



## OVERVIEW

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### NEED TO KNOW

- LEAs can be an effective accountability mechanism for provincial school districts and independent or private schools receiving tuition funding for First Nations students<sup>1</sup>
- LEAs are required by INAC in order to flow tuition funding for eligible First Nations students attending eligible provincial public, independent or private schools

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### 1.1 What is an LEA?

A Local Education Agreement (LEA) is an agreement between one or more First Nation(s) and a provincial School Board or an independent or private school. An LEA: outlines the terms for the

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<sup>1</sup> This Toolkit does not address independent or private schools. LEAs with those schools would likely be significantly different.

purchase of educational services by the First Nation(s) for status Indian students ordinarily resident on-reserve but attending schools off-reserve; defines the relationship between the parties, areas of mutual and respective responsibility; and, sets out an agreed upon payment schedule for the purchase of education programs and services by the First Nation(s). It also serves as a key mechanism to influence how school districts provide education services for First Nation students.

At an administrative level, Indigenous & Northern Affairs Canada (INAC) requires that an LEA be in place before INAC will flow tuition funding through a First Nation, instead of directly to the Province. INAC views LEAs as tuition agreements that are intended to “provide funding to First Nations for the purchase of education services for eligible on-reserve kindergarten to grade 12 students attending provincial schools.” INAC requires that:

- LEAs include a discrete term for the agreement or a termination clause;
- Students for whom tuition funding is provided under the LEA must be registered in the Indian Registry System and ordinarily resident on-reserve;
- Funding be calculated using the FTEs on the current Nominal Roll and the per pupil block rate (now referred to as the “First Nations Billing Rate” by the Ministry) for the school district, as calculated annually by the Ministry of Education;
- LEAs include a mechanism for dispute resolution; and
- LEAs be signed by proper authorities from the relevant First Nation(s) and the school district.

Perhaps most importantly, LEAs represent a mechanism for promoting greater and more meaningful First Nations involvement in the public education system, and for formalizing a mutual commitment to improving levels of achievement by First Nations learners. LEAs are an important tool that can be used to uphold the principles of education contained in the 1972 policy document *Indian Control of Indian Education*<sup>2</sup>, which asserts the principle of local control and the rights of Indian parents to determine the kind of education they want for their children. It is that broader perspective of LEAs – as a tuition agreement and a mechanism for mutual commitment and accountability, increased parental and local control, and improved outcomes – that provides the foundation for this Toolkit.

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<sup>2</sup> This document has been updated by the Assembly of First Nations in the document, *First Nations Control of First Nations Education*

*Q. Why are LEAs important?*

LEAs are a mechanism for First Nations to have a stronger voice in the education of their children and help to improve educational outcomes for First Nations learners. They serve as a tuition agreement whereby a First Nation pays the tuition for its students (for whom the First Nation receives funding) who attend provincial public or independent schools off-reserve, while correspondingly setting out the roles and responsibilities of school districts and First Nations for the education of First Nation learners. In this regard, the LEA is an important accountability mechanism to ensure that First Nations learners receive appropriate education services for the funding that is provided to the school district.

LEAs are also important because they are required by INAC for First Nations entering into multi-year funding arrangements. If an LEA is in place for First Nations students attending a public school, INAC will fund the First Nation for their tuition and the First Nation will then pay the school district based upon the terms of the LEA. If no LEA is in place, INAC will fund the Province directly for tuition fees for on-reserve First Nation students.

For First Nations students attending independent or private schools, INAC will fund the First Nation directly for tuition fees and the First Nations will then fund the school. However, if the First Nation has more than 10 students attending one independent or private school, an LEA must be in place before INAC will release payment to the First Nation for those students.

*Q. Do I need an LEA?*

An LEA is required by INAC for First Nations entering into multi-year funding arrangements. If an LEA is in place for First Nations students attending a public school, INAC will fund the First Nation for their tuition and the First Nation will then pay the school district based upon the terms of the LEA. If no LEA is in place, INAC will fund the Province directly for tuition fees for on-reserve First Nation students.

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*Q. What are the benefits of LEAs?*

Effective LEAs can:

- Recognize the inherent and traditional rights of First Nations with respect to the education of their children;
- Acknowledge the traditional territory of First Nations and the importance of accurately representing their languages and cultures in school curricula and activities;
- Contain mutually agreed upon and measurable indicators of success for First Nation students;
- Address accountability and compliance;
- Include clauses to facilitate open communications between First Nations and school districts regarding all education issues affecting First Nation students, parents/guardians, and political leaders; and
- Contain a meaningful, rigorous dispute resolution mechanism that may be brought into use when challenges arise.