

## **DRAFT SUMMARY**

### **First Nations Access to their Status On-Reserve Student Indicators**

In January 2015 FNEC and the Ministry of Education met to collaboratively generate options for small communities who wish to access student achievement data, while ensuring that data sharing abides by the *Freedom of Information and Protection of Privacy Act* (FOIPPA) and the principles of *Ownership, Control, Access, and Possession* (OCAP). This is an initial summary of options that FNEC and the Ministry of Education generated as possible solutions.

#### **BACKGROUND**

The Ministry of Education publishes an annual report called the *How Are We Doing? Aboriginal Report* which contains a number of educational indicators for Aboriginal and non-Aboriginal students in K-12. The *How Are We Doing? Aboriginal Report* is publicly available for district level data, and school level reports are also available.

First Nations communities can contact the Ministry of Education to request educational indicators for their communities. There are a number of factors that complicate First Nations data requests, including FOIPPA, OCAP, and Demographics.

- **FOIPPA** - FOIPPA requires public bodies that collect personal information to protect individuals' personal information through physical and procedural methods<sup>1</sup>. Within the Ministry of Education as a general rule this means that if a population is 9 or fewer their data will be masked.
- **OCAP** - OCAP is a set of principles which outlines how First Nations exercise their right to make decisions regarding data collection and dissemination<sup>2</sup>. First Nations have the right to manage and make decision regarding access to their collective information. OCAP reflects the fact that First Nations are another level of government.
- **Demographics** - There are 203 First Nations communities in British Columbia. 8,812 status First Nations students attending public schools in British Columbia live on reserve<sup>3</sup>. If the population were evenly distributed then it might be logistically possible to develop one method for accessing data, however, there is wide variance in population sizes. For example, Cowichan Tribes have 1875 Aboriginal people living on-reserve, while T'Sou-ke Nation has 155 Aboriginal people living on-reserve. Participation patterns in public schools also vary. For example, some First Nations may have many of their students concentrated in one district, while another may have their population spread out across a number of districts. Due to the wide variety of First Nations community demographics and participation patterns it is more feasible to develop a menu of options for accessing data rather than attempting to develop one solution for all communities.

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<sup>1</sup> Guide to the Freedom of Information and Privacy Act

[http://www.cio.gov.bc.ca/cio/priv\\_leg/foipppa/foipppa\\_guide.page](http://www.cio.gov.bc.ca/cio/priv_leg/foipppa/foipppa_guide.page)

<sup>2</sup> The First Nations Principles of OCAP <http://www.fnigc.ca/ocap.html>

<sup>3</sup> How Are We Doing? Aboriginal Report 2013/2014 <http://www.bced.gov.bc.ca/abed/perf2014.pdf>

**5 WAYS COMMUNITIES CAN ACCESS STUDENT ACHIEVEMENT DATA FOR THEIR STUDENTS**

These five methods of accessing community data abide by FOIPPA and the principles of OCAP.

- 1. **No workarounds** – if a community has a population of 10 or larger within the report it is requesting then no work-around would be required. For example, if a community requested provincial exam results and graduation rates at a district level, and that community had 10 or more students in each of those grades, then the Ministry would simply be able to provide the data to the community.

**Sample – No work-around**

ABC First Nations requests from the Ministry graduation data from School District 101.

	Number of status on-reserve ABC First Nations students enrolled in District 101
Number of students in graduating cohort	11

There are 10 or more students in that cohort, ensuring that the Ministry upholds its responsibilities to protect privacy and personal information under FOIPPA.

ABC First Nations’ data is being shared with ABC First Nations at their request, so this activity fulfils the access principle of OCAP.

2. **Joint requests** – if a community does not have a population of 10 or larger within the report that it is requesting, then it may consider requesting the report jointly with another First Nations communities or other First Nations communities.

**Sample – Joint requests**

DEF First Nation and GHI First Nation are both located within District 202. Both have small numbers of students enrolled in District 202. The two First Nations request from the Ministry a district level aggregate report for graduation data.

	Number who are status on-reserve DEF First Nations students	Number who are status on-reserve GHI First Nations students	Total number of DEF and GHI students combined
Number of students in graduating cohort	9	2	11
Number of students in graduating cohort who graduated	5	1	6

Information that would be reported to DEF and GHI First Nations:

	DEF and GHI Combined
Number of students in graduating cohort	11
Number of students who graduated	6
Graduation rate	55%

There are 10 or more students in each grade in total, ensuring that the Ministry upholds its responsibilities to protect privacy and personal information under FOIPPA.

In filing a joint request DEF and GHI have agreed to share their data with each other, so providing an aggregate report to them fulfils the principles of OCAP.

3. **Multiple years** – if a community does not have a population of 10 or larger within the report that it is requesting, it may be possible to generate a report by collapsing multiple years of data into one output.

**Sample – Multiple years**

JKL First Nation would like to view trends in graduation rates in District 303 over time, but only has an average of 4 status on-reserve students in a grade in any given year. They have agreed that collapsing data from multiple cohorts in order to generate a report would be useful.

	2013/2014	2012/2013	2011/2012	2010/2011	2009/2010
Number of JKL students in graduating cohort	4	4	4	4	4
Number who graduated	2	2	1	1	0

Information that would be reported to JKL First Nations:

	2011/2012, 2012/2013, 2013/2014	2010/2011, 2011/2012, 2012/2013	2009/2010 2010/2011, 2011/2012
Number of students within cohort	12	12	12
Number of students who graduated	5	4	2
Six year graduation rate	42%	33%	17%

Aggregating data over multiple years for the purposes of reporting is a means of ensuring that the Ministry upholds its responsibilities to protect privacy and personal information under FOIPPA.

JKL First Nations' data is being shared with JKL First Nations at their request, so this activity fulfils the access principle of OCAP.

4. **Multiple districts** – if a community has status on-reserve students attending more than one district, but do not have sufficient populations in at the district level to generate a report, a community may consider requesting from the Ministry an aggregate report of more than one district.

**Sample – Multiple districts**

MNO First Nations has status on-reserve students enrolled in District 404 and District 505, but not enough students to receive a report on graduation rates from either district. MNO requests from the Ministry a report on student performance in District 404 and 505 combined.

	MNO students in District 404	MNO students in District 505	District 404 and 505 combined
Number of students within graduating cohort	5	5	10
Number of students who graduated	3	3	6

Information that would be reported to MNO First Nations:

	MNO students in District 404 and 505 combined
Number of students within graduating cohort	10
Number of students who graduated	6
Graduation rate	60%

Aggregating data across multiple years for the purposes of reporting is a means of ensuring that the Ministry upholds its responsibilities to protect privacy and personal information under FOIPPA.

MNO First Nations' data is being shared with MNO First Nations at their request, so this activity fulfils the access principle of OCAP.

5. **Proxy** – if a First Nations community suspects that their students make up the bulk of the Aboriginal population in a school or district, they may be satisfied to use publicly available data not specific to their population as a proxy for their population’s educational outcomes.

**Sample – Proxy**

The education coordinator for PQR First Nations knows that he had 8 students in a graduation cohort attending Cedar Secondary School in 2013/2014. He has a very collegial relationship with the principal and she provides him with copies of performance data that she also distributes to the school planning council, distributes to parents, and posts online.

The education coordinator notices that the Aboriginal cohort for 2013/2014 was only 10 students, and the graduation rate was 90%.

Rather than using a work around to gain specific data for that year and that cohort, the education coordinator decides that he has adequate information to report to the PQR First Nations Education Council. At the next council meeting the education coordinator reports that last year 8 students were at CSS, PQR students made up 80% of the Aboriginal population at CSS, and the Aboriginal graduation rate at CSS is 90%.

In this case an existing publicly available report is being utilized and the Ministry is not generating or distributing anything.

## SUMMARY

There are a number of options available to small communities who wish to access educational indicators. One of the options is not yet available as it requires the development of a new form.

Option	Next steps?
1. No work-around	None
2. Joint request	Yes – it would be helpful if the Ministry were to formally describe the processes by which First Nations can jointly request data. Ideally there would be a variety of options so that First Nations could choose the processes that work best with their processes. For example, a First Nations could write a letter on letterhead or submit a band council resolution.
3. Multiple years	None
4. Multiple districts	None
5. Proxy	None

A draft template letter for discussion has been provided at the end of this document. The template letter encompasses options 1, 3, and 4.

## SAMPLE REQUEST – MULTIPLE YEARS

### Requesting First Nations' Letterhead

Aboriginal Enhancements Branch  
PO Box 9887  
Stn Prov Govt  
Victoria BC  
V8W9T6  
CANADA

Re: Aboriginal Education Indicators

To whom it may concern,

I am writing to request educational indicators for status on-reserve students enrolled in public schools under \_\_\_\_\_ First Nation's band code. I would like data for the most recent five years. I am seeking:

- a provincial report, and/or
- a district report for district(s):

I am writing to request the following items (check all that apply):

- Number of status on-reserve students enrolled under \_\_\_\_\_ First Nation's band code<sup>4</sup>
- Status on-reserve students enrolled under \_\_\_\_\_ First Nation's band code as a percentage of enrolment<sup>5</sup>
- Status on reserve students enrolled under \_\_\_\_\_ First Nation's band code by gender<sup>6</sup>
- Number of Standard Public Schools with status on-reserve students enrolled under \_\_\_\_\_ First Nation's band code<sup>7</sup>

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<sup>4</sup> 2014 HAWD page 3

<sup>5</sup> 2014 HAWD page 3

<sup>6</sup> 2014 HAWD page 4

<sup>7</sup> 2014 HAWD page 6



- Number of status on-reserve students enrolled under \_\_\_\_\_ First Nation's band code in alternate education<sup>8</sup>
- Number of status on-reserve students enrolled under \_\_\_\_\_ First Nation's band code in special needs performance groups<sup>9</sup>
- Foundational Skills Assessment, Grades 4 and 7<sup>10</sup>
  - Reading Comprehension, Grade 4
  - Writing, Grade 4
  - Numeracy, Grade 4
  - Reading Comprehension, Grade 7
  - Writing, Grade 7
  - Numeracy, Grade 7
- Required Examination Results<sup>11</sup>
  - Overview
  - English 10
  - English 10: First Peoples
  - Mathematics 10
    - Foundations of and Pre-Calculus
    - Apprenticeship and Workplace
  - Science 10
  - Civic Studies 11
  - Social Studies 11
  - BC First Nations Studies 12
  - English 12: First Peoples
  - English 12
  - Communications 12
- Transitions<sup>12</sup>
  - Progress of status on-reserve students enrolled under \_\_\_\_\_ First Nation's band code entering grade 8, by cohort and gender
- Graduation<sup>13</sup>
  - Six year completion rate for status on-reserve students enrolled under \_\_\_\_\_ First Nation's band code
  - Seven and eight year completion rates for status on-reserve students enrolled under \_\_\_\_\_ First Nation's band code
  - Adult Graduation Diplomas awarded for status on-reserve students enrolled under \_\_\_\_\_ First Nation's band code

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<sup>8</sup> 2014 HAWD page 7

<sup>9</sup> 2014 HAWD page 8

<sup>10</sup> 2014 HAWD pages 10-15

<sup>11</sup> 2014 HAWD pages 16-27

<sup>12</sup> 2014 HAWD page 28

<sup>13</sup> 2014 HAWD pages 29-31

- Non-graduation
  - School Completion Certificate
- Educational Experiences of status on-reserve students enrolled under \_\_\_\_\_ First Nation's band code Children In Care<sup>14</sup>
  - Enrolment in care (status on-reserve students enrolled under \_\_\_\_\_ First Nation's band code CCOs - # and %)
  - status on-reserve students enrolled under \_\_\_\_\_ First Nation's band code CCOs as a percent of status on-reserve students enrolled under \_\_\_\_\_ First Nation's band code enrolment
  - Six year completion rate by status on-reserve students enrolled under \_\_\_\_\_ First Nation's band code and gender
  - Eligible grade 12 graduation rate by status on-reserve students enrolled under \_\_\_\_\_ First Nation's band code and gender
- Post-secondary transitions<sup>15</sup>
- Satisfaction Survey Results - status on-reserve students enrolled under \_\_\_\_\_ First Nation's band code<sup>16</sup>

I acknowledge that under the *Freedom of Information and Protection of Privacy Act* populations with fewer than 10 individuals cannot be shared. As such, in the event that there are 10 or fewer students in any particular grade, I give the Ministry of Education permission to:

- provide this report in aggregate by reporting on multiple districts, and/or
- provide this report in aggregate by reporting on multiple years.

Thank you for your assistance in this important matter.

Sincerely,

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<sup>14</sup> 2014 HAWD page 33

<sup>15</sup> 2014 HAWD pages 34-35

<sup>16</sup> 2014 HAWD pages 36-44