

**MINISTRY OF EDUCATION
BRIEFING NOTE**

DATE: December 1, 2014
CLIFF # 178801
PREPARED FOR: Honourable Peter Fassbender, Minister, for **Signing** of
Reciprocal Tuition Agreements at the request of the
Director, Aboriginal Education, Learning Division
SUBJECT: Reciprocal Tuition Agreements to be signed on behalf of the Province

BACKGROUND:

For many years, First Nations educated, without remuneration, students who lived off reserve but chose to attend band schools. At the same time, those First Nations were asked to pay for the tuition of students who lived on reserve but chose to attend public schools.

To right this inequity, a Reciprocal Tuition Agreement, developed by the Province and the First Nations Education Steering Committee, sets out the conditions under which BC will compensate non-independent band schools for educating students living off reserve, since those students remain the financial responsibility of the Province. School districts continue to receive federal funding, either by invoicing First Nations or via the Province, for status on-reserve students attending public schools.

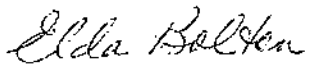
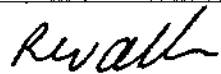


DISCUSSION:

Funds for the 2014/15 school year must be disbursed by January 31, 2015.

Enclosed for signature are three Reciprocal Tuition Agreements signed and submitted by each First Nation applying for the first time.

Appendix 1: Reciprocal Tuition Background
Appendix 2: Reciprocal Tuition Year-to-Year Payment Totals

Enclosures: Three (3) Reciprocal Tuition Agreements

Contact Information	Approvals / Date signed
Learning Division	 Dec 1/14
Executive Director:	
ADM:	 Dec 1/14
DM: 	 Dec 2/14

APPENDIX 1 — Reciprocal Tuition Background

Aboriginal Affairs and Northern Development Canada (AANDC), formerly Indian and Northern Affairs Canada or INAC, is responsible for funding the K–12 education of First Nations and on-reserve students, whether they attend provincial public schools or band-operated schools. The Province of British Columbia is responsible for funding all other Aboriginal students in BC, including status First Nations students living permanently off reserve.

Accordingly, First Nations are responsible for the full tuition of on-reserve students who choose to attend BC public schools. However, for many years, bands were also covering the full cost of educating provincial-responsibility students who chose to attend non-independent on-reserve band schools and the balance of the cost of educating provincial-responsibility students who chose to attend on-reserve schools regulated under the *Independent School Act*. (Note: there are approximately 140 band schools in British Columbia; almost 30 of those have chosen to become BC-certified independent schools.)

To right this inequity, an amendment was made to the Independent School regulation enabling 100 per cent funding for provincial-responsibility students attending band schools certified under the *Act*. Likewise, a Reciprocal Tuition Agreement was developed and agreed to by the Province and the First Nations Education Steering Committee (FNESC), setting out conditions under which reciprocal tuition payments are made to non-independent band schools. That government-to-government-style agreement is to be signed, not by the relevant non-independent band school, but by the local First Nation. Each First Nation completes only one agreement, no matter how many of their schools have students eligible for reciprocal tuition, and each First Nation completes an agreement only at the time of their first application, skipping this step in future years.

All of this is a result of the British Columbia First Nation Education Agreement, which was an agreement on jurisdiction signed by the Province and FNESC in July 2006. It committed the Province to paying reciprocal tuition for provincial-responsibility students attending schools operated by participating First Nations. Recognizing that First Nations would need time to establish education authorities, reach funding agreements with AANDC, and develop capacity to draw upon their authority for education jurisdiction, FNESC requested that the Province pay full tuition for provincial-responsibility students attending on-reserve band schools as of September 30, 2008. The Province paid almost \$3 million in reciprocal tuition for 2008/09, around \$4 million for 2009/10, over \$5.5 million for 2010/11, \$6.5 million for 2011/12, over \$8 million for 2012/13, and \$9.8 million for 2013/14. (Note: BC's recoveries for on-reserve students choosing public schools will soon reach \$100 million a year.)

APPENDIX 2 — Reciprocal Tuition Year-to-Year Payment Totals

Band-Operated Schools without B.C. Independent School Certification *						
School Year	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14
# of schools	3	13	18	17	15	23
# of FTE	13	78.25	108	162	218	288.75
\$ Paid	130,415	775,430	1,163,711	1,691,166	2,393,310	3,219,435

* A reciprocal tuition agreement is required: with the three enclosed, BC will have 26 of these government-to-government-style agreements with different First Nations.

B.C.-Certified Independent Band-Operated Schools						
School Year	2008/09	2009/10	2010/11	2011/12	2012/13	2013/14
# of schools	21	20	23	21	23	23
# of FTE	275.5	295	420.5	451.75 (plus one home-schooler)	513.875 (plus three home-schoolers)	561.125 (plus three home-schoolers)
\$ Paid	2,720,527	3,093,433	4,495,303	4,815,881 (plus 250)	6,128,243 (plus 525)	6,582,075 (plus 525)