

**A Review
of the
Band Operated Funding Formula**

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A Review of the Band Operated Funding Formula

Vision for the future for First Nations education respecting the Band Operated Funding Formula

First Nations in Ontario have a vision of education where the funding provided meets the *real* needs of First Nations children.

First Nations in Ontario have a vision of education where full funding is provided for all levels of Special Education, for native language and culture programs, and for economically and socially depressed students.

First Nations in Ontario have a vision of education where schools and school systems that have an expectation of high academic standards, strong social development with cultural values imbedded in the school program.

First Nations in Ontario have a vision of education where the people of the community have the right and the ability to make educational decisions for their children through a strong and viable education governance and administrative structure.

First Nations in Ontario have a vision of education where accountability to the community demonstrates and ensures their children are receiving the best education possible.

First Nations in Ontario have a vision of education where the education staff are fully certified and high motivated and who have an attitude of partnership with and service to First Nation communities.

First Nations in Ontario have a vision of education where there are strongly supported opportunities for collaboration with other First Nations and with other education systems in the province.

First Nations in Ontario have a vision of education where their education systems are supported but not directed by a larger education-based entity managed by First Nations people.

First Nations in Ontario have a vision of education that has transparent equity in a funding formula that addresses the all the needs of First Nations children and the schools they attend.

First Nations in Ontario have a vision of education that supports an uncomplicated, equitable and transparent financial and program reporting structure.

What currently exists in the First Nations Education System under the Band Operated Funding Formula (BOFF)

The current Band Operated Funding Formula (BOFF) was developed in 1988. Based on the provincial education funding formula in Ontario, the BOFF was designed to apply to all First Nations schools in Canada. Prior to 1988, federal schools were funded according to a process called “Data Base” and because this process was known to be ‘increasingly ineffective’, Treasury Board instructed Indian and Northern Affairs Canada (INAC) to develop a new funding model.

The Band Operated Funding Formula provides funding on the basis of a multiplication of the *number of units* (number of students) *times* a given *unit cost* (tuition rate) for instructional services. This amount is then enhanced by a number of additional factors which will be described below. A primary guiding document for the INAC formula is a 1988 document entitled “*Working Draft: Formula Funding, Education Branch, INAC, Regional Directors General Report*”¹. According to the document, any model “must detail and justify resources requests consistent with the principles of efficiency and effectiveness.”² The model must be acceptable to Treasury Board and it must provide adequate funding for the delivery of an education program in a First Nations administered school.

The formula in use since 1988 addresses elementary and secondary services for Federally Operated Schools (Planning Variable No. 6130) and for Band Operated Schools (Planning Variable No. 6110). This paper will address the formula for First Nations/Band Operated Schools.

According to the Band Operated Funding Formula Working Draft Planning Variable No. 6110³ services included in the Band Operated Funding Formula are as follows:

- a) teachers
- b) paraprofessionals
- c) administrative support
- d) other services
- e) professional development
- f) education leave
- g) cultural education
- h) special education
- i) advice and assistance
- j) other costs
- k) boards/committees/authorities – bands

It is understood that the original per student allocation was determined after the total allocation for First Nations schools was known. In other words, the per student formula was not designed as a total amount of items (a) to (k) listed above, but was rather the amount left to each First Nations school out of a fixed total amount. There is no fixed amount identified for items (a) to (k). The student base rate is expected to support “the majority of the formula services including teachers salaries, books and supplies, instructional materials and core curriculum requirements”.⁴

¹ Working Draft: Formula Funding, Education Branch, INAC, Regional Directors General Report

² Ibid. pp 1

³ Ibid.

⁴ Ibid.

A number of items are specifically not included in the Band Operated Funding Formula according to the INAC draft document⁵:

- a) instructional services - provincial schools
- b) instructional support services – provincial schools
- c) student accommodation services
- d) student financial services
- c) student transportation
- d) guidance and counselling - elementary/secondary
- e) facility rental for education purposes (included in Band Support Funding)

Operations and Maintenance, and minor capital (repairs), exist outside the BOFF. Capital development funds are also not built into the formula.

The unit cost or base amount is enhanced by a number of adjustments. The incremental student allocation provides a fixed amount of funds for Native language instruction (one qualified teacher for every 220 students), low cost special education (services which can be provided by the school or purchased from a neighbouring jurisdiction), and second level services (for undefined supervisory and consultative services). These amounts were all based on the Ontario education funding formula⁶.

Other adjustment factors are not applicable to all schools and include a geographic indices to provide additional funding for schools which are located some distance from major urban service centres. There is also a small school factor, a second official language factor, and English as a second language.

It is notable that all INAC regions across Canada apply the formula differently. Some enhance the base amount by eliminating adjustment factors. Others have developed their own approach to applying the adjustment factors. The terms and conditions of INAC funding agreements with First Nations specifically identify that First Nations schools must deliver provincial curriculum with provincially certified teachers. It is clearly evident through these terms and conditions, and the Band Operated Funding Formula, that First Nations schools are being institutionally modeled as a delivery agent for the provincial education system. The flexibility in regional approaches to applying the formula allows INAC bureaucrats to more closely align First Nations schools with provincial priorities.

The Band Operated Funding Formula *unit cost* has changed from time to time, however there is no published material to track the methodology utilized for the change. In 2004, INAC and the Assembly of First Nations established a joint working group to review the Band Operated Funding Formula. One component of the study involved a review, region by region, of what First Nations schools actually receive under the formula with a theoretical exercise to compare this amount to what a First Nations school might otherwise be eligible for under the provincial funding formula. The Ontario study is entitled “A Comparison of the Provincial Funding Model Allocation to Band Operated Schools in Ontario with The Federal Government’s Approach for Funding Band Operated Schools”⁷. The consultant was hired by INAC and provided access to the INAC funding database. The report concludes that in the 2003-04 fiscal year the unit cost for First Nations schools in Ontario was \$4,127. The consultant identified that

⁵ Ibid.

⁶ Ibid.

⁷ Brumer, Leon: A Comparison of the Provincial Funding Model Allocation to Band Operated Schools in Ontario with The Federal Government’s Approach for Funding Band Operated Schools, July 31, 2004, prepared for the Joint INAC – AFN Working Group on the Band Operated Funding Formula

“one of the assumptions underlying the establishment of this amount is the view that the pupil-teacher ratio (PTR) is 17:1.”⁸

The incremental student allocation is identified as \$444, however the consultant noted that it is not clear how much of this is divided between low cost special education and Native language⁹. In addition, each school with ten or more students received \$20,000 for school administration. There is no specific amount identified in the formula as an allocation for second level services or education governance. INAC believes that second level services are supported through proposal-driven enrichment programs such as New Paths (formerly Gathering Strength), and that education governance is supported through Band Support Funding, the core funding transfer for First Nations. INAC must stop the practice of having First Nations apply for funding (New Paths, High Cost Special Education, Parental Engagement, Teacher Recruitment and Retention) which is a core requirement for effective schools systems. This exercise of pitting First Nation against First Nation in competition over a pot of funding is unacceptable. The additional administration requirements forced upon First Nations is also unacceptable.

Besides education governance and second level services, other significant items not included in the formula are:

- a) low cost special education additional costs ie. enrichment, remedial, transportation
- b) Native language curriculum development
- c) Native language immersion/language of instruction
- d) transportation
- e) teacher training / enhanced professional development
- f) Native teacher pension fund
- h) information technology

High cost special education is determined in formula by the number of students identified. According to the Brumer report, the Federal government has allocated a minimum of \$72,000 for each First Nations operated school system (ie. communities with more than one school) up to a maximum of \$360,000. This funding is provided in increments of \$72,000 based on schools system enrolment ie. \$72,000 up to 100 pupils; \$144,000 for 100 to 200; \$216,000 for 200 to 300; \$288,000 for 300 to 400; and, \$360,000 over 400 pupils. The total allocation for high cost special education programs in \$2003-04 was \$10,156,300¹⁰.

Indian and Northern Affairs Canada provides no published information on how revisions have been made to the Band Operated Funding Formula over time nor is the unit cost published anywhere on a regular basis. It is telling that the primary document utilized to describe the BOFF is still titled “draft” almost two decades after its development.

In present day Ontario, every Act, memorandum, policy and information document used to determine how provincial education is funded and operated is public information and is readily available from the school boards, the Ministry of Education or on their websites¹¹. The Ontario Ministry of Education’s website denotes an attitude of accountability and service to the public. The education sections of Indian and Northern Affairs Canada’s website, on the other hand, primarily provides information to the Canadian public on what they are doing for First Nations in the field of education and how much they’re spending

⁸ Ibid pp. 19

⁹ Ibid. pp. 19

¹⁰ Ibid pp. 21

¹¹ www.edu.gov.on.ca

on First Nations education in total across the country¹². On the INAC Education website there is no information for First Nation parents or First Nations educators that would assist them to better understand or address education needs in First Nations communities. This exists in contrast to the website of the Office of Indian Education Programs in the United States which publishes a number of resources which may be useful to Native American schools such as learning, teaching and evaluative resources.¹³

It is evident that INAC's key approach to the funding of elementary and secondary education is the delivery of a provincial education program on reserve. It is not funding education systems, nor does the funding model appear to have any focus on other qualitative issues such as student achievement, culturally responsive curriculum and teaching, or parental and community empowerment. The Auditor General of Canada noted in an audit of INAC's education program that First Nations students face a gap of twenty-three years to match the achievement of Canadian students¹⁴. It is unconscionable for INAC to control First Nations education through an inflexible funding formula, yet not adopt measures to support substantive, qualitative improvements identified by First Nations over and over again in dozens of reports and submissions.

What First Nations *need* to realize their vision for a successful education system.

The elements required for a successful First Nations education system have been identified in several reports and research studies. This section will briefly reaffirm some of these elements while utilizing the Ontario education system as a basis to examine items which are currently missing from a fully functioning First Nations education system.

The Ontario Student Focused Funding Technical Paper available online at the Ministry of Education website at provides details to the public on the grant formulas for student-focused funding which includes a Foundation Grant, Special Purpose Grants and Pupil Accommodation Grants. The provincial formula changes from time to time to adapt to changing circumstances and emerging needs. A review of the new provincial formula will denote numerous funding programs to provide targeted support for key education programs such as literacy and math, and key systems needs.

Funding Formula

First Nations schools require an uncluttered, transparent and workable funding formula that meets the real educational needs of First Nations students as identified by First Nations peoples. The funding formula should meet the needs of all First Nations schools in the many and varied First Nations communities in Ontario, ensure First Nations education systems development, and have a built in ability to evolve to meet changing needs.

Consistency of Application of Funding Formula

¹² http://www.ainc-inac.gc.ca/ps/edu/index_e.html

¹³ www.oiep.bia.edu

¹⁴ Report of the Auditor General of Canada: Indian and Northern Affairs Canada – Elementary and Secondary Education pp. 4-13
[http://www.oag-bvg.gc.ca/domino/reports.nsf/html/0004ce.html/\\$file/0004ce.pdf](http://www.oag-bvg.gc.ca/domino/reports.nsf/html/0004ce.html/$file/0004ce.pdf)

One of the complaints by First Nations leaders in education has to do with how the Band Operated Funding Formula is applied. It appears that the BOFF is so non-comprehensive in its present form that it cannot be applied evenly and consistently from First Nation to First Nation. The BOFF is applied differently from region to region and province to province. A new BOFF must be very comprehensive and equitable in its construction and transparent in its application so that all education needs are considered and so that there is no question that all First Nations communities are treated in an equitable fashion. The formula must be clear and reasonably easy for any First Nation to use in making future estimates regarding the education budgets. Further, the formula must be made public and all funds generated for First Nations communities must be made public.

First Nation Teacher Salaries

Salaries are the largest portion of any education system's annual budget. In most District School Boards in Ontario, the budget percentage for salaries varies from 65% to 80% depending on the size of the board. The smaller the board, the larger the percentage allocation for salaries. This is an important consideration for one-school boards such as those found in most First Nations.

The Ontario Student Focused Funding Formula and the present INAC Education Funding Formula calculate teacher salaries much the same way. That is, each determines an average salary from a salary grid which, in both cases, is similar to salary grids in their jurisdiction. In the province of Ontario the average salary is pegged at \$54,079 (2003) while the average INAC salary is based on Level 5 Year 5 of the current grid, which in 2002 was identified as \$46,179. Using these figures, and the number of teaching staff allocated based on the student-teacher ratio, the Ontario Ministry of Education and INAC determine the amount of funding needed to pay the current staff. A recent study by the Chiefs of Ontario found that teachers in First Nations schools were underpaid compared to their provincial counterparts by \$10, 791.89 or 25%¹⁵.

This method, however, is flawed in that, in neither the provincial district school boards nor the First Nations schools does this method actually cover all of the salary and benefits cost for staff. As an example, Grand Erie District School Board expends \$500,000 more than it receives in its funding allocation from the Ontario Ministry of Education. (see Appendix 1 - Grand Erie District School Board 2003-2004 Funding Allocation Variance). This means that schools and school systems that are not allocated sufficient funds to cover the actual cost of salaries and benefits for their staff must take money from other lines of the budget. This could mean that such a salary shortfall could be taken from budget lines like the classroom allotment or the professional development allotment. In the case of many First Nations, where the funding for each budget line is already low, the salaries made available to teachers are merely lowered to fit the model.

To avoid having to take funds from other budget lines to cover salaries, INAC must fund *actual* salary costs for education staff in First Nations communities.

First Nations Curriculum Centres

¹⁵ Chiefs of Ontario: *Case Study of Teacher Salaries/Non-Salaries Issues*, pp. 20, <http://www.chiefs-of-ontario.org/education/docs/Teacher%20Salary%20Ontario%20Case%20Study.doc>

It is clear that parents and community members in First Nations want a strong academic program coupled with a strong language and cultural program for their children. The Ontario curriculum does not sufficiently address First Nations curriculum issues and therefore much work needs to be done to ensure that First Nations knowledge, history and culture is included. This can be done by developing units of study which correspond to expectations in the provincial curricula and enhance the educational experience for First Nations students.

In order to develop curricula that meet the education expectations for First Nations communities, a program of development needs to be planned and funded such that there can be partnerships among First Nations communities to develop, review, approve, and distribute educationally sound and teacher-friendly curriculum units. This could be done by regional First Nations curriculum centres as endorsed by the Minister's National Working Group in 2002¹⁶. In Ontario it will be necessary to have curriculum centres which respond to First Nations linguistic, cultural and political diversity. Emerging centres of curriculum development include Seven Generation Educational Institute in Fort Frances; the Kwayaciiwin Education Resource Centre serving 24 First Nations in Nishnawbe-Aski Nation; Kenjigewin Teg Educational Institute serving First Nations communities on Manitoulin Island and the North Shore communities on Lake Huron; Omushkego Education serving the eight Cree communities of the Mushkegowuk Tribal Council; the Kawennio School in Six Nations; and, the Akwesasne Mohawk School Board in Akwesasne Mohawk Territory. It is believed that the curriculum document elsewhere in this Manifesto will propose regional centres for curriculum development.

Re-building Process

Prior to the implementation of program devolution in the mid to late '80's, INAC had an Education Branch that provided significant education services to First Nations schools. Some of these services included:

- a) interaction with the Ontario Ministry of Education,
- b) interpretation and implementation of Ministry of Education documents and programs,
- c) program leadership,
- d) curriculum development, and
- e) policy development and implementation.

Many of these services have been left to First Nations organizations and school staff. It is evident that school administration staff neither have the time, nor in some cases, the expertise, to take up these duties in addition to managing those duties as normally assigned to their positions. The lack of coordinated INAC support for First Nations systems development has resulted in a vacuum in addressing significant education quality issues.

Beginning in 1997 with the Mathematics and Language Arts curricula and following in 1998 with the Health and Physical Education, Science and Technology, The Arts, Social Studies and History and Geography, French as a Second Language and the Kindergarten curricula and, finally in 2001 with the Native Languages curriculum, the Ontario Ministry of Education instituted a new program of studies for the province. Early in this process, Indian and Northern Affairs determined that all First Nations schools

¹⁶ Department of Indian Affairs and Northern Development Canada: Our Children – Keepers of the Sacred Knowledge – Final Report of the Minister's National Working Group on Education, December, 2002

would continue to follow the Ontario provincial curriculum. Since INAC no longer had an Education Branch, during 1997 to 2001, First Nations staff were instructed to implement these curricula with little or no assistance, academic leadership or funding beyond the school level while provincial schools conducted major implementation programs which included in-service sessions, program outlines and strategies for review. In addition, the province implemented the Education Quality Assessment Office whose role is to ensure that the Ontario curriculum is being followed in provincial schools. This was done by administering province-wide tests to Grade 3, Grade 6 in Math and Language Arts, Math in Grade 9 and Literacy in Grade 10. INAC provided very little leadership in the implementation process for the new Ontario curriculum.

Many documents, most particularly, the Minister's Working Group on Education 2002, recommend the development of a First Nations Education Infrastructure that would deal with a wide variety of policy, program and research designed to rebuild First Nations education in this country. Although this process is outside of the Funding Formula, it is the kind of funding which is required for First Nations to truly meet and exceed the Ontario standards in elementary and secondary education. INAC Ontario must be among the first to initiate a First Nations education infrastructure through support for a system of regional First Nations curriculum centres, which would begin the rebuilding and/or re-implementation process for First Nations education in Ontario.

Match Province in Special Projects

From time to time, the Ontario Ministry of Education allots new money to various projects that have come to the education forefront as being of an urgent nature. In the recent past some of these have been the Early Literacy initiative and the Students-at-Risk initiative. In both cases a certain amount of money was provided to each District School Board to develop improvement plans under the guidelines provided.

In order for First Nations to keep pace with new education initiatives in the province, it is imperative that a new funding formula for First Nations schools can be adaptable to address similar initiatives in First Nations communities and be funded at the same level or better.

Small Schools and Multi-Grade Classrooms

Research since 1997 and the implementation of the new Ontario curriculum shows that no matter how much teachers integrate programs or group students, the bottom line in a combined grades classroom is that the teacher does not have enough time to teach the whole program to each grade assigned to him/her. The problem increases exponentially with every new grade added to the classroom. Recently the government of Ontario announced that it is considering putting a "hard cap" on class size in the primary grades that will limit the size of classrooms to 20 students.

Any funding formula must address the true needs of small schools with multi-grade classrooms especially with respect to the number of students taught and the number of staff needed. In these instances, the Formula Funding should consider extra funding for more certified teachers or for more Education Assistants to meet the academic needs of the children and to limit the class sizes to two grades per classroom.

Depressed Social, Educational and Economic Conditions

Depressed social, educational and economic conditions are indicators of higher risk for academic difficulties for students. In provincial school boards the Special Purpose grants provide a wide range of programs designed to improve the educational achievement of high risk students. A new First Nations funding model must take these factors into consideration and provide a similar fund to First Nations schools.

Indigenous Knowledge

The Final Report of the Minister's Working Group on Education noted: "Under the leadership and direction of First Nations communities, Canada must work together with all stakeholders to ensure that Indigenous Knowledge is respected and promoted in all funded educational programs and services."¹⁷ A new Funding Formula Model must allocate funds to First Nations to develop strategies that would ensure the transference of Indigenous Knowledge from one generation to the next is carried out in the schools as a regular part of the program. This is necessary to build upon the foundation of recommendation #9 of the Final Report of the Minister's Working Group which calls upon "Canada to provide resources to reaffirm the revitalization of First Nation Indigenous knowledge in the development of parental, family and community capacity building".¹⁸

Language Programs

Immersion, First Language and Second Language

To quote the noted Mi'kmaq scholar, Marie Battiste, "Aboriginal languages are the basic media for the transmission and survival of Aboriginal consciousness, cultures, literatures, histories, religions, political institutions and values. They provide distinctive perspectives on and understandings of the world, which educational research has ignored. The suppression or extermination of this consciousness in education through the destruction of Aboriginal languages is inconsistent with the modern constitutional rights of Aboriginal peoples."¹⁹

In the First Nation context, an immersion program is one which teaches English speakers to speak a First Nations language. The goal of an immersion program is for the students to become fluent and literate in a First Nations language.

A First Language Program is one that starts Native language speaking students school program in their first language. That is, if a student begins school speaking a First Nation language, instruction is provided in that language and continues throughout the school program while at the same time gradually introducing English as a Second Language. The goal of this approach is to maintain fluency and literacy in the First Nations language and to develop fluency and literacy in the English language.

In the First Nations context, a Second Language Program provides English speakers instruction a First Nations language or French for 20 to 40 minutes per day, the goal of this program being a moderate level of fluency and literacy. The actual outcome of this limited approach is to fail to create fluency or literacy in First Nations languages.

¹⁷ Department of Indian Affairs and Northern Development Canada: Our Children – Keepers of the Sacred Knowledge – Final Report of the Minister's National Working Group on Education, December, 2002

¹⁸ Ibid pp. 20

¹⁹ Battiste, Marie: Maintaining Aboriginal Identity, Language and Culture in Battiste, Marie editor: Reclaiming Indigenous Voice and Vision, UBC Press, 2000 pp. 199

Immersion and First Language programs must be fully funded in any new Formula Funding Model. The funding of these kinds of language programs also means that consideration must be given to training teachers in these various methods of teaching, providing learning materials in the various languages and provision for assisting students who may be experiencing difficulty in their second language whatever it may be. Like English as a Second Language (ESL) programs in the provincial schools, students leaving an immersion program must also be provided support to enhance their academic skills in English. It is necessary for an additional funding factor to be built into any new or enhanced Band Operated Funding Formula to encourage, reward, and support immersion and First Language programs. A new factor could start with a base unit rate of 1.5 to 2 times the rate for an English based curriculum to account for the additional costs of teacher training, recruitment, and curriculum development.

Information Technology

Although the Foundation Grant (2004) under the Ontario Student Focused Funding model provides \$44 per student for classroom computers and network support in the elementary program and \$58 per student in the secondary program, provincial school boards who wish to keep their computers and networks up-to-date must overspend this allocation.

It is clear that the funding of top-notch computer networks in First Nations schools are needed investments which will pay numerous dividends through student use for research, the taking of secondary school online courses, and as an assist toward producing written documentation and projects. Teachers could also use a computer network for carry out duties such as marks collection and recording, program planning, report card production, communication with other educators and parents. Teachers could also conduct research and take online courses using the school computers. Provincial schools may take these functions for granted, however this is not the case in First Nations schools. These computer activities can only be done when the computers and/or computer networks are up-to-date and technically well supported and when decision-makers accept that computer technology is integral, not an expensive add-on, to a modern learning system.

Professional Development

At a National Forum on Education Accountability and Performance Improvement held in Ottawa in November 2002, the overriding message by the Keynote Speaker, Dave Cooke, Former Minister of Education, former Chair of the Ontario Education Improvement Commission and former Chair on the Ontario Task Force on Effective Schools was that more professional development was needed for true accountability. Other speakers pointed out that in-service professional development was a must for all new programs and that professional development should be directly related to improving student achievement.

Professional development is available to teachers in many forms which may include but is not limited to taking courses, especially additional qualifications courses; professional reading of books, magazines, journals and other reading materials; watching professional videos or professional TV; attending workshops given within and outside of the schools; attending conferences, visiting other classrooms, surfing education sites on the Internet and talking with other teachers. Most schools provide in-service during professional development days in their schools. Many First Nations schools make sure that their

staff have opportunities to attend professional development outside of the community at least once per school year. Many additional qualifications courses are now available online and can be accessed by anyone who has computer. Of course it is important to note that most First Nations exist in rural and remote areas in Ontario where access to high speed connections still does not exist.

The Band Operated Funding Formula does provide a budget for professional development but the amount provided does not begin to cover the real costs for the necessary implementation of the new, revised Ontario curriculum and the costs for sending staff members to conferences where they would learn about the newest educational research and programs. Today, a quality conference may cost between \$500 to \$1,000 for registration fees which do not include transportation, accommodation and meals. For small First Nations schools, one top quality conference could potentially use the entire professional development budget for the year.

INAC must totally re-think how they fund Professional Development for First Nations schools. INAC must provide significant Professional Development to education staff to address gaps in their professional knowledge and skills. In many district school boards in southern and central Ontario, teachers may receive in-service training from experts in neighbouring boards, or by attending local workshops. Northern and isolated First Nations schools do not enjoy such luxuries. The fact still remains that First Nations do not receive resources to provide culturally appropriate professional development to their education staff.

It is absolutely imperative that INAC officials re-implement First Nations education conferences which were once part of the regular professional development calendar for teachers of First Nations children. Such a conference of two or three days, which should be held in a location that is easily accessible for most educators in First Nations communities, could meet the professional development needs of many educators all at once. Further, a conference of this type could provide opportunities for First Nations educators to make personal contacts with their colleagues in other communities which could be the start of many new professional development communities in terms of e-communication, unit development collaboration, and the potential formation of professional associations.

Educators in First Nations communities should be aware of education associations which exist in the mainstream provincial education system. Many of these associations provide potential models for future First Nation educational development, and may in fact be helpful to First Nations educators and education staff for interim professional development, or at minimum, gaining a better understanding of changes which may occur in the provincial system. Some of the associations in Ontario include the Ontario Association of Junior Educators, English Language Arts Network (Ontario), Ontario Association of Child and Youth Counsellors, Ontario History and Social Sciences Teachers Association, Ontario Middle Level Educators Association, Ontario Music Educators Association, Ontario School Counsellors Association, Science Teachers Association of Ontario, Teachers for Excellence in Education, and ESL Ontario - Teachers of English as a Second Language of Ontario.

Any Band Operated Funding Formula must provide money to address the geographic, educational, personal and intellectual isolation that exists for First Nations Educators which includes the Education Assistants, Tutor Escorts, Classroom Teachers, Principals, Vice-Principals and Directors of Education and their staffs. Education funding must address these needs by providing funding to develop associations to meet the needs of these educators' groups.

The Band Operated Funding Formula, like the province, should provide money for membership fees to

associations for educators in First Nations communities. In the province of Ontario, Directors of Education belong to the Council of Ontario Directors of Education (C.O.D.E.), Supervisory Officers belong to the Ontario Supervisory Officers' Association (O.P.S.O.A.) and the trustees belong to the Ontario Public School Boards Association (O.P.S.B.A.) while the teaching and support staff belong to associations which provide support for their groups.

In Ontario, a handful of First Nations Directors of Education and others who hold similar positions have already begun discussions on forming an IDEA Group (Indigenous Directors of Education Association). This is one group that could take a leadership role in initiating the process of communication between and among First Nations Educators and other education related organizations in the province and in the country.

One of the best ways to work toward improvement in education in First Nations communities is the establishment and support of educational partnerships among First Nations educators. This could be as simple as setting up a website to share information and could go as far as having an annual First Nations Educators symposium to share information, collect information and to make contacts with other First Nation educators.

Breakfast and Lunch Programs

Research has verified that any child who is well-fed will learn better. The Band Operated Funding Formula should address the costs for cafeterias in the schools similar to the breakfast and lunch programs that have existed in American schools for decades. There are programs that fund the actual purchase for food, but the infrastructure to cook and serve the food often is lacking. This is an immediate need which cannot be underestimated. With the epidemics of diabetes and obesity in First Nations communities, an improved diet is something which First Nations schools can play a considerable role in addressing. INAC must include Breakfast and Lunch programs in any new Band Operated Formula, while considering the necessity of cafeterias in the capital program which funds new schools or school renovations.

Summer School – Extended School Year

The Ontario Student Focused Funding model provides a significant amount of funding for students at-risk to attend summer school and to attend after school programs for academic support. INAC needs to provide resources for various models of enhanced schooling in First Nations communities. For instance, schools have developed model of school-camp that would encourage students experiencing difficulty to attend summer school in the mornings and summer camp type activities in the afternoon. This kind of program would encourage students to attend summer school for remediation. Others have extended the school year or the number of hours in the school day. Ontario supports after school and homework programs which support student achievement in math, literacy and homework completion. It is important that a new Band Operated Funding Formula develop a mechanism to support expanded school programming beyond the current school hours.

Special Education

Special Education is being addressed elsewhere in this Manifesto. It is sufficient to note that INAC must

change their unilateral approach to defining how special education should be defined and administered. First Nations require needs based programming, maximizing service to students and minimizing administrative overload.

Governance

In the province of Ontario District Schools have elected trustees who meet regularly to advocate for students and parents, to make policy for the good operation of the school system, and to act as financial guardians for educational funding. Provincial trustees receive \$5,000 per year as an honorarium to carry out their responsibilities and are accorded another \$5,000 for professional development, travel and other expenses. Ten thousand dollars is provided to each District School Board as an additional honorarium for the chair and vice-chair. There is also a \$5,000 budget for travel and expenses, but no honoraria, provided for a student trustee. Most District School Boards have no more than 10 elected trustees. Some have as few as six while others, like Toronto, have closer to 20 trustees.

INAC has not developed an approach to support First Nations governance of education. At a minimum, administrative funds are required to support the development of First Nations school boards. Costing for school board development can consider provincial examples, as well as First Nations examples in other regions such as the James Bay Cree in Quebec, the Mi'kmaq school board, and the Nisga'a school board. Costing for school board members to participate in education governance is likely to involve responsibilities above and beyond those currently exercised by provincial school board members. Regional school board authorities for First Nations schools may possibly exercise policy development responsibilities, above and beyond the day to day management of a school system. School board members will need to be compensated requisite with their governance responsibilities. The provincial model may provide a foundation for the development of an approach for compensating First Nations school board members.

INAC Administrative Changes Required - Flow of Funding Dollars

One of the difficulties that First Nations face is the lack of clarity as to dates for education funding to arrive in the community. There have been instances where First Nations have had to go into significant overdraft to make payroll and pay essential services. An overdraft situation costs money. In the development of a new BOFF, consideration should be given to specific times, specific calendar dates, for the flow of education dollars to First Nations to encourage quality planning mechanisms in the communities.

Supervision of Children

More than ever before, health and safety is playing a very large part in the education of all children in the province of Ontario and this should be so with First Nations children as well. In First Nations schools as with other schools, children are very well supervised while inside of the school but full supervision outside of the school becomes very difficult as the school staffs become smaller and even more difficult on the bus ride to and from school. In the interest of safety of the children a new Band Operated Funding Formula must find ways to provide supervision during recess times at school and on the school buses.

Program Resources Elementary

Students in First Nations elementary schools have the right to quality equipment to work with in the pursuit of their education goals, at minimum, as laid out in the Ontario curriculum documents. For instance the Mathematics curriculum calls for the use of concrete materials, calculators and computers, while the Science curriculum calls for the provision of an experiential based approach implying the use of materials which must be purchased.

For any teacher to provide an educationally sound program to elementary students, he or she must have access to teaching resources such as hands-on math resources, a good reading library, science equipment, health and physical education equipment, to name but a few. All schools must have access to the basic materials needed to teach each school program. This means that, even in cases where the small school generates too little money in their budget to purchase all materials and equipment needed to teach a certain program, a way must be found to provide this basic equipment to the schools and the Band Operated Funding Formula must address this need.

Tuition Agreements

Tuition agreements between First Nations communities and District School Boards are generally adequately resourced. INAC does have a tuition agreement template, however the decision to fund any programs and services deemed to be enhancements is made solely by INAC representatives without written policy guidance. A tuition agreement funding formula must be developed to ensure all First Nations are aware of the type of services available and the amount of funding available in order to access the best education services possible for their students. This approach to transparency and accountability will also go a long way to ensuring there is no over-payment or under-servicing for First Nations students.

There needs to be a system of accountability that includes a set of performance measures and improved reporting of performance to the First Nations community. This means better tracking of students and the cohort throughout their school experience and making certain that this information is provided to the First Nation. First Nations need to make a commitment to work with the government of Ontario and INAC in the development of a First Nations student tracking and identification system in order to better track First Nations student achievement in provincial schools and in First Nations schools.

What are the costs to realize the vision for a successful First Nations education system.

In developing a new Band Operated Funding Formula is developed, INAC must look very closely at key program supports provided under the provincial funding formula in the province of Ontario. In particular, INAC must examine programs designed to enhance education quality, meet evolving needs, and examine the specific support provided for small, rural boards and small, rural, French boards. One such board in northeastern Ontario has one thousand thirty-three students and the student focused funding allocation for that board is almost \$15,500,000 for the 2003-2004 school year (capital costs not included). And with this same board, there are other funds allocated in "one time investments" for texts, learning resources etc. which are outside of student-focused funding. (see Appendix 2 - Student Focused Funding, Projected School Board Funding for the 2003-04 School Year - CSD du Nord-Est del'Ontario)

If one were to simply make a division of number of students divided into the amount of funding provided annually to this board, the cost per student is approximately \$15,500. not including these extra “one-time investments”.

The charts on the following pages make a substantive *estimated* comparison between the Ontario Student-Focused Funding Model and the present Indian and Northern Affairs Funding Formula. It should be noted, that these charts are estimates and the only real comparison can be made when it is clear as to actual funds provided under the Band Operated Funding Formula. Actual dollar values are not clear in the 1988 Indian and Northern Affairs Canada Band Operated Funding Formula.

**Estimated Comparison of Revenues between the
Ontario Student Focused Funding Model and the INAC Band Operated Funding Formula
based on a small, southern school of 100 students**

Formula Line	Band Operated Funding Formula	Ontario Student Focused Funding Formula
Foundation Grant		
	Per Student Allocation	
Classroom Teachers (5)	based on an average salary of Level 5 Year 5 of \$46,179. plus 15.5% benefits (2002 estimate) = \$1885	based on an average salary of \$54,079. plus 12% benefits = \$2,472.
Supply Teachers	\$196.	\$88.
Staff Development	\$33.	\$11.
Assistants	\$7.25	\$6.
Textbooks & Materials	\$196.	\$77.
Classroom Supplies		\$79.
Classroom Computers	not mentioned	\$44.
Library & Guidance Services	included in Classroom Teachers	\$79. teacher librarian \$12. guidance
Professional/Paraprofessional Supports	not mentioned	\$71.
Prep Time	Included in Supply Teachers	\$247.
Administration Principal Vice-Principal Secretary	included in Classroom Teachers ----- \$146.	\$259. ----- \$130.
Consultants	not mentioned	\$40.
Local Priorities Amount	not mentioned	\$200.
Total Foundation Revenue Per Student	\$2,463.25	\$3815.00
Total Estimated Revenue for a small, southern school of 100 students	\$246,325.00	\$381,500.00

Estimated Comparison of Revenues between the

**Ontario Student Focused Funding Model and the INAC Band Operated Funding Formula
based on a small, southern school of 100 students**

Formula Line	Band Operated Funding Formula	Ontario Student Focused Funding Formula
Special Purpose Grant		
	Per Student Allocation	
Special Education		Special Education Per Pupil Amount SEPPA \$562. per K-3 pupil \$424. per 4-8 pupil Intensive Support Amount ISA separate application process Level 1 Boards cover first \$800. Level 2 funded to \$12,000 per file Level 3 funded to \$27,000 per file Level 4 programs in facilities
Native Language As a Second Language As Immersion	included in Classroom Teachers, Textbooks & Materials & Classroom Supplies	Second Language [Immersion]
Geographic Circumstances	not available for southern schools	By formula
Learning Opportunities	Adjustment factors by formula	Low Income Low Education Aboriginal
Early Literacy	Not addressed	JK to Gr. 3
Literacy & Math Outside School Day for Gr 7 & 8	Not addressed	
Summer School	Not addressed	
Students At-Risk	Not addressed	Co-ordinator funding provided to Bd Program funding by formula
Teacher Qualification & Experience	Not addressed	Extra funding to cover high level on teacher pay grid - by formula
Early Learning	Not addressed	available where JK not offered
Transportation	-----	-----
School Board Admin & Governance	Mentioned - no amount allotted	\$5,000. per trustee for honoraria \$5,000. per trustee for expenses, PD
Grand Total Estimated Comparison Foundation Grant & Special Purpose Grant for a school of 100 students	Band Operated Funding Formula	Ontario Student Focused Funding Formula
	\$294,125.00	\$489,100.

It can be concluded from the available figures that the provincial funding formula provides numerous specific education programs and services which do not exist in First Nations schools. According to the figures identified in the comparison, a small provincial school is eligible to receive approximately 60% more funding than a small First Nations school.

A new or renewed Band Operated Funding Formula is a key element to building a high quality, culturally relevant education system for First Nations students. Any new formula must address the flaws in the existing formula, including but not limited to:

- Lack of specificity of resources for line items;
- Lack of ability to meet changing needs;
- Underpaid teachers in First Nations schools;
- Lack of resources and definition for systems development;
- Lack of specific support for required education programs ie. language immersion and programs offered in provincial schools.

At a minimum, a 60% increase to the base unit cost for First Nations schools would bridge gaps and provide a much needed investment in education quality. However, it is also vital to change the formula as it currently exists to account for First Nations education systems development and evolving, emerging and long outstanding needs. While a 60% increase in the funding level would go a long way to addressing these needs, a change in the formula must occur to ensure that funds are applied appropriately and systematically. It is also important to consider the specific needs of language immersion and first language instruction programs as unique cost factors requiring specific allocations in the BOFF to encourage and reward First Nations schools for adopting this approach. This report recommends that the base unit cost for an immersion program or first language instruction program be increased by a factor of 1.5 to 2 times. This would essentially increase the base unit cost by 50% to 100% for immersion or first language instruction.

What are the Roles and Obligations of the Federal, Provincial and First Nations governments in achieving the vision of a successful First Nations education system.

Role and Responsibility of Indian and Northern Affairs

The primary role of Indian and Northern Affairs in education for First Nations is that of a facilitator for high quality, culturally relevant First Nations education. It fulfils this role primarily by serving as a funding agent.

Federal fiscal responsibility results from the Constitution Act which assigns the authority for education to the provincial legislatures but assigns power and authority to the Parliament of Canada for Indians *and* lands reserve for Indians. INAC's mandate in First Nations education arises from the Indian Act, however the legislative role is open to wide interpretation. The Auditor General of Canada in a report issued in 2000²⁰, noted that INAC must identify its specific role in First Nations education.

INAC must carry the overall responsibility of working with First Nations to ensure that First Nations students receive high quality, culturally relevant education. A new or renewed Band Operated Funding Formula must have First Nations involvement in the design and First Nations consent for its implementation.

Systems development must occur to facilitate First Nations governance in education, and First Nations capacity to provide education programs and services to support First Nations schools. Systems development and implementation cannot occur in the without First Nations involvement and consent. Included in systems development is the necessity to facilitate the development and implementation of

²⁰ Report of the Auditor General of Canada: Indian and Northern Affairs Canada – Elementary and Secondary Education [http://www.oag-bvg.gc.ca/domino/reports.nsf/html/0004ce.html/\\$file/0004ce.pdf](http://www.oag-bvg.gc.ca/domino/reports.nsf/html/0004ce.html/$file/0004ce.pdf)

performance measures aimed at improving education performance, ensuring that all needed funding is available.

Role and Responsibility of the Government of Ontario

The government of Ontario must be open to working with First Nations organizations and communities who may wish to have input into educational activities and programs initiated by the province. That is, the province should invite First Nations to sit on committees and take part in discussions on matters that may affect First Nations people. Some examples may be the revision of the Ontario Social Studies, History and Geography curriculum, The Early Years Study, and the At-Risk Working Group.

In instances where a First Nation has a tuition agreement with the provincial district school board, the First Nation and the school board should make sure that all accountability measures are in place. These include any necessary human resources assistance that may be needed by students such as Education Assistants, Social Counsellors, Education (Guidance) Counsellors. District school boards and First Nations must also make certain that reports to the First Nations community are included in any tuition agreement. These reports should include:

- a) data on enrolments for Nominal Roll purposes,
- b) drop-outs, pass/fail rates,
- c) results of provincial testing,
- d) results for all large-group testing,
- e) attendance analysis,
- f) number of graduates,
- g) numbers of students taking academic, applied or essentials programs.
- h) full financial report including basic tuition cost per student and other expenditures
- i) special education report

Finally, the Ministry of Education must commit to work with First Nations and Indian and Northern Affairs to establish a common approach to tuition agreements, in terms of policy, implementation, communication and accountability. All parties must have a common understanding of what basic services are purchased for the tuition fee paid under a tuition agreement, what other services may be purchased for an extra fee, ensuring First Nations and School Boards are aware of the all aspects of the agreement, and all parties are accountable.

Role and Responsibility of First Nations

Program Responsibility

First Nations communities have the responsibility to oversee First Nations education systems and First Nations schools to ensure top quality education for the children. Members of First Nations communities must make certain that schools have fully certified staff who are enthusiastic and prepared to plan, deliver, evaluate and report student progress to the community on a regular basis. First Nations communities also have the responsibility to ensure that staff is supported and receive sufficient opportunities for professional development.

Funding Responsibility

The main role of First Nations is to ensure that all funds received under the Band Operated Funding Formula are expended according to budget and that all education plans and expenditures work toward the goal of improved education for students at each First Nation. Funding under the BOFF must exist as a separate line item in any transfer agreement, subject to separate auditing and accountability.

In terms of fiscal accountability First Nations also have a responsibility to make regular financial reports to both their Band Council and to the community showing how funds received under the Band Operated Funding Formula were expended. The First Nation Council will have a responsibility to report to INAC on how Band Operated Funding Formula funds are expended.

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