Keeping First Nations in Their Place – The Myth of “First Nations Control of First Nations Education”: A Commentary

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Abstract

The federal government of Canada has constitutional responsibility for First Nations education. There is no evidence that the federal government has attempted to develop a comprehensive First Nations education system. Most studies have found serious flaws in the current realities faced by First Nations children attending First Nations-controlled schools throughout Canada (e.g., low levels of academic achievement, lack of second-level specialist support, inadequate school facilities, and low teacher pay). These difficulties are not found in provincial schools in which the federal government supports First Nations students. Despite its poor track record in First Nations education, the federal government remains convinced that it knows what is best for First Nations children attending First Nations schools across Canada. First Nations educational involvement, knowledge and expertise are not really considered. The idea of "First Nations control of First Nations education" is really meaningless. This paper critiques the current education system and makes recommendations.

Keywords: Canadian education, First Nations education, Canadian constitution

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Note:

The federal department of Indian and Northern Affairs Canada (INAC) has recently changed its name to Aboriginal Affairs and Northern Development Canada (AANDC). However, the documents used in this paper were sourced prior to the name change.

Introduction

My daughters who are First Nation (i.e., Cree) were truly fortunate. They attended provincial schools in Winnipeg. Many of their cousins were also fortunate to attend provincial schools situated near their home reserves (i.e., First Nations) or in urban centres. These students attended schools which had a solid curriculum, well-qualified teachers and administrators, as well as a variety of academic and administrative supports and services such as reading and math programs, consultants, and specialists.

Essentially, their educational experience was the norm in Canadian public schools. Their schools were part of a comprehensive system of delivering educational programs and services. Their schools were supported by a school division/board with specialists, consultants, administrators and by a provincial/territorial department of education with additional specialists, consultants, and administrators. These schools also operated under the authority of an Education Act with educational policies and regulations.

However, my daughters also have many cousins who attended First Nations controlled schools on First Nations across Canada. These First Nations controlled schools are not part of a similar system of educational supports and services.

Current Status of First Nations Schools

Federal ministers and senior bureaucrats of Indian and Northern Affairs Canada (INAC) have acknowledged that the benefit of the provincial education is not available for schools on First Nations. Christine Cram, Assistant Deputy Minister, Education and Social Development Programs and Partnership, INAC, speaking to the Standing Senate Committee on Aboriginal Peoples (2010a) described the current education reality faced by First Nation students as "... ,we have a single school model; we do not have a system of education" (p. 9). The Hon. Jim Prentice, a former Minister of INAC, had similar thoughts as he described First Nations education as:

There is, in fact, no education system for the First Nations ...
there are no national norms, no determined courses, no teaching
certificate required. All the other children in the country benefit
from the legal protection afforded to them in the field of
education. The only children deprived of this security are First
Nations children on reserves. (First Nations Education Council, 2009, p. 29)

Most studies and reports on the state of education on First Nations across Canada indicate that something is seriously wrong. Many schools are in a state of disrepair (Office of the Parliamentary Budget Officer, 2009; Winnipeg Free Press, 2010; Ontario Ministry of Community Safety and Correctional Services, 2011). Teachers and administrators in First Nations schools have a high turnover rate of teachers and principals (Ontario Ministry of Community Safety and Correctional Services, 2011; Steeves, Carr-Stewart, & Marshall, 2011).

Not surprisingly, First Nation students in these schools score low on measures of achievement and effectiveness. In 2010, the Edmonton Journal (Stolte, 2010) released the results of an Alberta Learning (2003) report on the results of First Nations students, Grades 3, 6, and 9, who wrote the provincial Achievement Testing Program such as English Language Arts,

Mathematics, Science, Social Studies) from 1998/99 to 2000/01. The students attended either a First Nations controlled school, a provincial school with a tuition agreement between the First Nation and a provincial school, or a combination of the two due to movement between the two types of schools. The results indicated that students in all grades who attended First Nations schools on reserves scored lower in all categories and years than First Nations students who attended a provincial school.

In northwestern Ontario, First Nation educators in twenty-two communities were concerned about the achievement levels in their schools (Brown, 2005). They hired a psychologist to assess 1,800 students in Grades 1, 3, 5, and 7 twice in a school year. The Canadian Tests of Basic Skills (CTBS) were used to assess the students. The CTBS assesses students in reading, vocabulary, and mathematics. The results indicated that more than 86% of the students were at least two grades behind.

These test results are unique. They are not from the federal government. It is difficult to obtain academic achievement information from First Nation schools because the federal government does not include First Nations schools in any testing program. These 515 schools, 119,000 students and \$1.3 billion (Standing Senate Committee on Aboriginal Peoples, 2010a, p. 3) are excluded from the Organization of Economic Cooperation and Development's (OECD) Programme of International Student Assessment (Statistics Canada, 2007, p. 2) which assesses students and educational systems in the ten provinces and three territories. Statistics Canada gathers only enrolment and graduation rates information from these schools.

The refusal and/or inability of the federal government to collect and disseminate First Nations education information does not bode well for the future. The federal government does not have a "starting point" to make changes. If you want to change something, first you must measure it. Presently, baseline information is lacking. We have guesstimates (i.e., students two years plus behind) but nothing concrete because the schools and students are not measured in any meaningful manner.

Separate and Unequal Systems

First of all, I must emphasize that I am not saying that my nieces and nephews who attend the federally funded schools of First Nations are the cause incapable of academic success. They are intelligent children. However, many of the schools and the administrative structures under which the schools operate are financially deficient and lack the tools to effectively measure success. What we have is really two very separate and very unequal school systems; one operated by the provincial governments and one operated by the federal government and INAC.

The concept "separate and very unequal" education systems should never exist in Canada. However, it does exist. I came to this conclusion after reviewing an invoice (Frontier School Division, 2008) of the amounts INAC pays in tuition for First Nations students attending a nearby provincial school. The amount was nearly \$16,000.00 per student. This amount is about 33-50% higher than INAC will pay a First Nation for First Nations students attending a school on the reserve (Hull, 2005). Postl (2005) compared eighty-three First Nation schools in British Columbia and found the funding shortfall to be \$2,126.00 per student. Peter Garrow, Director of Education, Assembly of First Nations has remarked on the inconsistency between INAC's promises and reality when he stated that "INAC continues to tout that bringing First Nation education to par with their provincial counterparts is its priority, but fails to provide sufficient funds to allow for this process to happen" (Wawatay News, 2007, p.2).

This failure to provide the provincial level of funding support was acknowledged by Senator Hubley, speaking at the Standing Senate Committee on Aboriginal Peoples (2010a) as he spoke “My second question has to do with the differential funding between on-reserve and off-reserve schools. There are different levels of support. In some cases, it can be thousands of dollars difference per student” (p. 20). At a later committee hearing, Senator Raine (Standing Senate Committee on Aboriginal Peoples (2010b) questioned INAC’s paying:

more to the provincial education department than it would pay if the student were on-reserve. I do not understand how we are to deliver decent elementary school education if we do not have equivalent or even more funding for them (p. 14).

At another meeting of the Standing Senate Committee on Aboriginal Peoples the unequal financial treatment of First Nations controlled schools by INAC officials was highlighted. Cindy Fisher, President of the Ontario Native Education Counseling Association spoke of her experiences as a Director of Education for Pic River First Nation. She was blunt in her assessment of the current financial situation faced by First Nations schools in her statement “First Nations schools are not equitably funded” (Standing Senate Committee on Aboriginal Peoples, 2010c, p. 9). She then explained that her First Nations school received \$8,156 per student from the federal government. However, if their students travelled down the highway fifteen to twenty minutes away to the provincial school in Marathon, the federal government would give the provincial school division \$15,211.53 per student. For high school students, the amount would increase to \$17,131.88 per student.

A recent report on Pikangikum First Nation (Ontario Ministry of Community Safety and Correctional Services, 2011) puts the financial disparity between the federal and provincial governments into another perspective. From 2002/03 to 2010/11 provincial funding per student increased from \$7,201 to \$10,730 or 49%. Federal government support increased only by 16% during the same period due to a freeze of 2% per year.

However, despite these financial differences INAC continues to require the First Nation schools “to follow provincial curricula” (Standing Senate Committee on Aboriginal Peoples, 2010a, p. 7). The requirement of equivalency with the provincial education programs and services is part of the funding agreements between the federal government and First Nations. The First Nations and Tribal Councils are expected to:

Ensure that registered Indian students ordinarily resident on reserve or on lands belonging to Her Majesty in Right of Canada and other students for whose education the Minister accepts funding responsibility have access to kindergarten, elementary and secondary level education programs and services comparable to the programs and services required to be provided in public schools generally in the province in which the service is being provided and to ensure that the service is delivered to a standard sufficient to enable students to transfer within the school systems of the Province without academic disadvantage.
(Government of Canada, 2004, p. 20)

Marshall, Carr-Stewart, & Steeves (2010) compared second level resources and services available from a provincial school division and the nearby First Nations Yorkton Tribal Council in Saskatchewan. Their conclusion noted, “funding for second-level services lags significantly behind resource commitments in provincially-operated school divisions” (p.12). Their findings also indicated that when First Nations schools were transferred to First Nations control the transfer “did not include second-level services or an educational system similar to that established by provincial school boards to support those in the daily operation of the school (p. 1).

A later study (Steeves, Carr-Stewart, & Marshall, 2011) on the Yorkton Tribal Council’s second-level education services echoed similar concerns. For example, a focus group of First Nation education leaders “commented that the Yorkton Tribal Council was doing the best they could in the situation, but that funding was not there for second level positions” (p. 4). The school administrators’ focus group discussed the inadequate funding and “expressed frustration with the slowness and conditionality of funding from Indian and Northern Affairs Canada” (p. 4).

First Nations not only encounter difficulties in securing adequate education funding, programs, services, and teachers, they are also confronted with financial difficulties to maintain school facilities. The Office of the Parliamentary Budget Officer (2009) found that 49% of First Nations schools were in good condition. Concern was noted because 21% of all of the schools have not been inspected, ten schools were closed, and twenty-five schools were reported in poor condition. The report found that “among Canadian jurisdictions considered, INAC is unique in not factoring enrolment into operational funding level decisions” (p. 57).

INAC has not explained the reasons for having two systems for First Nations education. Provincial schools are able to receive support from school divisions/boards (second tier) and the provincial departments of education (third tier). First Nations are often expected to purchase the services of curriculum developers, subject area specialists/consultants, and psychologists from private contractors. Schools are often left with a report with recommendations but no funds for implementation (Mamow-Sha-gi-kay-win: North-South Partnership for Children in Remote First Nation Communities, 2007).

INAC has also not explained how it is possible to provide the same level of educational services with less than provincial funding. It is simply not possible. The First Nations schools, teachers, and administrators do their best with what they have, yet it is simply not good enough. It is difficult to provide the provincial level of educational services when there has not been equal level of support such as funding and support services compared to the provincial school system. Think about how your neighborhood school would manage without the educational supports such as consultants, specialists and administrative support from the school division/board and provincial departments of education.

Lack of Control and Respect

This idea of First Nations “control” of First Nation education is meaningless. INAC remains firmly in control with no accountability. The First Nations are kept in their place. Goddard (1997) has referred to “the oxymoron of band control” (p. 220) as First Nations have no input in developing the funding formula for their schools.

It was not supposed to be this way. In 1972, the National Indian Brotherhood (NIB), the forerunner of today’s Assembly of First Nations (AFN), submitted their document “Indian

Control of Indian Education (NIB/AFN, 1972). In 1972, the Honourable Jean Chretien as Minister of Indian Affairs approved the document and committed the government to implementing it (INAC, 1972). A key concept of the document was that First Nation parents have the right to be involved in decisions affecting the education of their children. However, from the 1970s into the 2000s, INAC has signed tuition agreements with provincial school divisions without the input of First Nations (INAC, 2005, Wilke, 2008).

This failure to consult and respect First Nations input goes against the very ideas and underlying principles of “First Nations Control of First Nations Education”. First Nations need to be consulted. Their input is invaluable to service their students. However, INAC rarely consults with First Nations. In BC, Terry McNeil, the Chiefs Committee on Education representative for BC complained about the treatment First Nations leadership receive from INAC officials. He complained, “INAC shows a disregard to information we put forward, they don’t correspond with us properly and they won’t meet with us in a way that supports their renewal mandate” (Schumacher, 2008, p. 1). Even when consultations occur, the end result may be different than what the First Nations had agreed as the AFN found when “after using a joint AFN/INAC Working Group to develop new guidelines during the fall of 2006, INAC, at the end of the process, made final changes unilaterally without further consultation” (AFN, undated, p.1).

These examples clearly indicate that INAC officials still believe that they have the answers. This is especially surprising since by all accounts, research, and reports, the state of First Nation education across Canada is in crisis. INAC insists that First Nations follow the provincial curriculum, however, it does not provide provincial levels of funding to the First Nations.

Reports from the Auditor General of Canada on INAC paint a picture of incompetence. How is it possible for a government department not to know its mandate and responsibilities? The incompetence goes back for years. For example, the Office of the Auditor General of Canada (1986) noted the difficulty of obtaining education data and statistics on First Nations students. This caused difficulties in determining effectiveness of programs and schools and “made it virtually impossible to measure progress in such areas as educational achievement of Indian students” (p. 18). In 2000, Office of the Auditor General of Canada (2000) highlighted that investigators “could not find a formal articulation of the Department’s role or responsibilities in education” (p. 4-11) and that “actual education costs are not known to the Department” (pp. 4-17). The Auditor-General estimated that it would take 20 years to “reach parity in academic achievement with other Canadians” (p. 5).

Four years later, the Office of the Auditor General of Canada (2004) found that INAC remained in the dark regarding education costs and effectiveness. The report found that “the Department does not know whether funding for First Nations is sufficient to meet the education standards it has set and whether the results are in line with the resources provided” (p. 1). Not surprisingly, the report estimated that it would now take 27 - 28 years to close the education gap between First Nations students on reserves and the rest of the Canadian population.

Recommendations

It is time for INAC to stop looking at the provincial systems as their guides. They must also stop trying to force the First Nations to join with the nearby provincial school divisions for programs and services. These are referred to as “tripartite” agreements (e.g., First Nations, Provincial

School Divisions, and the Federal Government). The Minister of Indian Affairs and Northern Affairs and Interlocutor for Métis and Non-Status Indians (2008) announced that:

The Government of Canada has also dedicated new investments to allow for the sharing of expertise through tripartite agreements with First Nations and provincial government. By working in partnership, we can all ensure that those involved in the delivery of First Nations education are helping First Nations students succeed in Band-operated schools and in provincial schools....Partnerships will be pursued at an aggregate level – preferably at the level of a provincial government, involving groups of First Nations and engaging regional education organizations, where they exist. (p. 2)

It is interesting that INAC has no problems with finding and providing funding for these arrangements but has difficulties funding and supporting similar programs for a First Nations organization. Finally, it is time for INAC to finally admit that they do not have the answers and that maybe, just maybe, the First Nations might just have the expertise and ability to develop programs which will be successful.

I don't want to sound totally negative. There have been a number of successes in First Nations education. These success stories include: Manitoba First Nations Education Resource Centre (MFNERC) in Manitoba; First Nations Schools Association/First Nations Education Steering Council (FNSA/FNESC) in British Columbia; and, the First Nations Education Council (FNEC) in Quebec. Each of these organizations is providing essential educational support to their schools. They have developed extensive plans and proposals. However, they each have difficulties securing long-term funding.

The current situation did not occur overnight. There is plenty of blame to spread around. INAC ministers and bureaucrats appear to have forgotten the concepts, principles, and the realities behind the "Indian Control of Indian Education" document. First Nations parents and their elected representatives have the right to be involved in decisions involving their children. At this point in time, over thirty-nine years have elapsed since "Indian Control of Indian Education". You would have thought that a comprehensive system of delivering educational services has not been developed, implemented, and maintained for First Nations students across Canada.

A First Nations education law must be developed and passed. Why is it acceptable that First Nation students on reserves are the only students in Canada who are not protected by an education law. Federal policies, guidelines and directives in First Nations education do not have the force of law. First Nations students are at the whim of unqualified federal bureaucrats who "do not claim to have huge expertise in post-secondary or kindergarten to Grade 12 education" (Standing Senate Committee on Aboriginal Peoples, 2010a, p. 9) and who are driven by a focus of restricting education service costs rather than developing educational programs and services.

For example, in the area of special education, First Nations schools are expected to follow the neighbouring provincial school division's special education services as their guide. Provincial categories of exceptionalities are used to identify students with special needs. However, the provincial levels of special education funding are not available. First Nations educational teachers and administrators who have identified students with special needs using provincial tests and categories are often stymied because "INAC will not disclose which students are to receive support and which are not. First Nations were simply given an allocation and told to work with it" (The Grand Council of Treaty #3, Health Care crisis 2006, p. 2). INAC officials have the authority to stop funding for students with special needs with no explanations given.

The Assembly of First Nations (AFN) and provincial First Nations organizations and officials appear to be more concerned with politics rather than the nuts and bolts issues that affect local communities. They are also often very timid in their criticisms of the federal government due to quiet threats of possible funding cuts or redistribution of funds. What is needed is a cadre of qualified consultants, specialists, and administrators to develop a comprehensive system of educational programs and services who are maintained and monitored by AFN and other First Nations organizations. These specialists could also be used to provide professional support and research to First Nations schools and communities.

AFN and the federal government must begin working with First Nations and universities to develop programs to train specialists and administrators in all areas of First Nation education. Currently, there are many teacher training programs in place across Canada. However, the next level of consultants, specialists, and administrators requires additional funding and support.

INAC must also provide a sustainable and stable funding base for First Nations education. Many First Nations have complained about sudden and arbitrary changes in government policy which results in reduced funding and thus reduced services and programs in First Nations schools. Such actions cause havoc in planning and make the schools and school officials look incompetent.

First Nation parents throughout Canada must begin to demand accountability from their elected officials and many organizations. They must also demand that their schools are properly funded and have comprehensive systems of educational support.

The argument that this is not the time to implement real change in First Nation education due to the current economic uncertainty does not stand up to scrutiny. Adequate funding of First Nations education did not occur when there was plenty of money flowing into the federal coffers. It is simply and never has been a priority of the federal government.

I know that the federal government may respond to this commentary by issuing statements about the amounts of funding First Nations receive for education, new initiatives and programs, and a commitment to "Indian Control". However, it is all meaningless twaddle. A great amount of "First Nations" funding never hits the reserve. Many conferences, businesses, and consultants depend on this funding. The Ministers of Indian Affairs (both Liberal and Conservative) have been consistent in their incompetency and complacency. I am tired of hearing speeches. It is time for action.

If Ministers and federal bureaucrats actually believe that their efforts have created a fully functioning, comprehensive, and provincial equitable education system, then I would ask them to send their children/grandchildren to a northern First Nations "controlled" school for a year or two. These children would experience the "provincial" level of education services that the schools are supposed to provide. This is simply not going to happen.

Somehow I can't see the Minister and INAC officials sending their offspring to schools that have these types of problems:

We need way more books, paper, and stuff like that.

There's no erasers, no pencils.

We need to improve the stuff in the science room.

I would like to see the broken computers fixed.

If I had money I'd buy some stuff for the school.

We need newer books.

Resources are needed.

We need skill development programs for all grades.

We require more library and resource materials.

Lacking textbooks, videos, computers, etc.

My teacher buys us books.

The students share books, we don't have enough readers for the whole class.

There are no funds and no helpers for after school activities.

(Stewart, 2006, p. 2001)

The Minister of Indian and Northern Affairs must acknowledge their department's past short-comings and failures and begin to actually work with First Nations to develop a comprehensive system of education for First Nations. Consider the provincial systems and curricula but do not be bound by them. First Nations have their own thoughts about what must be included in the curricula. INAC also must get itself away from two ideas: 1) they know what's best; and 2) the province knows second best. A change in the mindset of federal politicians and bureaucrats must occur to radically transform their thinking and accept that First Nation parents and educators know what is best for their children.

I believe that it is time for the Minister of Indian Affairs (recently renamed Aboriginal Affairs) to sit down with representatives from First Nations, First Nations educational organizations, parents, and students to actually develop an educational system that is comprehensive and reflects what is important for First Nations. INAC officials who attend must come with blank paper. They are there to take notes and to listen. They are not there to direct the discussions.

The Future

I don't know what type of education system First Nations leaders, parents, and teachers would develop for their children. However, it has to be better than what has occurred under the watch of the numerous Ministers of Indian Affairs. This is an opportunity for Canada to actually work together with First Nations to develop an educational system from top to bottom to reflect what First Nations want, not a poor reflection of the provincial systems. It's time for real "First Nations Control of First Nations Education".

Finally, am I dreaming? Probably.

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