

First Nations
Post-Secondary
Education Review



2018 INTERIM REPORT

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PSE Review Participants, March 22, 2018

Executive Summary

This is the interim report of the Assembly of First Nations (AFN) Post-Secondary Review (PSE Review).

In 2017, the AFN Chiefs Committee on Education (CCOE) invited as many as four participants per AFN region to develop a new approach to supporting First Nations post-secondary students and to support First Nations-controlled post-secondary institutions.

Over three meetings held over the course of six months, the First Nations post-secondary review group developed a Strategy to Support First Nations Post-Secondary Students which considers not only issues regarding access to post-secondary, but also ensuring that First Nations students can succeed.

The PSE Review also developed an initiative for Supporting First Nations Post-Secondary Institutions (SFNPSI) which provides a framework for First Nations control of First Nations post-secondary education.

Each initiative has goals, objectives and expected outcomes organized into key components.

The interim report also includes a historical overview of funding for First Nations post-secondary students, and the need to ensure that students are funded to succeed in their post-secondary studies. There is also a background of the importance of First Nations-controlled post-secondary institutions and the need to ensure they receive the funding necessary to serve the needs of their communities and Nations.



Dedication

We remember our friend and brother, Barnaby Provost, from the Piikani Nation whose untimely passing in late June, 2018 shocked all of us involved in the PSE Review. He had a heart as big as the meeting room, and compassion for all our people.



Assembly of First Nations (AFN) First Nations Post-Secondary Review

Overview

The 2017 federal budget noted that the federal government intended to conduct a review of federal funding for First Nations, Inuit, and Metis post-secondary students:

“The Government will also undertake a comprehensive and collaborative review with Indigenous partners of all current federal programs that support Indigenous students who wish to pursue post-secondary education. The purpose of the review will be to ensure that these programs meet the needs of individual students while supporting attendance at, and completion of, a post-secondary degree or credential.”

In July, 2017, the Assembly of First Nations (AFN) Chiefs-in-Assembly passed resolution 14-2017 calling for a First Nations-led post-secondary review:

THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:

- 1. Call on the federal government to ensure the federal post-secondary review will have a First Nations specific review, separate from the broader review, and have a separate First Nations report and/or submission.*
- 2. Direct the Chiefs Committee on Education to lead the First Nations portion of the federal post-secondary review, with support from the National Indian Education Council, and to work in partnership with Indigenous and Northern Affairs Canada and Employment and Social Development Canada.*

After reaching an agreement with the federal government on a First Nations-specific review, the AFN proceeded to hire a consulting team in September, 2017, to oversee the review process.

About the Review Process

The consultants received guidance from the AFN Chiefs' Committee on Education that the process should strive to achieve a new approach to addressing the post-secondary needs of First Nations post-secondary students and First Nations post-secondary institutions. As a consequence, it was envisioned that the process would have two groups, one to determine how to support First Nations students, and the other to design an approach to support First Nations post-secondary institutions.



For budgetary reasons, the process was designed to take place in Ottawa, Ontario through three sessions prior to the end of the fiscal year, with three days set aside for each session. The consultants were empowered to lead the review process with technical support where required from the AFN Education Secretariat.

The participants in the review consisted of up to four individuals per region selected by members of the AFN Chiefs Committee on Education (CCOE) and the National Indian Education Council (NIEC) for their expertise in First Nations post-secondary education. There were no representatives from the Northwest Territories, and limited representation from the Yukon, however, all other AFN regions had significant numbers of representatives. First Nations education representative from Prince Edward Island indicated by electronic mail that they had reviewed earlier drafts of this report and concurred with the direction being taken in the national review process. Hunter-Courchene provided working notes of the sessions for the use of the consultants.

The AFN Education Secretariat conducted outreach to under-represented regions. As a result of a dialogue with education representatives in the Yukon, a specific two-day regional review session took place in Whitehorse on April 5th and 6th, 2018.

In addition, the consultants conducted a workshop on the post-secondary review and solicited feedback from workshop participants at the AFN Directors of Education Forum which was held on February 23 and 24, 2018 in Gatineau, Quebec.

The AFN Education Secretariat commissioned a legal review on the Treaty and Inherent right to post-secondary education. The consultants provided documentation to assist in the legal review. It is anticipated that the legal review will be helpful in supporting the recommendations arising from the post-secondary review process.

The consultants were obligated to provide a report about the review process to the AFN Education Secretariat by April 30, 2018 which was shared with the CCOE, the NIEC, and the participants in the review process for comments. A revised draft was issued by May 28th, 2018, and, again, circulated to the CCOE, NIEC, and participants in the review process for final comments. The interim report needed to be completed by July 2nd, 2018 to enable consideration at the AFN Annual General Assembly on July 24-26, 2018.



Methodology

The consultants designed a policy/program development process to maximize input from the participants. However, two preliminary steps were taken at the first three-day session in November, 2017.

The participants were first asked to document, in a sentence or two, their expectation of the outcome of the process. After acknowledging that the process should result in a new approach to supporting First Nations students and First Nations-controlled institutions, the participants were asked to conduct a review of the existing guidelines for the Post-Secondary Student Support Program (PSSSP) and the Post-Secondary Partnerships Program (PSPP) and identify key issues. There was reluctance by numerous participants to proceed with a review of the guidelines for the existing programs. The Institutes group was generally of the opinion that the PSPP failed to adequately address Institute needs and the group was eager to proceed with a new approach.

In addition to inadequate funding, the group reviewing the PSSSP guidelines immediately identified several concerns which limit the effectiveness of the existing PSSSP program, among them:

- That the program objective of “employability” is limited, and fails to address the value of learning, the principle of nation-building, the need for human resources development, and fails to implement Treaty and Inherent rights;
- That the program outcomes¹ do not deal with the need to support access, retention, and successful completion;
- That eligibility of programs, institutions, expenditures, and students in the current guidelines are often outdated and are not reflective of the current or emerging realities of the post-secondary system, or not consistent with First Nations’ needs, and ultimately must be defined by First Nations to ensure local and regional priorities and circumstances are respected and implemented.
- That the program does not allow for regional priorities to be addressed.
- That the PSSSP does not reflect a nation-to-nation relationship.

The group then questioned why the PSSSP policy was being reviewed again when problematic issues have long been documented including, most recently, in an AFN Post-Secondary Task Team process, and indicated a desire to proceed with developing a new approach to support First Nations students.

¹Section 3.1 of the PSSSP guidelines, “Expected Outcomes” identifies that: “The program is expected to increase post-secondary enrollment and graduation rates among First Nations and Inuit students.” Post-Secondary Student Support Program and University and College Entrance Preparation Program : National Program Guidelines 2018-2019



The Consultants implemented a program/policy development medicine wheel which involves identifying a vision, setting out goals and objectives, identifying a rationale/what the initiative will do, and identifying ways and means to implement the initiative.

Working in small groups of three to six people to maximize the potential for individuals to speak and to be heard, the participants were asked to identify elements for a new approach to supporting First Nations students and First Nations-controlled institutions. Another medicine wheel model was utilized to help participants identify the elements of a new approach from a holistic perspective.

The participants generated a considerable list of items of what the initiative should accomplish once implemented.

In January, 2018, participants were asked to organize these elements into categories. Although some flexibility was provided, it was suggested that the elements be organized into:

1. Elements funded by ISC/INAC;
2. Elements requiring support from other federal/provincial departments;
3. Elements requiring support from First Nations; and,
4. Elements requiring support from mainstream institutions.

The participants were asked in November to identify the principles which would guide the new initiative. In January, 2018, these were narrowed down into goal statements. Participants then used the goal statements to begin to identify objectives for the initiative.

The third and final three-day review session took place in Ottawa in March 20-22, 2018. The facilitators shared the input gathered from the November and January sessions in the format of a draft policy document to reflect back to the participants the input they have provided to date and to show the progress that has been made in developing a new approach. The new approach is characterized by its emphasis on ensuring First Nations students can not only access post-secondary education, but also includes measures to assist First Nations students in succeeding in their studies.



The focus of the third session was the Inherently political discussion about delivery mechanism(s) for the initiative.

NIEC representatives were invited to assist with this discussion by responding to the following questions:

1. What is your perspective/the perspective of your organization with respect to the delivery of funding to communities?
2. Do you see a need for any aggregate body for data collection or to undertake advocacy work with available data? (With governments, post-secondary institutions)?
3. Do you see the role of education counsellors as combined with financial administration or a unique role that is separate? If separate where are they carried out (at community level or by aggregate)?

The participants were then asked to discuss the same questions in small groups. All small group discussions were recorded on flip charts and incorporated into the overall meeting notes. The consultants have utilized the content from the flip charts and meeting notes as the basis for this report.

The two-day session in the Yukon was a compressed version of the methodology utilized for the national process. First Nations education representatives were asked to identify and categorize elements for a new approach, to identify principles, goals and objectives, and identify issues relating to funding flow, data collection, and First Nations post-secondary advocacy.

Limitations

The process could have benefitted from more input from current students receiving funding from the PSSSP and other sources, beyond those individuals who were among the participants in the post-secondary review, and those who participated in the Yukon.

The participants in the post-secondary review have strongly recommended further research on the Treaty and Inherent right to post-secondary education. There is existing research on this issue.

A national process places a great burden on regional and local representatives to serve as experts in the subject area. National processes can always benefit from more regional and community consultations to support the development of national initiatives.



There are significant data challenges. In May, 2018, the Auditor General of Canada released a report regarding socio-economic gaps on reserve. The report notes:

At Paragraph 5.53 “We also found that the Department did not have data about post-secondary graduation rates for on-reserve First Nations students. Nor did it collect complete data on the number of First Nations students who wanted to pursue post-secondary education but could not access the funds to do so. Despite commitments by the Department to review these issues in 2004, it was still unable to report on the extent to which its support for First Nations’ post-secondary education improved student results or whether its delivery model ensured that eligible students had equitable access to post-secondary education funding.”²

The Auditor General further noted that First Nations do not have access to the data which is being provided to Indigenous Services Canada:

At Paragraph 5.80 “We found that, as of 2017, Indigenous Services Canada still had not provided First Nations and their organizations with access to education information and related analyses in the Education Information System. According to the Department, from the 2008–09 to 2017–18 fiscal years, it spent about \$64 million to develop, implement, and operate its Education Information System.”³

The Auditor General concluded that the Department did not adequately use data to determine education funding. In addition, the Auditor General concluded that:

At Paragraph 5.57 “We found that it was unclear to what extent funding decisions considered First Nations students’ unique education needs and important factors affecting costs.”⁴

ISC/INAC have been able to provide data on funding allocations and student numbers, however, as the Auditor General has noted, the department cannot currently provide data on waiting lists, nor can they identify the numbers of students who access other sources of funding in addition to PSSSP.

The different funding mechanisms provided to First Nations by ISC/INAC also makes it difficult to identify specific post-secondary expenditures. For example, multi-year contribution agreements permit Band Councils to transfer funds from various funding programs to meet priority needs in other program areas. Reporting on these expenditures according to ISC/INAC requirements does not capture actual costs such as the use of own source revenues to meet shortfalls in post-secondary education, nor does it capture additional administrative and community supports.

Human Resources and Skills Development Canada (HRSDC) administers the Canada Student Loans/Grants program, but the Department does not collect the demographic data required to identify how many registered and non-registered Indians are accessing the program.

² Auditor General of Canada: 2018 Spring Reports of the Auditor General of Canada to the Parliament of Canada - Report 5—Socio-economic Gaps on First Nations Reserves—Indigenous Services Canada, retrieved from http://www.oag-bvg.gc.ca/internet/English/parl_oag_201805_05_e_43037.html, June 25, 2018

³ Ibid.

⁴ Ibid.



This lack of data precludes drawing any conclusions about the Canada Student Loans/Grants program and its impact, real or imagined, on First Nations students.

Indspire does not publish detailed financial data on the number of First Nations students receiving funding, and the purposes for which funding is provided. This is an area requiring further research.

Although there is some anecdotal information to suggest that many First Nations have supplemented PSSSP with own source revenues, and that First Nations students have accessed sources such as Indspire, Canada Student Loans/Grants, and have self-funded the shortfalls created by PSSSP, there is very little data to draw upon to assess the extent to which each of these measures are occurring.

Summary of Results

The post-secondary review process resulted in two separate strategy frameworks, one to support post-secondary success for First Nations students, and the other to support First Nations-controlled institutions.



Strategy to Support First Nations Post-Secondary Students

The participants in the post-secondary review provided the content necessary to begin to develop a First Nations post-secondary policy framework.

Principles of the Strategy

In the national post-secondary review process, the participants were asked to identify the core principles for a new approach. According to the feedback provided in the review sessions in November, 2017 and in January, 2018, the new approach is based on the following principles:

1. That funding for First Nations post-secondary education is an Inherent and Treaty right;
2. It is recognized that federal funding for First Nations post-secondary education derives from revenue gained from Treaty and Aboriginal Title lands and resources;
3. The new approach supports the holistic development of First Nations individuals, supports First Nations human resource development, and contributes to nation-building;
4. First Nations post-secondary education is part of the lifelong learning continuum;
5. First Nations control of First Nations education applies at all levels of education;
6. First Nations and/or First Nations mandated organizations will determine approaches to funding, policy, and administration of federal post-secondary funding for First Nations students; and,
7. The new approach enables the Crown to contribute to fulfilling obligations which exist under the United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) and the Truth and Reconciliation Commission Calls to Action (TRC).



Goals

The participants identified the following goals:

1. To implement the Inherent and Treaty right to post-secondary education;
2. To respect the sovereignty, autonomy, and jurisdiction of First Nations and their regional processes;
3. To empower First Nations governments and/or designated organizations to support First Nations students access to, retention, and successful completion of their post-secondary education requirements, in mainstream or First Nations controlled post-secondary institutions;
4. To ensure First Nations students can participate in post-secondary education without accumulating financial debts; and,
5. To ensure that Ownership, Control, Access, and Possession (OCAP) principles are applied with respect to First Nations post-secondary education data.

Objectives

The participants identified a number of objectives to support the goals and principles of the strategy:

1. The federal government will provide post-secondary education funding for First Nations students based on actual costs, as determined by First Nations, to enable student access and success in post-secondary education;
2. The federal government will ensure that funding will fully support the First Nations students with exceptional needs to access and succeed in post-secondary education;
3. Respecting regional diversity, First Nations mandated regional/Treaty organizations will develop regional frameworks for the delivery of the post-secondary strategy to support First Nations students;
4. First Nations and First Nations program delivery organizations will develop local post-secondary education policies, guidelines, eligibility criteria, standards, and accountability mechanisms based on the needs of their community/organization;

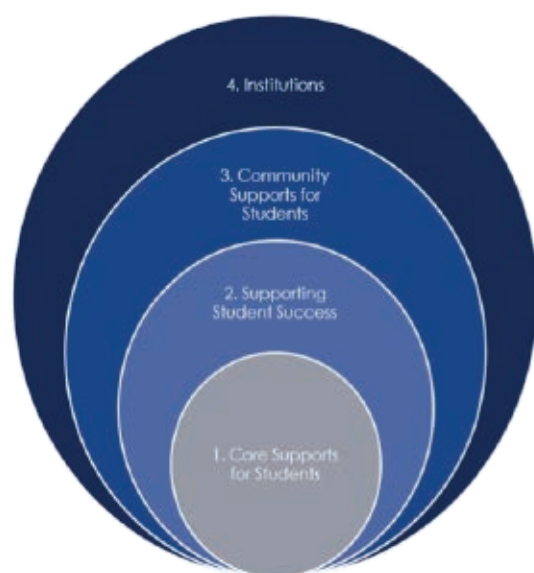


5. First Nations students will have the opportunity to participate in post-secondary programs and services which reflect First Nations languages, cultures, histories, and ways of knowing.

Four Components of the Strategy

The principles, goals, and objectives set out a framework for the activities which will occur in the implementation of the Strategy to Support First Nations Post-Secondary Students. The participants envision that the strategy will have four key components, including:

1. Federal funding for Core supports for First Nations students build upon existing programs and represent an evolution of the Post-Secondary Education Assistance Program (PSEAP) and the existing PSSSP;
2. A whole-of-government approach involving coordination among federal Departments, and working with First Nations on a Nation-to-Nation basis, to provide the supports necessary to support student success;
3. First Nations community supports, including those supports that are delegated to other organizations, for First Nations students; and,
4. Supports provided by post-secondary institutions attended by First Nations students.



1. Federal funding for Core supports for First Nations students build upon the Post-Secondary Education Assistance Program (PSEAP) and the existing PSSSP and include, but are not limited to, the following elements:

- Institute Fees including:
 - o Tuition;
 - o Student Fees;
 - o Application Fees;
 - o Assessment Fees;
 - o Certification Fees;
 - o Health Insurance Fees
 - o Graduation Fees/costs
 - o CPIC, Vulnerable Sector Search where required
 - o Appeals, where requested



- Books
- Technology/computers
- Additional Course Costs (lab fees, trips, conferences)
- Extracurricular activity costs
- Living allowances linked to actual costs of food, rent, heat, electricity, internet, phone, laundry, damage deposit
- Transportation – bus pass
- Travel - more than 2 trips home
- Transitional funds – moving costs, security deposits, allowances and post-graduation
- Orientation (includes family) travel and accommodation
- Affordable clothing appropriate to post-secondary studies
- Tutoring fees
- Equipment/Accessibility costs for students with exceptional needs
- Cultural camps
- Day Care
- And other supports identified by First Nations

Funding will be provided to First Nations and/or designated post-secondary organizations on a formula basis to ensure community Education Counsellors are in place, where desired, to facilitate post-secondary transitions. First Nations will develop local funding formulas to ensure local needs are met.

Funding will also be provided to support community based/regional Financial Administration capacity for the strategy.

2. Through coordination with federal departments (ie. ISC, HRSDC, ESDC, Health Canada, Industry Canada, Justice, Heritage Canada) working in partnership with First Nations and First Nations mandated organizations, funds are provided for **Supporting Student Success:**

- Access to elders/ceremony (at post-secondary institutions, Friendship Centres)
- Day care (subsidies – federal government, post-secondary institutions)
- Mental Health services (school, First Nation, Federal Government)
- Dental & Eye care (Federal government)
- Legal Services – tenant dispute
- Emergency funds (funerals, illness, etc)
- Enabling access and supporting applications to Scholarships / bursaries – school, association, community organizations, business and city
- Supporting placements, volunteer opportunities, internships, practicum



- Employment counselling upon graduation
- Student housing programs in partnership with First Nations
- Support groups – women, men, single parents
- IT support (renew program software / subscriptions)
- Library access – school, city
- Student Advocacy through student federations
- Scholarships and Bursaries

3. Through funding provided under this initiative, and through other available sources, First Nations will provide the following **First Nation Community Supports for First Nations Students:**

- Education Counsellors to facilitate transition to post-secondary and urban settings
- Working with secondary schools and post-secondary institutions to develop transition programs where necessary
- Financial Administration
- Reverse Tuition Agreements – return of tuition if student does not complete year
- Access to elders and traditional knowledge keepers
- Ensure students have a strong sense of their Indigenous identity
- Provide training in life skills, financial management, finding local resources, coping skills, self-confidence
- Support and celebrate student success including incentives / awards
- Enabling community tutors and mentors
- CPR and First Aid training
- First Nation tuition agreements with post-secondary institutions to identify expectations
- First Nation agreements with students to identify expectations for providing funding
- First Nation agreements with members to share outcomes, set expectations
- Providing traditional foods and bulk foods where possible
- Facilitating post-secondary program delivery in First Nations communities
- Participate in developing new post-secondary courses and programs
- Participate in oversight of post-secondary courses and programs at post-secondary institutions
- Mental Health services (cultural and contemporary) for students
- First Nations leadership to visit students and encourage them
- First Nations to provide newsletters, direct communication to their students
- Develop annual top ten Indigenous-friendly post-secondary institutions
- Assessments
- Administration



4. Provincially recognized (mainstream) post-secondary institutions are expected to ensure the following **Institution Supports** are in place to support First Nations students:

- Mandatory bursaries and grants
- Provision of tuition waivers
- Accommodating students with exceptional needs such as possible extra time for course completion
- Computer labs
- Designated counsellors for Indigenous students
- Qualified, culturally informed teaching staff
- Elders and traditional knowledge keepers on site
- Designated space in the institution for First Nations students
- Ceremonial spaces
- Traditional foods
- Medicine garden
- Language courses/programs
- Emergency funds to support First Nations students
- First Nations day care services that are embedded in First Nations languages and cultures
- Recognition of Indigenous prior learning
- Safe environment for First Nations students
- Support for First Nations students on bereavement leave
- Indigenous Education Councils with governance mandate (not just an advisory capacity)
- Hold seats for First Nation students in high demand/limited enrolment programs
- First Nations artwork in institutions
- Provision of training for life skills, time management, financial management, self-confidence, coping skills, finding local resources
- Facilitating First Nations student cohorts for mutual support
- Enabling peer mentors and role models for First Nations students
- Facilitating dual credits for high school students
- Recognizing traditional knowledge for credit
- Work with First Nations students, educators, and communities to develop courses and programs, including land-based education, for community-based delivery and/or campus-based delivery
- Anti-racist messaging
- Application fee waiver
- No First Nations student will have their course marks negatively impacted due to fulfilling ceremonial obligations in their community or Nation.

The items under each category reflect the input of the participants in the PSE Review group. They are not prioritized because the group felt all items were important when addressing the issue of First Nations student success in post-secondary education. It should also be noted that items



appearing in “Supporting Student Success” could easily be listed under “Core Supports.” The key point to be made is that there is a role for multiple federal departments in supporting First Nations student success in post-secondary education by providing funding to First Nations and First Nations mandated organizations. First Nations and their regionally mandated organizations will ultimately determine how this Strategy will be implemented in their regions.

Funding

The participants recommended that funding for the Strategy to Support First Nations Post-Secondary Students, reflecting actual expenditures, occur through direct transfers from Treasury Board to First Nations or their designated recipient organizations. However, this is subject to approval by First Nations and their regional organizations, where appropriate.

The Department of Indigenous Services Canada (ISC), a successor to Indian and Northern Affairs Canada (INAC), is on record as being in a state of “planned obsolescence,” as First Nations are recognized as having jurisdiction over matters currently managed or otherwise under significant control by ISC. The participants in the post-secondary review process do not believe there is a role for ISC/INAC in developing program guidelines or providing oversight for the strategy to support First Nations post-secondary students.

The provision of funding pursuant to Treaty and Inherent rights will bring an end to waiting lists and/or priority lists, enabling First Nations to focus their local policies on how to ensure First Nations students can succeed in post-secondary education. First Nations will define matters such as student eligibility, program eligibility, and institutional eligibility according to First Nations needs and circumstances.

Each region will develop its own approach for the administration and funding for First Nations post-secondary education.

Monitoring, Planning, and Data Collection

First Nations recognize that data collection is critical for measuring performance, including being able to determine how Treaty and Inherent rights are being implemented.

First Nations will mandate regional organization(s) to design processes for the delivery of the Strategy to Support First Nation Post-Secondary Students in a manner which reflects regional needs and priorities, but consistent with the principles, goals and objectives of the Strategy.

The participants in the post-secondary review process strongly recommend that regional and local dialogue, research, and consultation occur to develop regional models, processes, and strategies.



The participants in the post-secondary review process identified the important of local, regional, and national data collection in a manner which respects OCAP principles. Regional organizations which support First Nations schools and education initiatives are at various stages of development in the collection and use of First Nations post-secondary data. There is a need for funding to support the development of regional First Nations data collection systems where such systems have been mandated by First Nations.

Participants discussed the existing Education Information System (EIS) employed by ISC/INAC. It is currently controlled by the department and, as noted by the Auditor General of Canada in their May, 2018 report on socio-economic gaps on reserve, has not been accessible for use by First Nations and regional organizations. Participants did not completely discount using the system, and, identified that it could have potential benefit if a data governance process, controlled by First Nations, were to be put in place. This issue was discussed as an issue for further consideration. Participants in the post-secondary review process strongly recommended that regional and local consultation occur to discuss the issue of data collection.

How We Got Here - PSEAP To PSSSP

The Post-Secondary Education Assistance Program (PSEAP), also known as the “E-12 Guidelines,” was the immediate predecessor to the PSSSP. It had greater intentions than creating access to post-secondary education. Section 1.1 of the PSEAP guidelines stated that the program “is designed to encourage Registered Canadian Indians and Inuit to acquire university and professional qualifications so that they become economically self-sufficient and may realize their individual potentials for contributions to the Indian community and Canadian society.”⁵

From 1977 to 1987, the PSEAP provided post-secondary funding to registered Indians and Inuit under a number of categories. The PSEAP had the following core elements ⁶:

- Training/Living Allowance normal daily living expenses for students and dependents
- Special Shelter Allowance to assist with rental expenses, utilities, furnishings
- Tuition Allowance – tuition and registration fees
- Travel Allowance (seasonal and daily)
- Clothing, in cases of reasonable need
- Special clothing and equipment for the post-secondary program
- Books and Supplies
- Special Tutorial Assistance
- Special Services and Contingencies including childcare

⁵ Department of Indian and Northern Affairs: Post-Secondary Education Assistance Program – Policy and Administrative Guidelines, October 24, 1977

⁶ Assembly of First Nations: First Nations Post-Secondary Review – National Report, August 25, 2000, pp 19-20



- Financial incentives for pursuing graduate studies
- Education Counsellors in community
- Education Counsellors in the post-secondary institution

PSEAP was a needs-based initiative with one key restriction of limiting support to students to 96 “student months,” the time estimated to move through from a college program to a doctoral program.

In contrast to the PSEAP, the PSSSP was characterized by a funding cap on the total allocation available to support First Nations post-secondary students. An additional cap was placed on the amount of funding available to individual students, and the duration of support was limited to the length of a program as defined by post-secondary institutions.

The funding cap resulted in First Nations being forced to develop priority/waiting lists as all students could no longer be funded. In fact, even students who were eligible to receive funding had no guarantee of receiving adequate funding to support their needs. An evaluation of the PSSSP in 2003 concluded that First Nations:

“...are forced to choose between funding many students at a low level of assistance, or a few students at a higher level of assistance. Bands in remote locations have less flexibility than others. Since travel costs are so expensive, there is often little left in the pot after transportation needs have been met.”⁷

An AFN review of post-secondary education in 2000 identified that other changes in the shift from PSEAP to PSSSP included removing daycare and rent subsidies. The overall funding levels under the PSSSP did not consider the costs of child care support, northern costs, special needs students, program incentives directed at strategic studies, and the costs associated with post-secondary graduate work.

In addition, students now had to be resident in Canada for twelve consecutive months to access funding creating a major barrier for those students from First Nations located near or along the international border between Canada and the United States, and restricted access for those students from communities which were subject to other arrangements such as the James Bay and Northern Quebec Agreement or the Northwest Territories Student Financial Assistance program.⁸

The decision by the federal government to replace PSEAP with the PSSSP was primarily a measure in fiscal restraint and cost control. Many of these measures were implemented as part of the devolution of the program to First Nations administration. As First Nations asserted that post-secondary education was an Inherent and Treaty right, the federal government took the

⁷ Hansen-McLeod: PSE Program Evaluation Report, December 9, 2003, pp. 24

⁸ Assembly of First Nations: First Nations Post-Secondary Review – National Report, August 25, 2000, pp. 24



position that PSSSP was provided as a matter of social policy, and they supported their contention by noting that neither the treaties nor the Indian Act included a direct reference to “post-secondary.” The federal position has no foundation:

“When the federal government argues that there is some sort of “cut-off” in the treaty right to education at a certain age or grade level, they are reading words into the written treaty document that simply do not exist. The written documents [sic] does not include any limits on age or grade. There is no ambiguity. However, even if the written words are considered to be ambiguous on the issue of an age or grade cut-off, the Supreme Court has held that treaties must be interpreted “generously”; ambiguity cannot be construed to the prejudice of the First Nations [see R. v. Marshall, [1999] 3 SCR 456, at paras. 14 & 51]. This is required by the honour the Crown, which is always at stake in its dealings with First Nations people [see R. v. Marshall, [1999] 3 SCR 456, at para. 49]. In other words, if the Crown wanted to add age or grade restrictions it needed to do so explicitly. Those kinds of restrictions cannot be read in today.”⁹

The AFN review of post-secondary education in 2000 reported that when asked to describe the impact of the change from PSEAP to PSSSP, First Nations administrators and students noted that:

- First Nations were no longer able to guarantee First Nations students their Treaty right to education
- Policy changes reduced the number of students eligible for funding and allowed guidelines for educational and living costs to become outdated
- Fewer First Nations PSE applicants were sponsored and were placed on waiting lists for sponsorship
- Students were forced to find employment to subsidize their education, which reduced the time they could spend on their studies. This led to lower marks.
- Facing financial difficulties, students become more stressed, discouraged, and de-motivated
- Students were forced to rely on food banks and other charitable organizations for support
- According to DIAND [Department of Indian and Northern Development] officials, First Nations bands and PSE administrators were forced to prioritize funds and subsidize PSE through other social programs. In addition, access by off-reserve applicants became limited.¹⁰

In 1996-97 the federal government instituted a permanent 2% cap on annual expenditure increases to the program which remains in place to this day, despite a one-time increase announced in 2017. Despite fiscal restraint, the PSSSP has been the primary source of funding for thousands of First Nations post-secondary students. Independent evaluations and reports from First Nations organizations have identified the PSSSP as a successful initiative for creating opportunities for

⁹ Elson, Kent: Legal Review Regarding First Nations Post-Secondary Education - Prepared for the Assembly of First Nations, April 10, 2018, pp. 7

⁸ Assembly of First Nations: First Nations Post-Secondary Review – National Report, August 25, 2000, pp. 24

⁸ Assembly of First Nations: First Nations Post-Secondary Review – National Report, August 25, 2000, pp 46

¹⁰ Assembly of First Nations: First Nations Post-Secondary Review – National Report, August 25, 2000, pp 46



many First Nations people to access to post-secondary education, despite its fiscal limitations and imposed eligibility restrictions on students, programs, and institutions.

In 2005, EKOS Research Associates conducted a telephone survey of 2,206 First Nations people living on-reserve. The respondents identified that inadequate funding is the biggest barrier to post-secondary education for First Nations people.¹¹

In 2012, a summative evaluation of the post-secondary education program conducted by the Evaluation, Performance Measurement and Review Branch of ISC/INAC noted that:

“The limited availability of funds was said to cause stress and distraction from studies. Many First Nation participants noted that funds for living allowances have remained static despite massive increases in inflation, especially in larger cities.”¹²

The departmental evaluation further noted that:

“By far, the most pervasive issue raised was insufficient funds to accommodate all qualified applicants. This was raised by respondents across the board with respect to increasing numbers of students wanting to attend post-secondary (both at the undergraduate and graduate levels); a sharply increasing population of university-aged people; coupled with marginal to no increases in available funding. In fact, most First Nation respondents responsible for post-secondary services indicated they have a wait list for post-secondary funding.”¹³

According to ISC/INAC data provided to the AFN in March, 2018, there were 23,625 students receiving PSSSP funding in 2015-16. Utilizing data from the 2016 Canadian census, the AFN asserts that 32,690 First Nations students were enrolled in post-secondary education in 2015.¹⁴ The difference of 9,065 is the number of First Nations students who were utilizing funds other than PSSSP to seek a post-secondary education.

Additionally, there is an unknown number of students who have not been able to access PSSSP funding and, as a consequence, have not pursued post-secondary. It is hoped that recent changes to the ISC/INAC PSSSP report form can identify how many individuals fall into this category.

Upon the release of the Truth and Reconciliation Commission of Canada (TRC) Calls to Action, the Prime Minister of Canada committed to work with Indigenous communities, provinces, territories, and others to:

“...fully implement the Calls to Action of the Truth and Reconciliation Commission, starting with the implementation of the United Nations Declaration on the Rights of Indigenous Peoples.”¹⁵

¹¹ Canada Millennium Scholarship Foundation: Changing Course – Improving Aboriginal Access to Post-Secondary Education in Canada, September, 2005, pp. 3

¹² Aboriginal Affairs and Northern Development Canada: Formative Evaluation of the Postsecondary Education Program, February 24, 2010, pp. 9

¹³ Assembly of First Nations: First Nations Post-Secondary Education Factsheet, May, 2018, pp. 4

¹⁴ Ibid. pp. 4

¹⁵ Rt. Hon. Justin Trudeau, Prime Minister of Canada: Statement by Prime Minister on release of the Final Report of the Truth and Reconciliation Commission, December 15, 2015, retrieved from <https://pm.gc.ca/eng/news/2015/12/15/statement-prime-minister-release-final-report-truth-and-reconciliation-commission>



TRC Call to Action #11 states:

“We call upon the federal government to provide adequate funding to end the backlog of First Nations students seeking a post-secondary education.”¹⁶

Using 2015 data, the AFN notes that if First Nations students were graduating at the same rate per population as the Canadian population, another 78,000 First Nations post-secondary graduates are required to close the post-secondary attainment gap.¹⁷

The data demonstrates the need to remove the funding cap and to enable policy and program changes to meet the real needs of First Nations.

This call for change has been supported by numerous reports. Notably, in 2007, the House of Commons Standing Committee on Aboriginal Affairs and Northern Development issued a report on post-secondary education and offered a very specific recommendation to remove the cap on PSSSP:

- That the 2% annual cap on spending increases for the Department’s Post-Secondary Education Program be eliminated immediately;
- that the Department’s spending increases for PSE programming be based on actual costs associated with program components and not be subject to discretionary caps;
- that the Department make it a priority to provide adequate funding under the PSE Program to every eligible First Nations and Inuit learner and put in place a plan to achieve that priority by the end of 2007, said plan to include implementation measures with clear target dates;
- that the Department ensure financial assistance for eligible First Nations and Inuit learners under the Department’s PSE Program is based on actual costs incurred for tuition, travel and living expenses, and indexed annually to reflect rises in both tuition costs and the cost of living; and,
- that the Department review the categories of eligible expenses under the PSE Program in order to ensure that the real expenses routinely incurred by individual eligible First Nations and Inuit learners are covered. Such expenses may include, but are not limited to, child care, special needs, and special shelter. This review should occur immediately, and at regular intervals thereafter.

¹⁶ Truth and Reconciliation Committee of Canada: Calls to Action, pp. 2, http://www.trc.ca/websites/trcinstitution/File/2015/Findings/Calls_to_Action_English2.pdf; Formative Evaluation of the Postsecondary Education Program, February 24, 2010, pp. 9

¹⁷ Ibid. pp. 5



In 2011, the Senate Standing Committee on Social Affairs, Science, and Technology Report called “Opening the Door – Reducing Barriers to Post-Secondary Education in Canada” issued the following recommendation to provide post-secondary funding based on need:

“The committee recommends that the 2% cap on funding increases for post-secondary education programs administered by Aboriginal Affairs and Northern Development Canada in effect since 1996-be reviewed immediately such that the funds allocated to the Post-Secondary Student Support Program reflect the real needs of Aboriginal Students and are administered through an open, transparent and fully accountable distribution mechanism.”¹⁸

Costs of Accessing Post-Secondary Education

In 2009, the TD Bank Financial Group issued a report on the annual cost of post-secondary education in Canada. The report noted that:

“For students living away from home, the annual cost of pursuing an undergraduate degree in 2008-09 averaged \$19,588 nationally and ranged between \$15,849 in Newfoundland to \$21,129 in Ontario.”¹⁹

These costs included tuition and fees, and the cost of living, but did not factor in key cost drivers among First Nations such as childcare and northern travel costs. By 2027, the report stated that the average national cost for an undergraduate degree will be “\$137,013 for students living away from home” or \$34,253.25 per year.²⁰

Reporting in October, 2017 on a survey of 23,384 students across Canada, Macleans concluded the total average annual cost of a university education in Canada, including tuition, institutional fees, rent, groceries, books and course materials, food on campus, daily travel, travel home, and extra-curricular costs was \$19,498.75, a figure remarkably similar to the TD Bank report from 2009 despite the fact that university tuitions have risen significantly over the past decade.²¹

The data from Macleans estimates that tuition represents approximately 34% of the total cost.²² Notably, like the TD Bank report, the total amount does not include key cost drivers among First Nations such as childcare and northern travel costs.

Statistics Canada notes that the average tuition for full-time students in Canada for an undergraduate program in 2017-18 is \$6,571, and additional compulsory fees are an average of \$880.²³ The agency further noted that “The most costly average tuition fees for Canadian undergraduate students were in dentistry (\$22,297) in 2017/2018, followed by medicine (\$14,444), law (\$13,642) and pharmacy (\$10,279).²⁴

¹⁸ Standing Senate Committee on Social Affairs, Science and Technology: Opening the Door – Reducing Barriers to Post-Secondary Education in Canada, December, 2011, pp. 51

¹⁹ D Bank Financial Group: Special Report – The Future Cost of a University Degree, October 15, 2009, pp. 2

²⁰ Ibid.

²¹ <http://www.macleans.ca/education/the-cost-of-a-canadian-university-education-in-six-charts/>

²² Ibid.

²³ <https://www.statcan.gc.ca/daily-quotidien/170906/dq170906b-eng.htm>

²⁴ Ibid.



According to ISC/INAC data, the average amount of PSSSP funding provided to First Nations students is enough to pay for average undergraduate tuition and fees, but leaves very little for other costs, such as the cost of living. The following table shows that over the four-year period between 2012 to 2016, First Nations post-secondary students received just over \$10,000 per year, on average, in PSSSP funding.

Year	Number of FN Students Funded by PSSSP	Total Expenditure*	Per Student Average
2012-13	22,720	\$242,780,406	\$10,686
2013-14	23,942	\$247,666,140	\$10,344
2014-15	24,257	\$253,607,663	\$10,455
2015-16	23,625	\$255,446,494	\$10,813

*Includes tuition, travel, student fees, materials and supplies, living allowance, incentives, guidance/counselling/social works services, and books.

The funding allocation under the PSSSP, a product of decades of fiscal restraint, does not fully cover the costs of accessing post-secondary education. More importantly, it does not cover the costs required to provide students with the opportunity to succeed. It is a limitation on opportunity, a limitation on successful outcomes, and, a denial of substantive equality.

“Addressing the distinct needs and circumstances of First Nations requires funding to greatly increase the pool of First Nation professionals and to provide ongoing upgrading for these professionals to provide services on reserve. Shortages in professionals can fully or partially block efforts to provide high-quality services in First Nations communities... More funding and support for post-secondary education is a key element in a holistic approach to bringing all services on reserve up to the standards enjoyed by other Canadians and to achieving culturally appropriate services.”²⁵

The federal budget announcement in March, 2017, included \$90 million for the Post-Secondary Student Support Program over two years, with a claim that the funds would support an additional 4,600 students over two years. This presumes an average allocation of \$19,565 per student per year, similar to the figures identified by the TD Bank and the Macleans student survey for the average annual cost of post-secondary for one year.

²⁵ Elson, Kent: Legal Review Regarding First Nations Post-Secondary Education - Prepared for the Assembly of First Nations, April 10, 2018, pp. 10



Here is what the chart should look like if the per student average increased to \$19,565 to cover the costs of accessing a year of post-secondary education:

Year	Number of FN Students Funded by PSSSP	Total Expenditure*	Per Student Average
2012-13	22,720	\$444,516,800	\$19,565
2013-14	23,942	\$468,425,230	\$19,565
2014-15	24,257	\$474,588,205	\$19,565
2015-16	23,625	\$462,223,125	\$19,565

*Total expenditure only based on actual numbers of students receiving PSSSP from 2012-2016. It does not include students on the waiting lists for funding, nor does it include the costs required to support First Nations Education Counsellors and First Nation financial administration. Additionally, it does not factor in some key cost drivers for First Nations such as childcare and northern travel costs.

This is only one model, but it provides an indication that the funding allocation to support First Nations post-secondary students must be increased significantly just to deal with ensuring access.

The total changes when First Nations post-secondary students who are funding by sources other than PSSSP are included:

Year	Number of FN Students Funded by PSSSP	Total Expenditure*	Per Student Average
2015-16	23,625 + 9,065	\$639,579,850	\$19,565

It is critical to note that any costing model which arrives at a base amount should forecast annual increases to address the rising costs of post-secondary education (annual escalator) and northern travel costs.



A 2005 report on the PSSSP prepared by Informetrica for ISC/INAC projected the number of students to be funded under a capped PSSSP, and a theoretical growth if First Nations students enrolled in post-secondary at the same rate as the Canadian population:

“The number of full-year students funded by the program is projected to increase from 22,556 in 2003-04 to 26,631 in 2015-16, based on population growth alone. In the [theoretical] case of enrolment at Canadian rates, the number of full-year students increases from 36,457 in 2003-04 to 43,281 in 2015-16. These estimates are based on the projected growth rate of the First Nation population of 20 to 34 years of age.”²⁶

In 2007, Informetrica estimated that the average cost of a year of post-secondary education for a First Nations student was \$22,212.²⁷ This figure includes tuition and compulsory fees, books and supplies, living expenses, daycare, and travel. In 2015-16, the PSSSP funded 23,625 students. If they were funded at an average of \$22,212, the total allocation would have been \$524,758,500. This figure does not include the students on the waiting lists for PSSSP funding, nor does it include the costs required to support First Nations Education Counsellors and First Nations financial administration.

Three different sources, two from over a decade ago, to assess the actual costs of post-secondary education, are more than enough to illustrate the fact that the current PSSSP allocation is not nearly enough to address First Nations access to post-secondary education nor to implement the Inherent and Treaty right to education.

The issue of adequately funding access can provide a baseline for identifying the financial sources required to support First Nations student success, including the core elements identified in this review, in post-secondary education.

First Nations Education Counsellors

In 2010 the Ontario Native Education Counselling Association (ONECA) undertook a Comprehensive Study of Aboriginal Education Counsellors in Ontario.²⁸ The report confirmed that First Nations education counselling is gravely underfunded and that the role that First Nation Education Counsellors is vastly different than that of a Guidance Counsellor in a mainstream setting.

Under the PSSSP guidelines, First Nations may utilize a maximum of 10% of the total PSSSP budget to pay Counsellors and any costs associated with counselling and financial administration. As a consequence, the role of the Counsellors becomes defined primarily by the budget.

²⁶ Informetrica: Potential Expenditures of the Post-Secondary Student Support Program, A Report Prepared for Indian and Northern Affairs Canada, December 16, 2005, pp. 3

²⁷ Informetrica: Financial support for First Nation students in college and university - The cost of implementing the recommendations of the Standing Committee of the House of Commons on Aboriginal Affairs and Northern Development, June 13, 2007, pp. 3

²⁸ Toulouse, Dr. Pamela: Walk In Our Moccasins: A Comprehensive Study of Aboriginal Education Counsellors in Ontario 2010, <http://www.oneca.com/resources/Walk%20In%20Our%20Moccasins%20Report%20by%20P.Toulouse.pdf>



Typically, the job description and role of a guidance counsellor in a publicly funded school would include the following:

- Observe and evaluate students during classroom and recreational activities.
- Maintain student records as required by law and administrative regulations.
- Help students to understand and deal with social, behavioral and personal problems.
- Evaluate student abilities, interest and talents to develop academic and career goals.
- Coordinate special need services.

To work as a guidance counsellor, an individual must have a bachelor's degree in education and additional qualifications in guidance. Guidance counsellors typically work weekdays and during school hours, with it possibly extending a few hours before and after school

Salaries for Guidance Counsellors can range between \$47,000 - \$100,000 plus benefits depending on their place of employment and the number of years of experience.

First Nations Education Counsellors carry out many responsibilities and fulfill a critical role in the retention, transition and graduation practices for First Nations students. Some of the duties of First Nations Education Counsellors include:

- Provides social, mental and emotional counseling
- Provides career guidance, academic plans and pathways
- Plans and coordinates educational and cultural events
- Plans and provides life skills, wellness and job readiness workshops
- Participates in school and community functions
- Provides cultural sensitivity and organizes spiritual workshops
- Monitors student achievement and progress
- Coordinates academic and special needs services to students
- Researches and collates scholarship and bursary information
- Accesses and locates funding and/or administers financial resources
- Motivates, encourages and communicates with students
- Participates and contributes in Student Education Plans
- Collects data and provides reports according to funders
- Maintains and submits budgets for their departments
- Meets with other educators to bridge transitions between levels
- Communicates between Institutions and Students
- Communicates between all stakeholders and their representatives



- Interprets information and policies and provides to stakeholders
- Locates, maintains and distributes resources to educators
- Participates in working committees that are directly related to students
- Participates in strategic planning sessions to ensure a Native voice²⁹

It is critical that counselling be funded at a level that allows First Nations Education Counsellors to be effective in supporting students to make transitions through all levels of education until they enter the work force.

Through discussions with First Nations Education Counsellors, it is being recommended that counselling positions should be designated positions that are fully funded outside of the administration budget and that funds should be allocated to cover the cost of the following: salaries, professional development, transitions supports, site visit travel, and resources. The ratio of 1 counsellor to 20 students would be a norm with one exception being that if there were high needs students then the ratio would be less depending on the circumstance, and another exception being made to enable human resource capacity in post-secondary education in First Nations communities with less than twenty post-secondary students.

Annual MINIMUM Estimated Counselling Costs per Counsellor (not taking into account remoteness) Ratio of 1 counsellor per 20 students additional counsellors will be required in the event of high needs students.

Salaries:	\$ 69,500
Benefits 17%	\$ 10,750
Professional and Training	\$ 5,000
Travel -Site Visits	\$ 15,000
Transitions Supports for students	\$ 20,000
Resources and Career Testing	\$ 12,000
Admin support 10%	\$ 13,225
Total	\$145,475

Note: The above estimates are based on communities that are located within a short driving distance to an urban centre and do not factor in remoteness or students with high needs. These would be minimum requirements where a community would already have a guidance program established and properly resourced. In 2015-16, there were 22,812 students who received PSSSP funding. To adequately fund First Nations Education Counsellors for all students in 2015-16 under this model based on circumstances for First Nations in Ontario, a national allocation of \$165,986,975 would have been required.

²⁹ Ibid. pp. 6



In 2015-16, there were 22,812 students who received PSSSP funding. To adequately fund First Nations Education Counsellors for all students in 2015-16 under this model based on circumstances for First Nations in Ontario, a national allocation of \$165,986,975 would have been required.

Additional Considerations

Although the issue of a statutory funding guarantee arose in the deliberations on the Strategy to Support First Nations Post-Secondary Students, it was generally considered an issue for the First Nations leadership to consider. Statutory funding is included in the terms of reference for the original PSSSP guideline review process.

A report issued on First Nations programs by the Auditor General of Canada in 2011 noted several problems with the federal approach to First Nations program including the lack of a legislative base:

“A legislative base for programs specifies respective roles and responsibilities, eligibility, and other program elements. It constitutes an unambiguous commitment by government to deliver those services. The result is that accountability and funding are better defined...Instead, the federal government has developed programs and services for First Nations on the basis of policy. As a result, the services delivered under these programs are not always well defined and there is confusion about federal responsibility for funding them adequately.”³⁰

Any legislative proposal can be a controversial issue for First Nations however, it should be given serious consideration.

³⁰ Office of the Auditor General of Canada: “2011 June Status Report of the Auditor General of Canada – Chapter 4, Programs for First Nations on Reserve”



Conclusion

The Strategy to Support First Nations Post-Secondary Students was developed by people who were appointed by the AFN Chiefs Committee on Education for their knowledge and expertise in First Nation post-secondary education. These are their words, drawing from the wealth of their collective experience. The Strategy serves as a framework for a new approach which builds upon the successes of the PSEAP and PSSSP.

In the 2015 federal election campaign, the Liberal Party of Canada identified that:

“We believe that First Nations’ control of First Nations education is vital to achieving improved outcomes, and we will make these investments as part of a renewed, respectful, and inclusive nation-to-nation process that fully respects Aboriginal and Treaty rights.”³¹

It is this principle which should guide the further development and implementation of the Strategy to Support First Nations Post-Secondary Students.

Furthermore, it is critical to ensure that the regional diversity among First Nations and First Nations mandated organizations is respected in the development and implementation of any new initiative. The Strategy to Support First Nations Post-Secondary Students can serve as the starting point for these deliberations.

³¹ Liberal Party of Canada, *Real Change: A New Plan For A Strong Middle Class*, October 2015, p. 48, retrieved from <https://www.liberal.ca/wp-content/uploads/2015/10/New-plan-for-a-strong-middle-class.pdf>



First Nations Review of Federal Post-Secondary – Institutes Group

Overview

First Nations-controlled institutions have been delivering programs since the 1970's without the recognition and proper supports from governments that are available to provincially and federally mandated post-secondary institutions. In fact, there has never been a federal policy to support the development or operations of First Nations-controlled post-secondary institutions or a First Nations post-secondary education system.

First Nations-controlled post-secondary institutions “have been developed to address the specific cultural, linguistic, intellectual, social, and economic needs and conditions of Aboriginal peoples in Canada³² and are characterized by:

1. Boards directed and controlled by Aboriginal communities;
2. Aboriginal faculty ensure a holistic approach to education (physical, mental, emotional, spiritual);
3. Infusion of First Nations history, culture, traditions, and values throughout the curriculum;
4. Methods of instruction that address Aboriginal learning styles;
5. Community involvement/integration of community throughout the educational process; linkages and referrals to various community organizations;
6. Aboriginal support staff ensures a focus on student support and the creation of student support networks;
7. Elder support, spiritual and traditional teachings;
8. Programs and services that instill recognition and preservation of Indigenous knowledge and history, recognition and respect for the land, environment, people and community; designed and delivered by Aboriginal peoples for Aboriginal peoples (i.e. the Indigenous Health Practitioner Program, Aboriginal Healing and Wellness, Cultural Interpretation); and,
9. Program and service delivery in community based, culturally rich environments.³³

³² Aboriginal Institutes' Consortium, *Aboriginal Institutes of Higher Education, A Struggle for the Education of Aboriginal Students, Control of Indigenous Knowledge, and Recognition of Aboriginal Institutions*, Six Nations, 2005, pp. 33

³³ *Ibid.* pp. 33-34



The Post-Secondary Partnerships Program (PSP) replaced the Indian Studies Support Program (ISSP) in April 2014. The ISSP was key source of funding for First Nations post-secondary institutions. The current PSP has a stated objective which places First Nations post-secondary institutions in competition with provincially funded colleges and universities. The PSP:

"The amount of funding for Aboriginal education at all levels has not kept pace with enrolment levels, system changes and need. In fact, funding falls short of the real need for things like curriculum revision/adaptation, instructional resources, student support, technology investments and maintenance, infrastructure costs, system planning and more."³⁴

The Aboriginal Institutes' Consortium (AIC) identified that funding for First Nations post-secondary institutions is inadequate:

"The amount of funding for Aboriginal education at all levels has not kept pace with enrolment levels, system changes and need. In fact, funding falls short of the real need for things like curriculum revision/adaptation, instructional resources, student support, technology investments and maintenance, infrastructure costs, system planning and more."³⁵

Yet, the need for adequate funding is undeniable:

"...the extent of the need for post-secondary education by Aboriginal peoples coupled with the success achieved by Aboriginal post-secondary institutions cannot be disputed or denied, yet these institutions continue to operate without government policy or legislative support."³⁶

First Nations post-secondary institutions are well positioned to close the educational attainment gap that exists between First Nations and non-First Nations peoples due to their uniqueness.

"The focus on student is greater in First Nations institutions versus mainstream institutions. This component is part of a First Nations worldview."³⁷

Furthermore:

"The mandates and purposes are different for First Nations and mainstream institutions. The meaning and value of groups and community differ for First Nations. This is where the cultures greatly diverge and why the mainstream institutions cannot ever completely meet the needs of First Nations students. For students to succeed, the system needs to be distinctly First Nations in character, design and operation."³⁸

First Nations-controlled institutions are the only educational organizations focused on addressing the unique needs of First Nations students.

³⁴ Post-Secondary Partnerships Program - National Program Guidelines 2018-2019, Retrieved April 18, 2018 retrieved from <https://www.aadnc-aandc.gc.ca/eng/1450716869941/1450716988236>

³⁵ Aboriginal Institutes' Consortium, Aboriginal Institutes of Higher Education, A Struggle for the Education of Aboriginal Students, Control of Indigenous Knowledge, and Recognition of Aboriginal Institutions, Six Nations, 2005, pp. 18

³⁶ Ibid. pp. 22

³⁷ Katenies Research and Management Services, The Business Case for First Nations Post-Secondary Education, (Version 5), Assembly of First Nations, 2007, pp. 16

³⁸ Ibid. pp. 16



“Indigenous students have unique needs as a result of history, conditioning, racism, and the intergenerational impacts of residential schools, among others. Indigenous post-secondary institutions help address Indigenous students’ unique concerns and needs through specialized support programming and student supports that are tailored for Indigenous students.”³⁹

First Nations-controlled institutions are not only places of higher learning, they are vital components of community and economic development for First Nations communities.

“Graduates of IIHLS [Indigenous Institutes of Higher Learning] not only gain knowledge and credentials they also gain the possibility of a better quality of life. Graduates often remain, or return, to contribute to the development and capacity of their home communities.”⁴⁰

The need to support First Nations post-secondary education institutions has been recognized time and time again.

The Royal Commission on Aboriginal Peoples (RCAP) recommended:

RCAP Recommendation 3.5.26 - Federal, provincial and territorial governments collaborate with Aboriginal governments and organizations to establish and support post-secondary educational institutions controlled by Aboriginal people, with negotiated allocation of responsibility for

- (a) core and program funding commensurate with the services they are expected to provide and comparable to the funding provided to provincial or territorial institutions delivering similar services;*
- (b) planning, capital and start-up costs of new colleges and institutes;*
- (c) improvement of facilities for community learning centres as required for new functions and development of new facilities where numbers warrant and the community establishes this as a priority; and*
- (d) fulfilment of obligations pursuant to treaties and modern agreements with respect to education.⁴¹*

In addition to support for First Nations controlled post-secondary institutions, RCAP called for regional authorities:

RCAP Recommendation 3.5.27 - Aboriginally controlled post-secondary educational institutions collaborate to create regional boards and/or a Canada-wide board to

- (a) establish standards for accrediting programs provided by Aboriginal post-secondary institutions;*

⁴⁰ Katenies Research and Management Services & Chignecto Consulting Group Inc., Review of the Indian Studies Support Program Component of the PSE Program, Ottawa, 2006, pp. 4

⁴¹ Royal Commission on Aboriginal Peoples: Volume 5 –Renewal: A Twenty-Year Commitment, 1996, pp. 215-216



- (b) negotiate mutual recognition of course credits and credentials to facilitate student transfer between Aboriginal institutions and provincial and territorial post-secondary institutions;*
- (c) establish co-operative working relationships with mainstream accreditation bodies such as the Association of Universities and Colleges of Canada and professional associations such as the Canadian Association of University Teachers; and*
- (d) pursue other objectives related to the common interests of Aboriginal institutions.⁴²*

The Standing Committee on Aboriginal Affairs and Northern Development report, *No Higher Priority: Aboriginal Post-Secondary Education in Canada*, states,

“Committee members believe it is important to highlight the reality, which often seems overlooked and unappreciated in the public discourse, that Aboriginal organizations and Aboriginal and non-Aboriginal post-secondary institutions and educators across the country have made and continue to make great strides in identifying and meeting post-secondary educational needs specific to Aboriginal learners.”⁴³

In addition, the Standing Committee report acknowledged the value of Aboriginal post-secondary institutes and the need for funding based on ‘needs’. Recommendation 8 states,

“That the Department’s new policy and management frameworks outline specific measures, developed in collaboration with organizations representing Aboriginal and mainstream post-secondary institutions, for gathering accurate information on an annual basis about the actual funding needs of those institutions, and

That the Department take immediate steps, in collaboration with organizations representing Aboriginal and mainstream institutions, to evaluate the adequacy of ISSP allocations overall, and develop a funding methodology for the ISSP that is based on the actual funding needs of Aboriginal and mainstream post-secondary institutions.”⁴⁴

Finally, the Standing Committee made an important observation about First Nations post-secondary institutions:

“We cannot emphasize enough the importance of these institutions and of Aboriginal programming for post-secondary learners. The successes Aboriginal-controlled institutions should be acknowledged by government, supported and built upon. In our view, government’s objective should be to put in place measures that strengthen and promote the long-term viability of these key institutions for the future of Aboriginal postsecondary education.”⁴⁵

⁴² Royal Commission on Aboriginal Peoples: Volume 5 –Renewal: A Twenty-Year Commitment, 1996, pp. 216

⁴³ Standing Committee, *No Higher Priority: Aboriginal Post-Secondary Education in Canada*, Ottawa, 2007, pp. 9

⁴⁴ *Ibid*, pp. 37-38

⁴⁵ *Ibid*, pp. 38-39



The Government of Canada still has work to do with regard to legislative support for First Nations post-secondary institutions in order to fulfill its commitment for the implementation of the United Nations Declaration of the Rights of Indigenous Peoples. Article 14 of the Declaration affirms the right of Indigenous peoples “to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.”⁴⁶

Fully supporting the creation and growth of First Nations post-secondary institutions that have demonstrated success for more than forty years could go a long way to changing the paradigm for First Nations success in post-secondary education. Now is the time to lay the ground work for the positive change that needs to occur.

PSE Review – The Process for First Nations-controlled Institutions

The methodology for the PSE Review process was designed to ensure that participants in the process could share their experience, expertise and ideas on the means required to support First Nations students and First Nations-controlled post-secondary institutions. After sharing expectations for the process, participants quickly moved to identifying elements of a new approach, and the principles, goals and objectives.

The expectations process in the first meeting in November, 2017, identified the need for core funding for First Nations-controlled institutions as a major priority. A cursory review of the Post-Secondary Partnerships Program led to a consensus that the initiative was not created for the purpose of supporting First Nations post-secondary institutions and that a new approach was necessary. Participants took advantage of the opportunity to share information about First Nations institutes across the country and about current processes in the regions that support First Nations post-secondary institutions.

At the second review session, in January, 2018, a strategy began to emerge on supporting First Nations-controlled post-secondary institutions. The process identified core supports for First Nations-controlled institutions to be funded by ISC/INAC, additional supports, and “add-on” supports. This discussion included current relationships and outstanding needs with regard to intersections with community, government and other post-secondary entities.

The Institutes Group believes that federal legislation is essential to properly recognize and support First Nations-controlled institutions. The group discussed data gaps and data needs, aggregate entities to support and advocate for First Nations-controlled institutions, as well as entities needed to support a successful First Nations post-secondary system. The group also spent time identifying the arguments and important reports and documents to support the development of a Cabinet submission.

⁴⁶ United Nations: Declaration on the Rights of Indigenous Peoples, published by the United Nations in March, 2008, retrieved from http://www.un.org/esa/socdev/unpfii/documents/DRIPS_en.pdf



The Institutes Group recommended that a Cabinet Submission should include the following:

- An argument that a law to recognize and support First Nations-controlled institutions implements Inherent, Aboriginal, and Treaty rights and gives effect to Section 35 of the Constitution of Canada;
- Reflections and recommendations from the Royal Commission on Aboriginal Peoples, the Truth and Reconciliation Commission, the United Nations Declaration on the Rights of Indigenous Peoples, and First Nations Control of First Nations Education;
- Content on how First Nations-controlled institutions manifest First Nations philosophies, languages, cultures and values;
- The linkage between a law to support First Nations-controlled institutions and the federal mandate to create an Indigenous languages law;
- Content to demonstrate how First Nations-controlled institutions contribute to closing socio-economic gaps and support economic development;
- Content to demonstrate how First Nations-controlled institutions are best positioned to address labour market and life long learning needs, and to prepare First Nations for self-government and self-determination.

The Institutes Group clearly stated that actions moving forward must build upon existing developments in First Nations post-secondary education. Existing institutions, organizations, and processes working towards First Nations control of First Nations post-secondary education should be included and no one should be left behind.

The Institutes group stressed that moving forward must include provisions for building community capacity for community-based program delivery, and for the creation of new First Nations-controlled institutions where none currently exist.

At the final meeting of the review process in March, 2018, participants made suggestions with respect to delivery mechanisms such as respecting First Nations authority and autonomy in education, ensuring funding flows directly from Treasury Board to First Nations-controlled institutions, and supporting the aggregate entities that currently exist at the regional, national and international levels.

Although many First Nations post-secondary institutions collect data with respect to their institutional needs, and data has been shared from time to time with regional organizations for specific purposes, there is a lack of data which provides a national scope. A 2006 review of the ISSP program relied largely on surveys conducted with First Nations-controlled institutions. Despite the paucity of national data, the participants in the Institutes group were able to share their local and regional information in a manner which contributed to building a consensus approach to supporting First Nations post-secondary institutions.



Supporting First Nations Post-Secondary Institutions (SFNPSI)

First Nations-controlled post-secondary institutions are governed, owned, controlled, and mandated by First Nations (or a collaboration of First Nations). They support life-long learning as defined by First Nations peoples, and facilitate knowledge transfer based in Indigenous languages, cultures and worldviews.

The SFNPSI recognizes that First Nations-controlled post-secondary institutions require core capacity to enable their operation, growth, and access to additional resources. Statutory funding will be based on a formula, jointly developed with representatives of First Nations-controlled post-secondary institutions, and funding transfers will be provided directly to First Nations-controlled post-secondary institutions by Treasury Board. The SFNPSI ultimately exists to facilitate the growth of a First Nations post-secondary education system within each respective region.

The preparation of the SFNPSI law will include a background to explain the development of First Nations-controlled post-secondary institutions, a business case to identify their importance to First Nations and to the education sector, and the principles upon which the law will be based.

Furthermore, the SFNPSI recognizes the need to build post-secondary capacity in First Nations for community-based program delivery, and to enable the development of First Nations-controlled post-secondary institutions where none currently exist.

Goals

The SFNPSI has the following goals:

1. To implement the Inherent and Treaty right to post-secondary education.
2. To respect the sovereignty and autonomy of First Nations.
3. To provide funding, including, but not limited to, core, capital, and developmental funding, for First Nations post-secondary institutions to keep pace with education and training needs in an ever-changing socio-economic environment.
4. To increase access and success of First Nations students in post-secondary by supporting community capacity in the development of First Nations post-secondary programs and services and the delivery of community-based education programs.
5. To support the creation of new First Nations post-secondary institutions.



The implementation of the SFNPSI will respect that Ownership, Control, Access and Possession of First Nations post-secondary data belongs to First Nations and First Nations-controlled post-secondary institutions.

Objectives

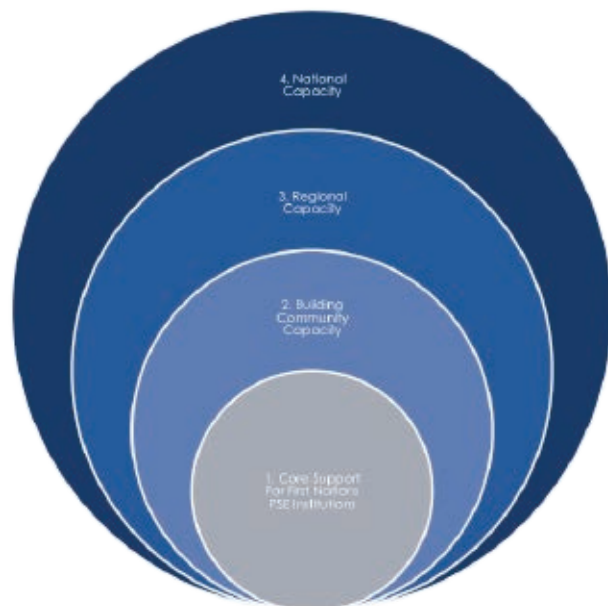
The SFNPSI has the following objectives:

1. To provide annualized funding to support the core operations of First Nations-controlled post-secondary institutions, guaranteed in law, which keeps pace with actual costs in education.
2. To provide annualized funding to support capacity development in First Nations communities for the delivery of community-based programming.
3. To provide annualized funding for the promotion, retention and revitalization of First Nations languages and cultures, including language immersion programs, curriculum and resources.
4. To provide annualized funding for multi-lingual programs, services and supports.
5. To provide annualized funding for First Nations directed and controlled entities to ensure the recognition of programs of study and to assist in the facilitation of credit transfer agreements.
6. To provide annualized funding for the curriculum development and delivery of new programs, expanding the breadth of programs as required.
7. To provide annualized funding for infrastructure which includes new building construction, operation and maintenance, building upgrades and renovations to Indigenous institute facilities and learning spaces i.e. including digital infrastructure and cyber security, and data management systems.
8. To provide annualized funding for Indigenous and First Nations directed and controlled innovation, research and development (to create and take our space in research and development).
9. To provide funding for the creation of new First Nations-controlled institutions.



Activities Supported Under the SFNPSI

The SFNPSI has four components:



1. Federal funding will be provided for **Core Support for First Nations-Controlled Post-Secondary Institutions**, including:

Governance

- Board of Governors
- Board training
- Development of policy i.e. student protection, academic freedom, intellectual property, student safety
- Elders, knowledge keepers
- Strategic planning, policy development
- Legal and professional fees
- External relations and advocacy, capacity to impact out
- Fundraising capacity
- Capacity to establish Articulation/partnership agreements
- Quality assurance and evaluation mechanisms
- Accreditation costs
- Data management system/student tracking system



- Strategic enrolment management systems
- Protocol and communications
- Language training
- Senior Staff
- President/Institution Lead
- Instructors/faculty
- Elders, knowledge keepers
- Administrative staff, academic
- Program advisory bodies
- Professional development
- Language training

Student Services/ Wrap around Services (as identified by First Nations)

- Administrative support
- Tutors, academic support, life skills support
- Counselling (education, mental health), including those at high school
- Recruitment and outreach to elementary and secondary schools
- Scholarships and Bursaries
- Traditional practices, ceremony
- Traditional foods
- Computers for all students
- Extra-curricular activities, sports
- Services for students with unique needs
- Community partnerships
- Support for transitions
- Family literacy
- Elder support
- Home support, food bank, clothing support
- Communication/promotion to ensure students know what supports are available
- Emergency fund

Program Development and Delivery (everything not high-school)

- Recognition of Indigenous prior learning
- Adult education, skills upgrading, receptive programming (meet students where they're at), transition programs, apprenticeship
- Mentorship (academic, social, cultural, etc.)
- Development of Certificate, Diploma and Degree programs
- Information technology camps, science camps, trades camps, language camps



- Campus delivery, community-based delivery, alternative delivery models
- Elder involvement, training for language teachers
- Language programming
- Alternative ways of assessing student knowledge
- Recruitment and Hiring of First Nations instructors

First Nations Languages

- Development activities and programs to support the retention and revitalization
- Translation services
- Creating language resources
- Documenting languages
- Home-community language programming, language mentorship initiatives
- Development and delivery of language immersion programs
- Recruitment and Hiring of Language and Culture teachers
- Development and delivery of language teacher programs

Multi-Lingual Capacity

- Recruitment, hiring teachers, specialists and staff
- Training and professional development
- Research and development of language materials, resources
- Translation services
- Program and service delivery in multiple-languages i.e. French, Cree, Mohawk, Onondaga, Blackfoot, English
- Program and service delivery in French language

Innovation, Research and Development

- Innovation, pilot projects
- Curriculum research and development
- Program development
- Community research - responsive to community needs
- First Nations languages, histories, cultures
- Policies i.e. research ethics
- Research review and ethics Board
- Elders/traditional leaders recognition program
- Protection of Indigenous intellectual property, recognized authority
- Research chairs, capacity to supervise research
- Data management systems - institutional success, student profiles, student success
- Community development and well-being, holistic well-being for community



Infrastructure

- Architectural design and new construction, including geothermal and green energy
- Renovations, expansion and repairs
- Physical and digital, indoor and outdoor learning spaces
- Virtual and land-based learning spaces, traditional gardens, mobile classrooms
- Facilities designed for post-secondary education, universal design, special needs students, access for students with unique needs
- Access and accommodation for special needs students, students with special needs
- Trades facilities, health labs, science labs
- Network capability to deliver programming remotely
- Housing, child care centres
- Digital and physical archives

Operations and Maintenance

- Training for operations and maintenance, physical and virtual, geothermal and green energy
- Physical facilities, virtual and land-based learning spaces, mobile classrooms, maintaining traditional structures
- Sacred spaces within and outside, teaching and ceremonial spaces, gathering places
- Technology, computers labs, laptops and iPads for all students, printers, internet access
- Libraries and resource centres, document archives i.e. languages, history
- Gyms and auditoriums
- Trades facilities, health labs, science labs
- Transportation
- Elder centres
- Board rooms with windows
- Theatre, amphi-theatre, gathering places, traditional gardens
- Study rooms, space for academic research, medical research
- Counselling centres

Additional Supports for First Nations-controlled institutions

- Office for community agencies at Indigenous institutions (buy-in, communities engaged in Indigenous post-secondary institutions)
- Community level hub - integrates community into the Indigenous institute campus, helps with transportation issues, food bank, access to medical services (flu shot)
- Linkages to elementary and secondary schools i.e. career fairs, science camps, introduction to trades and apprenticeship, foster relationships, also activities in provincial schools, dual credit arrangements



- Transportation
- Mentorship with elders
- Student councils, student networking, student governance
- Community Ethics Board i.e. Six Nations
- Employment transitions
- Support for internships and co-op positions (school, community)
- Program Advisory Councils - community, elders, industry partners for curriculum review and development

2. The SFNPSI, through coordination among federal departments, will support **Building Community Capacity:**

- Support community-based program delivery where institutes do not exist to increase access to post-secondary education, support communities that wish to develop capacity
- Student Counsellors and liaison/advisors
- Support for internships and coop placements in community
- Support apprenticeship opportunities for students/employer partnerships
- Training for Board members
- Support advocacy efforts at the community level
- Enable community service hubs (include health, employment, social, etc.) to support students and institutes
- Publishing Company for academic writing and books
- Elders Advisory Board
- Curriculum body/entity - curriculum development, accuracy and review
- Community Ethics Board (i.e. Six Nations, MK)
- Language advisory/support group i.e. MK Language Group
- Incentives and support for collaboration
- Transfer Credits - map the pathways for students

3. The SFNPSI recognized that **Regional Capacity** is important to support the development of First Nations post-secondary institutions. The creation and roles of regional or aggregate authorities will be defined by First Nations, and could include:

- Build upon current organizational infrastructure and mandates where possible i.e. Indigenous Adult and Higher Learning Association (IAHLA), Aboriginal Institutes Consortium (AIC), First Nations Adult and Higher Education Consortium (FNAHEC);
- Establish partnerships with other Indigenous institutions and federal and provincial organizations
- Develop and facilitate governance training and professional development (all levels)



- Facilitate intersections with mainstream i.e. credit transfer, mobility, knowledge exchange
- Quality assurance and evaluation
- Accreditation structure
- Data collection and analysis, data gaps
- Innovation and research, ethics, systems research, international research
- Support community capacity, community and stakeholder engagement
- Advocacy
- Conferences, collaboration, networking, information sharing i.e. Indigenous Scholars group, Indigenous Governance Association, Financial and Administrative Support organization (student tracking and enrolment), Indigenous Advanced Skills Council (program accreditation), President's Council (advocacy, governance, systems development and support)
- System supports for students – student access, pathways, awareness and research i.e. intergenerational trauma, learning disabilities like autism, FASD, racism

4. National Entities could support the recognition and development of First Nations-controlled institutions. The creation and roles of regional or aggregate authorities will be defined by First Nations, and could include:

- First Nations ethics board (research for and about Indigenous peoples)
- Accreditation i.e. First Nations accreditation board, quality assurance
- Support for National Association of Indigenous Institutes of Higher Learning
- Innovation, Indigenous research and development
- Advocacy
- Data collection and analysis
- Partnerships with Indigenous institutes and others (identified by First Nations)
- Participation with the World Indigenous Nations Higher Education Consortium and other national Indigenous entities
- E-network of Indigenous institutes for students, faculty, board members, course offerings
- Access to e-libraries
- Conferences, information sharing, networking i.e. Canadian Indigenous Studies Association of Canada

Data Collection

First Nations post-secondary institutions will collect data which will enable cost projections and data analysis. Data will be shared with a designated entity or entities to enable data aggregation.

Where First Nations post-secondary institutions do not exist, First Nations and/or organizations mandated by First Nations will collect data which will enable cost projections and data analysis. Data will be shared with a designated entity to enable data aggregation.

OCAP principles will apply at each step of the data collection and sharing process.



Monitoring and Planning

First Nations post-secondary institutions will mandate aggregate organization(s) to engage in data analysis, monitoring, and planning on their behalf. The aggregate organization(s) will be responsible for reporting to and receiving direction from First Nations post-secondary institutions.

Where First Nations post-secondary institutions do not exist, First Nations and/or organizations mandated by First Nations will engage in data analysis, monitoring, and planning, on their behalf. The aggregate organization(s) will be responsible for reporting to and receiving direction from First Nations post-secondary institutions.

Statutory Funding

Funding levels and reporting mechanisms will be determined through negotiation with First Nations post-secondary institutions, and will be based upon the principles, goals and objectives of the SFNPSI Act. Funding will be annualized, predictable, and will increase with actual education costs. Funding transfers will occur directly from Treasury Board to First Nations Post-Secondary Institutions or their designated organizations. Funding for First Nations post-secondary institutions will be kept separate and distinct from funding for First Nations post-secondary students.

Funding for First Nations communities to engage in the development and delivery of post-secondary programs and services will be determined by First Nations.

Conclusion

The SFNPSI was developed by people who were appointed by the AFN Chiefs Committee on Education for their knowledge and expertise in First Nations post-secondary education, particularly for their experience in working with First Nations-controlled post-secondary institutions.

First Nations post-secondary institutions have pressed for recognition and resourcing for decades. They have made themselves known at education conferences, parliamentary committees, and whenever there is a special study on the way forward in First Nations education.

The Supporting First Nations Post-Secondary Institutions (SFNPSI) initiative represents a consensus perspective from First Nations-controlled institutions which has been built over a longer period of time than the current PSE Review. In an era of recognition of rights, and reconciliation, it is timely for this initiative to come into existence.



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