ongoing technical tables to prepare communities for the final negotiation and conclusion of the agreement.
4. Allocate an immediate investment of \$\$ in the interim. Affirming that further funding is required for inflation and growth in First Nations population. This includes:
 - a. All current and unfunded post-secondary education students starting in 2022-2023, Investments for First Nations post-secondary institutions to reflect actual costs
 - b. Transitional funding for to support student to transition to post-secondary.
5. Expand the Post-Secondary Education Terms and Conditions, including provisions for the Post-Secondary Student Support Program (PSSSP) and Post-Secondary Partnerships Program (PSSP) to accommodate various elements such as:
 - a. Inflation and population growth;
 - b. Expansion for PSE programs and related expenditures; and
 - c. Expansion of program eligibility and eligible recipients.

CONTEXT

Reports and publications continue to demonstrate that Canada's First Nations population is underrepresented in Canada's post-secondary education (PSE) system. Meanwhile, a 2020 report released by the Organisation for Economic Co-operation and Development, titled *Education at a Glance 2020*, profiles Canada's youth as the world's best educated. The reality is that Canada's high levels of educational attainment rates mask deep inequality. The inequality in Canada's education system is evident and First Nations are eager to proceed with a new approach. In fact, Indigenous Service Canada's (ISC) PSSSP and PSPP programs do not meet the needs of First Nations' students and communities, as well as First Nations post-secondary institutions as demonstrated in two reports: (1) the *First Nations Post-Secondary Education Review, 2018 Interim Report (2018 PSE Interim Report)* and (2) the *First Nations Post-Secondary Institutions Costing Report (2018)*. It is our time to come together and foster a spirit of cooperation, understanding and action to ensure all students and future generations have equal access to an equitable post-secondary education determined by and for First Nations.

Since 2017 the AFN, Chiefs Committee on Education (CCOE), National Indian Education Council (NIEC) and First Nations across Canada have been reviewing various aspects of post-secondary education that include student costing, institutional/community-based needs, program authorities, and the transition required to better support First Nations' control of First Nations education. In 2017, this started with new program funding from the federal government and a commitment to a comprehensive review of the PSSSP program. In 2017, the federal government announced \$90 million over two years for the PSSSP, as well as a comprehensive review of the PSSSP program. AFN Resolution #14/2017: *Post-Secondary Education Federal Review* called on the federal government to ensure the federal post-secondary review will have a First Nations specific review; and directed the CCOE to lead the First Nations portion of the federal post-secondary review, with support from the NIEC. The review was completed on July 2, 2018.

The First Nations *2018 PSE Interim Report* provided detailed information on the support required in First Nations post-secondary education.

The *2018 PSE Interim Report* concluded that, in 2015-16, First Nations required funding amounts at an increase of 80.9% (or approx. \$206 million) if all students that were enrolled at that time funded through PSSSP were funded according to actual needs. Such needs include childcare support, northern costs, special needs students, tuition, travel, student fees, books and supplies, living allowance, incentives, guidance/counselling/social works services program incentives directed at strategic needs, and the costs associated with post-secondary graduate work). If this figure included post-secondary students who had been left out of federal funding, First Nations would require an increase of 150.3% in funding (approx. \$384 million).

The Interim Report, as well as the *First Nations Post-Secondary Institutions Costing Report (2018)*, concluded and outlined that core supports are required for First Nations

post-secondary education institutions that include, but are not limited to: governance, student services, program development and delivery, First Nations languages, multi-lingual capacity, innovation, research and development, infrastructure, operations and maintenance, and additional supports.¹

AFN Resolution 29/2018: *First Nations Post-Secondary Education Review Report and Recommendations* was supported by First Nations-in-Assembly to accept the AFN *Post-Secondary Education Review, 2018 Interim Report*. The Resolution called on the federal government to extend and expand funding commitments to fully support First Nations post-secondary education. As a follow-up from the review, the Resolution directed the AFN, CCOE and NIEC to work in partnership with ISC to develop an honourable, joint process that supports existing post-secondary regional models, the development of regional processes and the development of new models to seek a new policy authority for post-secondary education. The jointly developed policy proposal was amended to a Memorandum to Cabinet in 2019, that included investments for regions to develop their First Nations-led post-secondary education model.

As asserted in the *Policy Proposal: First Nations Post-Secondary Education (2018)*, the implementation of the United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) requires transformative change in the Government's relationship with Indigenous Peoples. The passing of Bill C-15 only solidifies the Government of Canada's commitment to the UN Declaration. Canada also committed to the 2030 Agenda for Sustainable Development, Goal 4: *Quality education to ensure inclusive and equitable quality education and promote lifelong learning opportunities for Fall 2018*. The Government of Canada must continue to work to fulfill these commitments through the negotiation and conclusion of First Nations-led local, regional and Treaty-based post-secondary education models, and in providing adequate, sustainable, predictable and equitable funding for First Nations students, institutions and communities.

As new models are being developed for post-secondary, First Nations-in-Assembly² passed AFN Resolution 21/2020: *First Nations-led Local, Regional and Treaty-based Post-Secondary Education Models*, directing the AFN, CCOE, and NIEC to work in partnership with ISC to obtain authority for First Nations to negotiate and conclude their models.

The negotiation and conclusion of First Nation-led, local, regional, and/or Treaty-based Post-Secondary Education (PSE) Models aligns with the UN Declaration, the Royal Commission on Aboriginal Peoples, and principles of First Nations control of First Nations education. First Nations-led local, regional and Treaty-based post-secondary models will enable First Nations to address the diverse needs of their First Nations post-secondary students, institutions, and community-based programming. Furthermore, the PSE models will enable First Nations to holistically consider, design, and implement a suite of culturally and linguistically relevant, integrated programs and services that support First Nations student and community success. The PSE models will work to ensure that First Nations have adequate, predictable, and sustainable funding required

¹ 2018 Interim Report, pp. 40-44.

² The First Nations-in-Assembly consist of all the Chiefs of those First Nations who exercise their right to be Members of the Assembly of First Nations. 2019. Charter of the Assembly of First Nations.

for meeting the needs of First Nations students, institutions, adult education, post-secondary transitional programming, and/or community-based programming.

As an integral part of each First Nations-led local, regional, and Treaty-based PSE models, any federal policy will ensure First Nations have the freedom and authority to modify and adjust their post-secondary education model over time as the priorities and needs of First Nations change.

RATIONALE AND KEY CONSIDERATIONS

Both on and off-reserve, aspiring and current First Nations post-secondary students are reeling from deep-rooted intergenerational trauma as a result of residential schools, and are compounded by educational, geographic, linguistic and cultural challenges that act as barriers to entry and advancement in post-secondary education. Furthermore, First Nations must now adapt to the impact and outcomes of the Coronavirus disease (COVID-19) and the needs that follow.

The funding to support the development of First Nations-led local, regional and Treaty-based post-secondary models have been negatively impacted each year causing missed opportunities in exploratory discussion, engagements, and technical tables. In 2019-2020, engagements moved slowly due to Indigenous Services Canada's (ISC) delay in releasing funding on time. In years two and three for dedicated engagement funding, COVID-19 profoundly affected the lives of everyone around the world; activities and in-person engagements had to shift to online platforms and not everyone had equal access to a high-speed internet connection to engage and meet online. The CRTC Communications Monitoring Report 2020 clearly indicates that access to reliable broadband internet in First Nations has remained stagnant, with only 34.8% of First Nations communities having access to unlimited 50/10 Mbps service.³ COVID-19 has brought many engagements to a standstill, many post-secondary students are forced to return to home. Many communities have closed their borders, and this compounds the stress and anxiety the COVID-19 pandemic has brought to students, institutions, and communities. Indeed, results from a recent survey conducted by the First Nations Education Council (FNEC) with over 250 post-secondary students suggest that social isolation and access to mental health services have become the two vital issues of concern for First Nations students during the COVID-19 pandemic.⁴ All are adapting to the everchanging challenges posed by COVID-19. Further investments and carryover of funds from ISC are required for partnership tables to ensure First Nations can adapt to the limitations of COVID-19 and continue to meaningfully develop, negotiate, conclude, and implement their First Nations-led local, regional and Treaty-based post-secondary education models.

³ Canadian Radio-television, Telecommunications Commission (CRTC), *Communications Monitoring Report 2020*, p.108.

⁴ First Nations Education Council, *Consultation visant à la consolidation et l'amélioration des modèles locaux et régionaux de livraison de services au postsecondaire*. Forthcoming.

Canada must account for the specific needs of First Nations individual both on- and off-reserve to address to challenges for meaningful engagement, including trauma, remoteness, limited internet access, governance and administration capacity, and the lack of infrastructure on-reserve.

In an era of recognition of First Nations rights and reconciliation, Canada must work directly with First Nations on a Nation-to-Nation basis to resolve the significant barriers to post-secondary education for First Nations students, institutions and communities. Canada can achieve this in partnership and collaboration with First Nations through the negotiation, conclusion and implementation of First Nations-led local, regional and Treaty-based post-secondary education models.

First Nations assert the Inherent and Treaty Right to lifelong learning, with post-secondary education as a vital component. The Government of Canada has historically left First Nations out of the post-secondary education sphere. The *Gradual Civilization Act* of 1857 introduced “voluntary enfranchisement” and was based on the assumption that First Nations would be willing to surrender their legal and ancestral identities for the “privilege” of gaining Canadian citizenship. This would become legally compulsory with the *Indian Act* of 1876, which included a clause that would enfranchise any Indian under the Act for gaining a university education.

Broken treaties, colonial governance structures, the *Indian Act* and policies lacking First Nations input and guidance have resulted in lower post-secondary education attainment rates and success amongst First Nations. There remains a consistent gap in First Nations access to post-secondary. For example, the Post-Secondary Student Support Program (PSSSP), a program that provides First Nations students with funding to access post-secondary education, has remained capped at approximately 25,000 students since 1996, despite an increase in First Nations population, rising high school graduation rates and advocacy led by First Nations. Less than half of students funded through PSSSP are funded sufficiently to complete a university diploma, degree or certificate.

If First Nations attained the same post-secondary education attainment rate as non-Indigenous Canadians, 78,000 First Nations graduates would be required to close the gap on post-secondary education.⁵ According to 2016 Census data available through Statistics Canada, approximately 29,805 First Nations students are enrolled in post-secondary education remain unfunded through PSSSP.⁶ Notably, not all First Nations participate in Canada’s Census Program and there is a significant number of aspiring and current First Nation post-secondary students of all genders unaccounted for.

⁵ Data Sources: Statistics Canada – 2016 Census.

Catalogue Number 98-400-X2016177. Calculated Data.

⁶ Data Sources: ISC/CIRNAC’s 2016 Census Core Table 12.

Registered Indian Aged 15+ and School Attendance. Calculated Data.

The Government of Canada has committed to Reconciliation with First Nations through various measures. In 2019, the Prime Minister mandated the ISC Minister to prioritize ensuring “that First Nations students have the support they need to access and succeed at post-secondary education.”⁷ The Truth and Reconciliation Commission (TRC) Calls to Action #7 calls on the federal government “to develop with Aboriginal groups a joint strategy to eliminate educational and employment gaps between Aboriginal and non-Aboriginal Canadians”. TRC Call to Action #11 calls upon the federal government to “provide adequate funding to end the backlog of First Nations students seeking a post-secondary education”.

On June 21, 2021, Bill C-15: *An Act respecting the United Nations Declaration on the Rights of Indigenous Peoples* received Royal Assent, affirming the Declaration as a universal international human rights instrument with application in Canadian law; and provided a framework for the Government of Canada’s implementation of the Declaration. Article 14 of the Declaration affirms that:

1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
3. 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.

ISC’s *Evaluation of the Post-Secondary Education Program* (2021) recommends that ISC:

- Develop a strategy to provide more equitable access to post-secondary funding supports for all prospective First Nation students;
- Boost adult learners’ completion of secondary studies, post-secondary and labour-market entry; and
- Support students in pursuing post-secondary education, or those are completing post-secondary through enhanced, culturally appropriate wraparound services.

The negotiation, conclusion and financial support of adequate, predictable and sustainable investments for First Nations post-secondary education models will assist in addressing the commitments to the TRC Calls to Action 0 and Article 14 (UN Declaration) by upholding First Nations control of First Nations education and forging a path forward to increase First Nations participation and graduation from post-secondary education, as well as First Nations-led institutions that support students and communities. First Nations post-secondary education models will improve the quality and cultural relevance of post-secondary education through a coordinated support for First Nations students and increased support for First Nations post-secondary

⁷ Minister of Indigenous Services Mandate Letter. [Minister of Indigenous Services Mandate Letter | Prime Minister of Canada \(pm.gc.ca\)](#)

institutions and communities. First Nations will determine what qualifies as adequate funding through the negotiation, conclusion, and implementation of First Nations post-secondary education models. A considerable step towards providing adequate funding requires Indigenous Services Canada to fully fund First Nations local, regional, and Treaty-based post-secondary education models, beginning with a commitment to fully fund the costing considerations in Table 1.0.

First Nations-led local, regional, and Treaty-based post-secondary education models provide long-term self-determined strategic plans that go beyond a four-year political cycle. First Nations control of First Nations post-secondary education requires a robust and comprehensive system of supports for First Nations institutions, students, Adult Education and First Nations overall. First Nations' needs-based post-secondary education models address inequities and build strong First Nations to lead the change in improving access and success in post-secondary for First Nations lifelong learners. In K-12 Education, the Education Partnerships Program supports ongoing activities related to partnership establishment and advancement. There is a similar demand in post-secondary education to support the ongoing negotiation of First Nations models, with funding available to support establishment and engagement activities.

The economic benefits of improved First Nations education and employment outcomes are indisputable. Data from the national Census show that the employment gap between First Nations and non-Indigenous Canadians essentially closes with increased university attainment.⁸ Furthermore, research estimates that closing the First Nations education gap would increase First Nations contributions to the GDP by 45% over baseline measures.⁹

New approaches would also include modernized supports for First Nations established institutes of higher learning and the establishment of models consistent with the UN Declaration, Article 14.1, and the right to establish and control institutions providing culturally and linguistically relevant methods of teaching and languages. These institutes increase post-secondary education attainment rates by providing the holistic, culturally relevant supports that drive First Nations student success.¹⁰

Current federal government funding for First Nations post-secondary institutions is inadequate and does not meet the needs of First Nations students or communities. First Nations post-secondary institutions lack secure operational funding and rely heavily on inadequate and unpredictable proposal-based programs. The lack of adequate, predictable and sustainable funding affects First Nations institutions' capacity for program delivery year-to-year, effective planning for the short and long-term, recruitment and retention of staff, traditional and culturally based infrastructure, family and psychosocial services, technology, library and other services, and effective student services. First Nations institutions lack access to capital grants that public post-

⁸ 5 AFN PSE Fact Sheet 2011.

⁹ Canadian Centre for Living Standards 2015 (<http://www.csls.ca/reports/csls2015-03.pdf>)

¹⁰ Aboriginal Institutes Consortium, A Roadmap to Recognition for Aboriginal Institutes in Ontario Position Paper, October 10, 2014.

secondary institutions qualify for, which hampers First Nations institutions' ability to grow¹¹ and to renovate or build infrastructure to align with accessibility needs for both students and staff with disabilities. First Nations post-secondary institutions and programming have different operating and capital costs to provide culturally and linguistically appropriate post-secondary education and training opportunities to First Nation learners, including costs for full-time faculty, research support, infrastructure and administration of programs, laboratories, renovations, and other equipment.

For First Nations who may not have an established post-secondary education institution, funding is required to bring post-secondary education programming into First Nations communities to address local priorities and needs through community-based programming, partnerships with institutions, or the development of new institutions. Investments for start-up capital costs are variable and should account for remoteness factors.

Currently, there are over 60 First Nations institutions (FNIs) offering post-secondary programming across Canada, with some supporting approximately 2,450 students per year. First Nations institutions are meeting various labour market needs by offering a diverse range of courses and programs at the adult education, college, CÉGEP, university and post-graduate level.¹² In a national survey of over 200 Indigenous students in post-secondary programs, students indicated a positive learning experience studying at FNIs, where Indigenous culture is treated as “priority rather than an accommodation.”¹³ Students attending a First Nations post-secondary institution receive education that upholds First Nations ways of knowing and teaching methods.

This approach is in line with the Government of Canada's commitments to First Nations in moving forward in reconciliation, and the recommended approach is one co-developed by First Nations and ISC. As affirmed above, this approach aligns with First Nations control of First Nations education, the *First Nations Post-Secondary Education, 2018 Interim Report*, the *First Nations Post-Secondary Education Review 2018*, AFN Resolution #29/2018: *First Nations Post-Secondary Education Review Report and Recommendations*, and AFN Resolution #21/2020: *First Nations-led Local, Regional and Treaty-based Post-Secondary Education Models*. First Nations emphasize the need for new investments accompanied by the negotiation and conclusion of their models.

Within these models, and to attain effective, efficient, and accountable post-secondary education supports, Canada is required to support First Nations community empowerment, capacity building, and self-determining governance. In brief, the success of these models largely depends on a conscious shift in the current administrative, management-based neocolonial conception of First Nation control of education by the government of Canada.

¹¹ First Nations Post-Secondary Education Review Institutions Costing Report (2018), p. 7.

¹² Calculated data based on public facing documents and website information.
Data collected from 29 sample institutions.

¹³ *Indspire*, 2018. Post Secondary Experience of Indigenous Students Following the Truth and Reconciliation Commission of Summary of findings. September 2018.

Models will respect local control, honouring the autonomy of First Nations to dictate their own models that will not minimize flexibilities that First Nations communities currently have. These models will be directed and managed by First Nations, and interim programs that continue to support First Nations students, institutions, and communities, will be informed by First Nations, inclusive of the potential elements outlined in the First Nations recommended approach.

RECOMMENDED APPROACH

The Minister will work on a region-by-region basis with First Nations and/or appointed First Nations Education organizations to define the Government of Canada's support for First Nations-controlled post-secondary education in each region, including new regional funding formulas for First Nations communities, students, and institutions through First Nations-led local, regional, and Treaty-based post-secondary education models.

The Minister will respect and confirm that jurisdiction over First Nations post-secondary education remains with each First Nation. Therefore, the recommended approach would enable each First Nation with the opportunity to opt-in or out from any existing or new federal education policy and/or any First Nations local, regional, Treaty-based post-secondary education model.

- 1. Approve the policy authority for Indigenous Services Canada to negotiate, conclude and fully implement First Nations-led local, regional, and Treaty-based post-secondary education models. Models will include some or all the following:**
 - a. **Financial First Nation Student Supports** – to ensure all First Nations students that are eligible to attend post-secondary have all the necessary financial resources required to participate and succeed in post-secondary education, including, but not exhaustive of: tuition fees, books and supplies, childcare, travel, and transportation, rent and living expenses.
 - b. **First Nation Post-Secondary Education Community-Based Student Supports** – to ensure community PSE coordinators and communities can effectively support student success, including: program choice, career planning, transitioning to post-secondary education, enrolment application process, guidance, Elder and/or Knowledge Keeper supports, and orientation for students and families.
 - c. **First Nations Established Post-Secondary Education Institutions** – to ensure First Nations have the financial resources to support existing and prospective institutions to develop, modify and provide quality post-secondary education in alignment with the First Nations' vision of their local, regional, and/or Treaty-based PSE model, including: operations, maintenance, capital, student services, adult education, post-secondary and transitional

programming, multiple languages of instruction and accreditation.

- d. **First Nations Community-Based Programming Supports** – to ensure First Nations can support the delivery, development, and modification of adult education, post-secondary education, and transitional programming within the community.
 - e. **Administration, Governance and Leadership Capacity** – to ensure First Nations can develop, administer, and govern local policies, decision-making structures, partnerships and strategic planning regarding First Nations students, mandated institutes, public/private post-secondary institutions, adult education, post-secondary transitional programming, community-based programming and performance measurement and data collection.
- Ensure First Nations-led local, regional, and Treaty-based post-secondary models receive adequate, predictable and sustainable funding to advance costing consideration in Table 1.0.

2. Allocate investments of \$\$ over 5 years with gradual implementation for First Nations-led local, regional, and Treaty-based post-secondary education models. Table 1.0 shows allocations over 5 years.

Table 1.0

| Costing Considerations | 2022-2023 | 2023-2024 | 2024-2025 | 2025-2026 | 2026-2027 |
|--|------------------|------------------|------------------|------------------|------------------|
| Student Supports | | | | | |
| Community-Based Student Supports | | | | | |
| First Nations Institutions | | | | | |
| First Nations Community-Based Program Supports | | | | | |
| Administration, Governance and Leadership Capacity | | | | | |

3. Provide \$\$ of funding for ongoing technical tables to prepare communities for the final negotiation and conclusion of the agreement – The Minister will work with First Nations to invest \$\$ over XX years to provide First Nations with autonomy and flexibility to host technical tables to develop the First Nations vision

for post-secondary education. This includes the funding and time to determine who their models involve, timelines, costs, and funding formulas to ensure that no First Nation student goes unfunded, and that communities and institutions have the necessary core and capital funding to provide an equitable post-secondary education on par with western institutions. This investment would **provide funding for ongoing First Nations post-secondary education technical tables** that would:

- a. Support ongoing discussions to develop, negotiate and conclude First Nations-led local, regional and Treaty-based post-secondary education models;
 - b. Provide a forum for engagement on the development and implementation of the interim funding as per recommendation 4); and
 - c. Negotiate and facilitate the approval process of the First Nations-led local, regional, and Treaty-based post-secondary education models as per recommendation 1).
4. **Implement interim funding until First Nations-led local, regional and Treaty-based post-secondary education models are negotiated, concluded and implemented** – The Minister will work in partnership First Nations to implement an interim funding approach that provides:
- a. Interim funding through PSPP and PSSSP require a regional needs-based approach to acquire adequate, predictable, and sustainable funding for aspiring and current First Nations post-secondary students, community-based programming, and First Nations post-secondary institutions. This includes:
 - i. Targeted investments for current and unfunded students that account for the full-time equivalent cost of \$\$/per student.
 - ii. Targeted investments for First Nations governed and/or operated post-secondary institutions based on the actual cost of \$/per student enrolled.
 - iii. The devolution of proposal-based funding for institutions and community-based programs through PSPP with a transition to a regional process that includes adequate, predictable, and sustainable core funding that addresses institution needs and provides funding protection for First Nations Institutions and community-based post-secondary education programs - that account for a change in government and funding models that create a deficit.
5. **Expand the Post-Secondary Education Terms and Conditions (Ts & Cs) including provisions for PSSSP and PSPP** – The Ts & Cs will be expanded to reflect the existing and future needs of a growing number of First Nations post-secondary students and institutions by:
- a. Providing funding levels in keeping with inflation and First Nations population growth;
 - b. Accommodating the expansion of PSE programs and related expenditures to transition a growing number of First Nations high-school graduates; and
 - c. Accommodating the expansion of program eligibility and eligible recipients.

RISKS

Notwithstanding a recent shift in the higher education policy discourse, a marked and significant change in the governance, funding and specific content of First Nations post-secondary education remains outstanding (TRC Call to Action #11).

There are considerable risks in not supporting and implementing the First Nations recommended approach. Any **nominal** policy discourse relative to First Nations control of First Nation post-secondary education that is not replaced by **actual, effective, legitimate, efficient, and accountable** First Nation-led local and regional governance remains hollow, neo-colonial, and retrogressive. In this sense, status-quo, federal-based, two-tiered mandates of governance and funding allocation for First Nation post-secondary education, thus, remain artificial and insidiously fail to close the historic gap between First Nations and non-Indigenous students in post-secondary education. In what follows, we provide three scenarios that spotlight the benefits of First Nations-led local, regional, Treaty-based model of control of post-secondary education approach as well as the failures of current governance mechanisms.

- Self-governance, accountability, and functional capacity-building (or lack thereof): a shift from the current hierarchical, two-tiered control of post-secondary education toward local, regional, and Treaty-based models is the preferred option to attain common ends as a path toward First Nation control of First Nation post-secondary education.
 - These models, regardless of their scope, are better equipped for the implementation of meaningful, First Nation-led initiatives suitable to the specific needs and requirements of post-secondary students. Among other things, associative community mechanisms, partners, and regional organizations are better suited to grasp the real needs of communities and their members, to allocate resources, and to establish attuned education service delivery systems while attending to regional, local, and student education priorities overall.
 - Local, regional, and Treaty-based models of organization promote and encourage the development of “building blocks” for capacity and/or to reinforce existing capacity and economic self-reliance of First Nations communities.
 - By the same token, these models promote the creation of effective channels of internal accountability mechanisms, directly connecting First Nations governance and organizations to their constituents, clients and/or recipients. In doing so, these models help differentiate and substantiate the distinction between “authentic” First Nation educational self-governance and vertical hierarchies and policies crafted by non-Indigenous “agents.”
 - In contrast, current, two-tiered, and exogenous channels of accountability and decision-making, whereby First Nations and organizations are accountable to provincial and federal governments and their requirements, have been showed to be inefficient, incompatible with and alien to First

- Nations' practices and governance mechanisms, cumbersome, and time-consuming for local and regional First Nations administrations.
- This type of accountability and decision-making mechanisms, furthermore, disperse efforts throughout fragmented programs and requirements, and fail to provide the necessary fluidity, flexibility, stability and durability to First Nations entities and organizations.
 - Lastly, local, regional, and Treaty-based models of post-secondary education governance allow First Nations to establish their own partnerships with academic institutions to increase the availability of post-secondary education, to foster culturally and linguistically appropriate programs for First Nation students tailored to the needs and the purposes of First Nations.
- Transition toward an effective, efficient, legitimate First Nation governance in post-secondary education: to exercise effective, efficient and meaningful jurisdiction over post-secondary education, First Nations must have access to, and actual control of, a body of competencies and resources, ranging from infrastructure, technology and funding as well as human resources, qualified professionals, and capacity building, may affect the proper transfer of capacities.
 - The ethos of this policy proposal remains that of a holistic, lifelong educational learning; yet generational, factual disparities in funding between First Nations and non-Indigenous post-secondary education calls for comprehensive funding that attends to building capacity, resources, training, infrastructure, etc.
 - The government of Canada holds responsibilities relative to funding, transfer and transitioning administration, supervision, and programming to local, regional and Treaty-based entities without which the full implementation First Nations control of First Nation post-secondary education would remain partial and fragmented.
 - Current, two-tiered governance, whereby federal government agencies selectively delegate local First Nation authorities fragmented funding, supports, services, and programs has showed to be inefficient insofar as it merely feeds the capacity gap at the local level and stands in the way for the creation of associative mechanisms of scale, such as regional and Treaty-based models of First Nation control of post-secondary education.
 - The need for adequate, predictable and sustainable funding for First Nations post-secondary institutions (FNIs): FNIs are institutions primarily run by and for First Nations that provide post-secondary education programs. FNIs fall under a wide range of post-secondary education terminology, including learning centres, Collège d'enseignement général et professionnel (CÉGEPs), institutes, colleges, and universities. In spite of their disparate structures and levels, FNIs share similar values and principles: as vehicles of life-long learning and resource-building within First Nations communities, FNIs are geared toward the advancement of First Nation control of post-secondary education. Additionally, FNIs play a critical role in suppressing the post-secondary education gap

between First Nation and non-Indigenous students and promote the implementation of successful local, regional and Treaty-based models of post-secondary education.

- Local, regional and Treaty-based models of post-secondary education require the strengthening, support and advancement of FNIs: As the educational institutions created by and for First Nations, FNIs provide culturally and linguistically responsive educational environments grounded in traditional ways that honour traditions and values.
- As centres of excellence and research, FNIs help define and set the agenda for communities, act as building blocks for functionally integrative local and regional self-governance and are simultaneously more responsive to the needs and requirements of First Nations and post-secondary students.
- Funding gaps: there are few funding mechanisms available to First Nation institutions of higher education. Where available, programs are fragmentary, project-based, and fail to accommodate to the cultural, linguistic and holistic character of their mission. Indeed, oftentimes FNIs are considered on equal footing with non-Indigenous post-secondary institutions. The ethos and mission of FNIs is thereby disregarded and demoted to a second-order purpose. In this sense, FNIs find themselves in competition with non-Indigenous post-secondary institutions for funding as well as for the recruitment and retention of qualified professionals.
- First Nation post-secondary institutions have become victims of their own success: Thanks to their relentless efforts to provide a voice to First Nations, there is an increased emphasis on decolonization in the context of Eurocentric post-secondary institutions. This current discursive drift amongst non-Indigenous institutions paradoxically marginalizes and waters down the efforts and role of FNIs, as funding and attention is dispersed throughout a multiplicity of unrelated programs and activities that target non-Indigenous populations, thereby thwarting efforts and investments directed to First Nation post-secondary students.
- Similarly, FNIs oftentimes find themselves juggling with multiple requests for collaboration from non-Indigenous institutions of higher education. Their participation and knowledge-sharing, while critical in the aforementioned cultural shift, also hinders and delays their own efforts and initiatives.
- First Nations languages and culture: the principle First Nation control of post-secondary education is intrinsically connected to the promotion and vitality of First Nations languages and culture. In light of the passing of Canada's Indigenous Languages Act in 2019 and the United Nations Declaration on the Rights of Indigenous Peoples Act in 2021, UNESCO's Los Pinos' Declaration and the 2022-2032 International Decade of Indigenous Languages, FNIs play a critical role in the promotion,

development and vitality of First Nation languages and culture. Creating a path to recognize and fund their centrality, role, and autonomy is thereby paramount for First Nation higher education self-governance.

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