

## Reciprocal Education Approach (REA)

October 2020 - Webinar Q&As

### **REQUEST FOR MATERIALS/INFORMATION**

**1. Where can the Written Notice forms be accessed?**

Written Notice forms and other REA materials can be accessed here:

<http://www.edu.gov.on.ca/eng/indigenous/>

**2. Can you please share the Ministry list of acceptable documents which school boards may use to verify a student's residence to determine pupil of the board status eligibility?**

Please see below a list of acceptable documents which school boards may use to verify residence:

- current utility bill
- current property tax bill
- current phone bill
- current agreement of purchase of sale (property)
- other documentation to confirm a student's residency status

An Ontario driver's license is not an acceptable form of documentation to confirm a student's residency status.

This information can be found in the [SB Memo](#) sent on May 7, 2018 as well as the [Enrolment Register Instructions for Elementary and Secondary School Students 2020-21](#).

**3. What are the updated reporting/payment dates due to the pandemic and quadesters?**

A fourth payment will be added for the 2020-21 school year to support First Nation schools and/or provincial school boards that have adopted a quadmester or 8 semester delivery model to address cohorting requirements based on public health advice.

The following table and notes provide details on the due dates of reports and payment timelines under the REA.

Payment	Documentation Due Dates to School Boards	School Board Documentation Requirements	School Board Due Date to Ministry	Ministry Funding to School Boards	School Board Payment to First Nation Entities
Preliminary Payment	September 30	Student Information Report – Section A & B	10th business day in October	Third week of November	Within 10 business days of receipt of ministry funding
Second Payment	Last business day in November	Student Information Report – Section A, B & C	Last business day in December	Third week of February	
Third Payment	Last business day in April	Student Information Report – Section A, B, C & D	Last business day in May	Third week of July	
Fourth Payment (NEW)	Last business day in July	Student Information Report – Section A, B, C & D	Last business day in August	Third week of October	

**NOTES:**

- The **Preliminary Payment** is based on the estimated registration of eligible students attending each First Nation school. Payment for students will be provided covering the period of September 1 to November 30.
- The **Second Payment** is based on the total full-time equivalency (FTE) of active students at each First Nation school at the October 31 count date. Payment for students will be provided covering the period of December 1 to March 31.
  - **NEW:** For schools with a quadmester or 8-semester delivery model, the FTE provided should be based on the estimated FTE for the October count date. This can be calculated based on the average of (a) actual enrolment on the 16<sup>th</sup> day of quad 1 (or the 16<sup>th</sup> day of semesters 1 & 2, in an 8-semester model) and (b) estimated enrolment for quad 2 (or semesters 3 & 4, in an 8-semester model).
- The **Third Payment** is based on the total FTE of active students at each First Nation school on the March 31 count date. Payment to support students will be provided for the period of April 1 to June 30. A reconciliation of the second payment will be made at this time – adjustments will be based on total actual FTE for the October 31 count date less any previous payments.
  - **NEW:** For schools with a quadmester or 8-semester delivery model, the FTE provided should be based on the estimated FTE for the March count

date. This can be calculated based on the average of (a) actual enrolment on the 16th day of quad 3 (or the 16th day of semesters 5 & 6, in an 8-semester model) and (b) estimated enrolment for quad 4 (or semesters 7 & 8, in an 8-semester model).

**NEW:** The Fourth Payment will provide an opportunity for school boards with a quadmester or 8-semester delivery model to provide the total actual FTE for March count date. The final payment for the school year will be based on total actual ADE for the October 31 and March 31 count dates less any previous payments.

**4. Can you please share the details about the fourth payment being added for the 2020-21 school year?**

The ministry has added a fourth payment cycle to accommodate the quadmester and 8 semester models for the 2020-21 school year. The details for the fourth payment cycle are as follows:

- the First Nation entity should provide the Student Enrolment List to the school board by the last business day in July 2021.
- School board should submit the Student Information Report to the ministry by the last business day in August 2021.
- The ministry will flow funding to the school board in October 2021.
- School board will flow funding to the First Nation entity within 10 business days of receipt of payment from the ministry.

For more details, please refer to the summary table and notes provided for question 3.

**REQUIRED DOCUMENTATION**

**5. Who should the Band Council Resolution be directed to?**

First Nation entities may submit their school eligibility documentation to [ieo@ontario.ca](mailto:ieo@ontario.ca).

**6. Do First Nation schools have to provide their school eligibility documentation in the form of a Band Council Resolution?**

For a school to be eligible to receive funding under REA, the school:

- Must be operated by an eligible entity (i.e., a band, council of a band, the Crown in right of Canada, or an education authority authorized by the Crown in right of Canada); and,

- Must not charge tuition to pupils or their parents or guardians for elements of classroom education that are required by, and generally common to, all students.

The First Nation entity that operates the school must provide documentation to the Minister to demonstrate the above requirements. If a school participates in the Anishinabek Education System, documentation only needs to be provided to confirm that it does not charge tuition.

The ministry has provided guidance on the types of documentation that entities may submit to demonstrate these requirements, for example, a band council resolution, board resolution or declaration (to demonstrate First Nation governance), and an attestation (to demonstrate that the entity does not charge tuition). However, it is for the First Nation entity to decide what documentation would be appropriate to demonstrate the above requirements. Other forms of documentation may be provided, which the ministry will review on a case-by-case basis.

**7. Does the Written Notice have to be provided every year? What about when a student graduates from elementary school?**

Written notice must be submitted for each student under the REA and is a one-time requirement. Generally, this means the written notice will not be required in future years for that student, unless the First Nation entity that is participating in the REA changes, the student attends another First Nation school, or moves to a new school board.

**8. If a new sibling enrolls with the intent of attending a First Nation school and evidence of residency was provided for the older siblings, does the same documentation need to be provided again for the new sibling?**

The school of a school board must verify *each* student's eligibility to support the flow of funding from the school board to the First Nation entity operating the First Nation school.

To register with a school of a school board, the parent, guardian, student, or Another Authorized Person must demonstrate that the student is eligible to be enrolled as a pupil of the board.

The student and their parent, guardian or Another Authorized Person will be required to provide documentation demonstrating the following:

- Their right to permanently remain in Canada (e.g., band membership, citizenship status); and

- Their home address(es).

Please contact the school board directly as they can assess each situation individually and provide guidance on the documentation required.

**9. For a student who wishes to attend a First Nation school, is it necessary to complete and keep a Student Eligibility Form?**

School boards are required to retain evidence (e.g. Pupil Eligibility Attestation Form) regarding student eligibility for any student attending a First Nation school under the REA.

**10. We've been verifying eligibility for students attending First Nations schools. Do we need to do this still or does the Form 3064 replace this need?**

Student eligibility verification under the REA is a required responsibility of the school board through the written notice process.

The purpose of the written notice (Forms 3064 and 3065) is to initiate a school board's obligation to support an eligible student's admission to an eligible First Nation school or to admit an eligible student to a school of a school board and provide the necessary information to verify student, and school eligibility, where applicable.

Upon receiving the written notice, schools must ensure that:

- The correct version of the written notice has been submitted;
- The mandatory content in the form is completed;
- Where a student wishes to attend a First Nation school, the school that the student intends to attend is an eligible school; and,
- The student is eligible to be registered as a *pupil of the board* in accordance with the ministry's enrolment policies set out in the [Enrolment Register Instructions for Elementary and Secondary Schools](#).

**11. Does the school board have to see the original document or can a scanned and viewed copy be used to verify student eligibility?**

School boards can register new students for planning purposes based on their online registration forms for both summer 2020 and for the upcoming school year. However, for the board to receive funding they must review and validate original documentation confirming student eligibility (e.g. proof of birth or immigration documents) once schools physically re-open. The ministry does not

expect boards to request this documentation electronically during the school closure period.

Please note that in situations where the board is unable to confirm that the student is eligible to be a pupil of the board, there will be an adjustment to future payments to remove the funding for students who are ineligible.

Additionally, the ministry requires that boards attest they have reviewed and validated original documentation. Boards are responsible for ensuring documentation is reviewed to process registrations and should consult with their legal counsel to determine if reviewing documentation virtually is an acceptable practice.

**12. Has the removal of the requirement for a signature in the Ontario Student Record (OSR) been updated or will it be updated soon?**

Yes. Updated Written Notice forms, reflecting the removal of the OSR consent requirement can be accessed on the ministry website, here:

<http://www.edu.gov.on.ca/eng/indigenous/>

**13. How can an OEN# be generated for students that have never attended a school of a school board, but are now attending a First Nation school?**

If a student is registering with a school of a school board, the board is encouraged to contact the First Nation entity to confirm if an OSR exists for the student in question and request the First Nation entity transfer the record if it exists.

If it has been ascertained that an OSR does not exist or is not available, then the board should create an OSR for the student for its own records (student will be attending a school of the school board) or create and prioritize the transfer of the new OSR to the First Nation entity that operates the school the student intends to attend.

As detailed in the Ontario Student Record (OSR) Guideline, First Nation-operated and federally-operated schools may, but are not required to, establish and maintain an OSR for their students.

In the case where an OEN was not provided in the Written Notice Form, it is recommended that the board contact the respective First Nation school to confirm if an OEN exists for the student in question. If not, the board should search the OEN Registry to verify that an OEN was never assigned to the student by another school. If it has been ascertained, from both sources, that an OEN was not previously provided, then the board should assign an OEN to the

student. The new OEN should then be shared with the First Nation entity that operates the school the student intends to attend.

School boards are encouraged to take the steps above for both students transferring from within the school board's jurisdiction, and those transferring from outside the school board's jurisdiction (i.e. First Nation- or federally-operated schools), respectively.

## **ELIGIBILITY**

### **14. Is there an age restriction on student eligibility?**

Yes. Eligible students who wish to attend a First Nation school under REA, must be under the age of 21 years old to be eligible for funding under the REA.

Please see pages 10-11 in the [REA Instructions](#) for further details.

### **15. How are school boards expected to verify student eligibility (e.g. student is on the nominal roll) for students who submit Form 3065 (who wish to attend a school of a school board)?**

First Nation students who live on-reserve and wish to attend a school of a school board under the REA must demonstrate that they:

- are eligible to receive funding for elementary or secondary education from the federal government, a band, a council of a band, or an education authority that is authorized by a band or a council of a band or by the federal government (on the nominal role)
- ordinarily resides on a reserve within the meaning of the *Indian Act* (Canada).

The eligibility requirements noted above are demonstrated by way of the written notice form which is delivered to the school of a school board.

Provided that the eligibility requirements described above are demonstrated via the written notice, the school board will be required to register the student as an "other pupil" in accordance with the enrolment policies set out in the [Enrolment Register Instructions for Elementary and Secondary Schools](#). No further verification is required by school boards.

### **16. Can a school board participate under the REA with a First Nation outside of their geographical area if they have a student who wants to attend a school in that community?**

**Scenario A – student wishes to attend a school of a school board**

As specified in the REA Instructions, the eligibility criteria for students who attend, or wish to attend, a school of a school board under the REA include the following requirements:

1. The student is eligible to receive funding for elementary or secondary education from the federal government, a band, a council of a band, or an education authority that is authorized by a band or a council of a band or by the federal government
2. The student ordinarily resides on a reserve within the meaning of the Indian Act (Canada).

Provided that the student meets the above criteria, and submits the appropriate documentation, along with a complete written notice (including consent from the student's First Nation), the student would be eligible to attend school under the REA. The school board would also charge the base fee as prescribed in the annual Fees regulation under the Education Act (O. Reg. 490/20 (Calculation of Fees for Pupils for the 2020-2021 School Board Fiscal Year)).

Please note that if the student is ordinarily resident outside of Ontario and not eligible to attend a school of the school board under REA, the school board may charge the out-of-province fee.

### **Scenario B – student who wishes to attend a First Nation school**

The *Education Act* and the REA regulation do not preclude a school board from supporting a pupil of the board (or a person eligible to be a pupil of the board in accordance with the REA regulation) to attend a school on a First Nation reserve that is not close by or neighbouring the school board catchment area (or a First Nation school that is off reserve but located in another school board area).

The school board must enrol the student if the following eligibility criteria are met:

- the school that the student intends to attend is an eligible school (please see list here: <http://www.edu.gov.on.ca/eng/indigenous/rea-funding.html>);
- a complete written notice form is provided; and
- the student demonstrates that they are under the age of 21 years old, a resident of Ontario and eligible to be registered as a pupil of the board.

As such, a student who resides off-reserve and wishes to attend a First Nation school must deliver the written notice to, and register at, a school of a school board.

**Please note**, transportation amounts are not part of the reciprocal base fee. Under REA, agreements may be negotiated locally between First Nations and



school boards for additional services and supports to best support student needs. This includes amounts related to transportation.

Additional amounts for transportation may be provided only if the school board and the First Nation entity enter into an agreement that sets out the additional funds to be paid.

Please see section 3 of the [REA Instructions](#) for First Nations and School Boards for further details.

## **COVID-19**

### **17. Considering that we are in a pandemic, is there any consideration of extensions to the school eligibility documentation deadlines?**

If a school on Table 2 of s. 3 of O. Reg 261/19 wishes to be eligible for the REA for the 2020-21 school year and did not provide their school eligibility documentation by October 30, 2020, please contact the ministry.

### **18. Will due dates be extended for Student Enrolment Lists and Student Information Reports due to schools running quadmesters?**

School boards can include the estimated number of students for the October 31 and March 31 count dates in November 2020 or April 2021 for payment purposes. However, school boards will be required to provide the **actual** enrolment data for both the October and March count dates for the 2020-21 school year in the subsequent payment cycle or in the fourth payment cycle.

The details for the fourth payment cycle are as follows:

- the First Nation entity should provide the Student Enrolment List to the school board by the last business day in July 2021.
- School board should submit the Student Information Report to the ministry by the last business day in August 2021.
- The ministry will flow funding to the school board in October 2021.
- School board will flow funding to the first nation entity within 10 business days of receipt of payment from the ministry.

Please note that in the event of an audit where the board is unable to confirm the actual FTE of the students, there will be an adjustment to future payments.

### **19. Can you give a specific example of what to report, when, and how funding will flow?**

School boards are required to provide enrolment data for the October 31 count date for funding purposes. If all required information is provided by the deadlines, the ministry will flow funding to the school board for the second payment cycle in February 2021.

The following information is required in order to be eligible for the second payment:

- The First Nation entity should provide the student enrolment list to the school board for the October count date by the last business day in November 2020.
- School board should provide the student information report to the ministry for the October count date by the last business day in December 2020.

If the board is using the quadmester model, the school is required to use day 16 of each semester to calculate the average of the average number of minutes of instruction per cycle on a pupil's timetable for semester 1 and semester 2 (i.e. first two quads).

In this case, the 16th day of quadmester 2 falls outside the due date of the second payment (last business day in November). If the school board and First Nation entity would like to receive the second payment for the 2020-21 school year, the FTE provided will be based on the estimated FTE for the October count date. As such the average daily enrolment for the October count date will be calculated by using the actual FTE for quadmester 1 and the estimated FTE for quadmester 2.

School boards are required to provide the **actual** enrolment data in the subsequent payment cycle to ensure that accurate funding is provided.

For more details about the full payment schedule, please refer to the payment summary table and notes provided for question 3.

## **FUNDING**

### **20. What happens if a First Nation cannot afford to pay the base fee due to federal underfunding?**

The Ministry of Education will continue to engage with the Indigenous Services Canada to jointly identify solutions to ensure First Nation students can attend the school of their choice under REA.

**21. What happens in these scenarios when a school board will only negotiate up to the amount that the ministry funds for special education staffing, but the actual cost exceeds that amount?**

Additional special education staffing supports may be negotiated between the First Nation entity and the school board to support students attending a school of a school board or a First Nation school under the REA who have extraordinarily high needs and require additional staff to address their health and/or safety needs.

If a school board or First Nation entity agrees to pay an additional amount for additional special education staffing, it is important to note that the cap, or maximum amount the First Nation may receive annually under this additional fee, will be the maximum amount that can be generated under the Special Incidence Portion of the annual GSN Regulation. This amount has a set maximum of \$28,235 in 2020-21.

While school boards and First Nation entities may negotiate additional services and supports for which funding may be provided in addition to the base fee, the base fee accounts for a majority of the components of funding that the province provides to school boards each year called the Grants for Student Needs (GSN) including the Special Education Grant. School boards are expected to use the Special Education Grant and other allocations of the Grants for Student Needs to support students with special education needs. Similarly, First Nation entities are expected to use the base fee, any additional negotiated amounts and other funding available to them to support students with special education needs.

**22. Is the receiving school still responsible for the deductible of \$800 for the special education equipment cost?**

If a school board or First Nation agrees to pay an amount for special education equipment costs and a deductible is agreed upon, the deductible must be specified in the agreement between the First Nation and school board on additional costs. The agreement will detail which party is responsible to pay what proportion (all or part) of the deductible. The deductible shall not exceed \$800 per school year.

These conditions are outlined in the [REA Instructions](#) for First Nations and School Boards.

**23. Can psychological assessments be included in additional special education supports?**

The REA base fee structure includes most of the funding allocations provided through the annual Grants for Student Needs (GSN), including the Special Education Grant. School boards are expected to use funding generated through the Special Education Grant to support the needs of students with special education needs. Similarly, First Nation entities are expected to use the base fee and any additional negotiated amounts or other funding available to them to support the needs of students with special education needs, including assessments by para-professionals.

Note, while school boards and First Nation entities may negotiate additional services and supports for which funding may be provided in addition to the base fee, this does not include special education assessments by para-professionals. For more information on the negotiation of additional services and supports, including special education, please refer to Section 3: Information for all in the [2020-21 REA Instructions for First Nations and School Boards](#) and Appendix A for more details on the GSN allocations that are included, partially included or excluded from the 2020-2021 REA base fee calculation.

**24. Where a student is attending a school of a school board and requires additional Special Education Needs, is there a portion covered in the tuition amount that is used before additional funding is requested?**

The amount of funding that a school board is required to charge or provide for each student attending a First Nation school or school of a school board under the REA is reciprocal and based on a calculation unique to each board called the “base fee”. The base fee already includes the majority of funding for supporting students with special education needs.

School boards and First Nation entities may negotiate additional services and supports for which funding may be provided in addition to the base fee. These additional funds may be provided only if the school board and the First Nation entity enter into an agreement that sets out the additional funds to be paid.

**25. Who applies for Special Incidence Portion (SIP) and Special Equipment Amount (SEA) for First Nation students attending a First Nation school? Who applies when they are attending a school of a school board?**

Where students are attending a First Nation school, the First Nation entity that operates the school is responsible for assessing whether a student requires

additional special education equipment or staffing, informing the school board of these needs and delivering necessary documentation as per the [REA Instructions for First Nations and School Boards](#).

To facilitate the reimbursement request that school boards may submit to the Ministry of Education, school boards must ensure that documentation supporting an additional special education staffing fee paid to a First Nation is consistent or aligns with Special Incidence Portion guidelines. Similarly, ensuring that documentation supporting an additional special education equipment claim paid to a First Nation meets or aligns with Special Equipment Amount guidelines would facilitate the reimbursement request that school boards may submit to the Ministry of Education.

Where students are attending a school of a school board, the school board is responsible for assessing whether a student requires additional special education equipment or staffing, informing the First Nation of these needs and delivering necessary documentation as per the [REA Instructions](#) for First Nations and School Boards.

Upon receipt of the documentation, the First Nation is responsible for verifying the documentation to ensure the student qualifies for additional special education staffing and/or equipment. It is important to note that the cap, or maximum amount the school board may receive annually under this additional fee will be the maximum amount that can be generated under the Special Incidence Portion of the annual GSN Regulation. It is also important to note that if a First Nation agrees to pay an amount for special education equipment, and a deductible is agreed upon, the deductible shall not exceed \$800 per school year.

**26. Are negotiations between school boards and First Nations over and above SIP/SEA amounts?**

No, the additional special education equipment and/or staffing costs which may be negotiated between the First Nation entity and a school board to support students with extraordinarily high needs in the REA context is in place of Special Incidence Portion (SIP) and Special Equipment Amount (SEA) in the school board context.

**27. If transportation is required for students from a board to attend a First Nation school, is there a process to negotiate this?**

Transportation amounts are not part of the reciprocal base fee. Under REA, agreements may be negotiated locally between First Nations and school boards for additional services and supports to best support student needs. This includes amounts related to transportation.

Additional amounts for transportation may be provided only if the school board and the First Nation entity enter into an agreement that sets out the additional funds to be paid.

Please see section 3 of the [2020-21 REA Instructions for First Nations and School Boards](#) for further details.

### **ENGAGEMENT/JURISDICTION/PARENT CHOICE**

#### **28. Has the federal government come to the table on the REA legislation, to address shortfalls in federal education funding to First Nations?**

The Ministry of Education will continue to engage with the Indigenous Services Canada to jointly identify solutions to ensure First Nation students can attend the school of their choice under REA.

#### **29. Which First Nations, Tribal Councils or Indigenous Education Systems were consulted on the development of the REA?**

In the Fall of 2017, in response to concerns from First Nations and school boards on the provisions in the *Education Act* regarding Education Services Agreements and Reverse Education Services Agreements, the Ministry of Education invited First Nation Political Territorial Organizations, Independent First Nations, the Chiefs of Ontario, the Kinoomaadziwin Education Board and school board associations to participate in a working group.

In May 2018, amendments to the *Education Act* received Royal Assent. These amendments set out the legislative framework for the REA. In February 2019, the working group was reconvened to work on the implementation considerations of the REA. Regulations setting out implementation details were developed based on the input of the Working Group. The REA is supported by sections 185 and 188 of the *Education Act* and O. Reg. 261/19 (Reciprocal Education Approach) which came into force on September 1, 2019.

#### **30. How can First Nations have input into their children's education if there are no agreements with provincial boards required?**

EDU continues to work with the sector and First Nation partners to obtain feedback on opportunities for improvement on the REA to support local needs, including addressing barriers to accessing necessary supports and services beyond tuition, which play a key role in supporting First Nation student success.

### **ESAs/RESAs**

**31. When the existing RESA/ESA agreements expires, can the school board and the First Nation renew the contract or is it mandatory for them to follow the new REA process?**

The First Nation entity and/or school board should seek advice from its legal counsel regarding the renewal of an existing Reverse Education Services Agreement (RESA) or Education Services Agreement (ESA).

The legislation provides that any agreement entered into under s. 185 or 188 of the Education Act (i.e. any RESA or ESA) before Sept 1, 2019 remains in effect until it expires or is terminated. However, any existing

- **RESAs** will be subject to the condition that the base fee that is paid to the First Nation entity must be at least the fee calculated in accordance with the reciprocal base fee formula set out in regulation.
- **ESAs** will be subject to the condition that the fee in the annual Fees regulation applies (e.g. the fee set out in section 3 of O. Reg. 278/19 (Calculation of Fees for Pupils for the 2019-2020 School Board Fiscal Year)).

Please note that in accordance with s. 75 of the GSN regulation (O. Reg. 277/19), only school boards that provide the base fee to First Nations under the Reciprocal Education Approach (REA), or under an existing RESA entered into before Sept 1, 2019 may be reimbursed by the ministry.

**32. Can you please list what the changes are for the boards that have existing ESAs with First Nations, including reporting requirements?**

Any existing RESAs will be subject to the condition that the base fee that is paid to the First Nation entity must be at least the fee calculated in accordance with the reciprocal base fee formula set out in regulation.

Any existing ESAs will be subject to the condition that the fee in the annual Fees regulation applies (e.g. the fee set out in section 3 of O. Reg. 278/19 (Calculation of Fees for Pupils for the 2019-2020 School Board Fiscal Year)).

Processes for identifying enrolment and payments outlined in Section 1, Part C and Section 2, Part C: *Payment and Fees to First Nation Entities for Students*, as well as Section 1, Table 5: *Summary of Documentation Requirements and Payment Timelines Impacting First Nations* and Section 2, Table 3: *Summary of*

*School Board Reporting and Payment Schedule* should be followed, even if there is an Existing Agreement in place.

First Nation entities and/or schools will be expected to report the current RESAs in the Student Enrolment List submitted to school boards and school boards will be expected to report the current ESAs in the Student Enrolment List submitted to First Nation entities to support the invoicing process. School boards will be required to include the RESAs reported by the First Nation entity or school in the Student Information Report that is submitted to the ministry for funding purposes.

**33. Are students who have previously been attending a school of a school board under a now expired ESA required to submit written notice forms?**

The written notice initiates the school board's obligation to either admit an eligible student to a school of the board or support an eligible student's admission to an eligible First Nation school.

Where an existing ESA expires or is terminated, First Nations and parents, guardians or students who wish to participate in REA must complete and deliver written notice to a school of a school board. Further details regarding submission of written notice are provided in the [2020-21 REA Instructions for First Nations and School Boards](#).

If the student is already registered at the school of the school board, the student does not need to re-register at the school after delivery of the written notice.

**34. Who is responsible for completing the Written Notice forms? Does it change based on where the student is attending?**

Completion of the written notice is a shared responsibility under the REA.

Parents, guardians, students and/or Another Authorized Persons are advised to work with their Band, Tribal Council, Education Authority or the federal government, to complete these forms.

School boards and First Nation partners are encouraged to work together to support students and their families in completing the written notice.

For further clarification, to support the completion of the written notice the written notice requires information from the First Nation entity and student/family in Sections 1 and 2. Sections 3, 4 and 5 may be completed by the school board and/or the student/family.

Written notice must be delivered by the First Nation entity **or** the parent, guardian, or student or Another Authorized Person to the school of a school board at which the student is currently registered or going to register.



**35. Will all students, including those previously and currently under ESAs/RESAs, eventually be under the REA?**

The First Nation entity and/or school board should seek advice from its legal counsel regarding the renewal of an existing Reverse Education Services Agreement (RESA) or Education Services Agreement (ESA).

The legislation provides that any agreement entered into under s. 185 or 188 of the Education Act (i.e. any RESA or ESA) before Sept 1, 2019 remains in effect until it expires or is terminated. However, any existing

- **RESAs** will be subject to the condition that the base fee that is paid to the First Nation entity must be at least the fee calculated in accordance with the reciprocal base fee formula set out in regulation.
- **ESAs** will be subject to the condition that the fee in the annual Fees regulation applies (e.g. the fee set out in section 3 of O. Reg. 278/19 (Calculation of Fees for Pupils for the 2019-2020 School Board Fiscal Year)).

Please note that in accordance with s. 75 of the GSN regulation (O. Reg. 277/19), only school boards that provide the base fee to First Nations under the Reciprocal Education Approach (REA), or under an existing RESA entered into before Sept 1, 2019 may be reimbursed by the ministry.

**36. Will there be any adjustments to the base fee once revised estimates or financial statements have been submitted by school boards?**

The REA sets out a reciprocal base fee which school boards will be required to pay or charge First Nation entities, depending upon where the student attends school. As indicated on pg. 29 of the [Reciprocal Education Approach Instructions for First Nations and School Boards 2020-21](#), the base fee amount will be based on school board estimates for the given school year. As such, school boards are required to adhere to current REA policy and charge fees based on estimates data.

School boards will also have access to their base fee calculation through the Education Financial Information System (EFIS). As with the previous year, the 2020-21 base fee list, based on school boards' estimates data, has been posted on the ministry's website: <http://www.edu.gov.on.ca/eng/funding/2021/rea-eligible-students2020.html>.

The base fee amount, as posted on Ministry website, should be used in all calculations for funding and invoicing purposes. The base fee will not be adjusted subsequent to the submission of revised estimates or financial statements by school boards.