



First Nations Student Transportation Fund Planning and Procedures

2021-22

INTRODUCTION

The [BC Tripartite Education Agreement: Supporting First Nation Student Success](#) (“BCTEA”) between the Province of British Columbia (BC), the First Nations Education Steering Committee (“FNEESC”), and Canada (collectively the “Parties”) sets the foundation for further growth and changes to support the enhancement of the BC First Nations education system. As a component of BCTEA, the Parties agreed to establish a First Nation Student Transportation Fund (“Fund”) to address the transportation needs of First Nation Students who live on-reserve and attend BC Public Schools, as described in BCTEA - [Schedule G: Transportation for First Nations Students Attending BC Public Schools](#). Refer to Appendix A for a list of relevant definitions.

Starting in 2018/19, Boards of Education (“Boards”) and First Nations were encouraged to work together to determine First Nation Student transportation needs and co-develop Joint First Nations Student Transportation Plans (“Joint Plans”). The Joint Plans were to be informed by the [Guiding Principles for Developing Joint First Nations Student Transportation Plans](#) (“Guiding Principles”) outlined below and criteria established by the BCTEA Parties. The Parties established a tripartite First Nation Student Transportation Committee (the “Joint Committee”) to assess the Joint Plans submitted by a Board and on behalf of the First Nations it serves.

The Parties agreed to continue the interim approach for the 2021/22 school year, including that:

- Service levels and associated spending will remain in place and be used as a baseline for assessing gaps in new Joint Plans;
- Additional funding is being phased in, to transition from existing services to improved/extended services based on approved Joint Plans;
- Transportation funding to enhance participation by First Nations Students in extracurricular activities for the 2021/22 school year is being handled separately from the Joint Plans; and
- The Ministry of Education will administer the funds as a special grant under section 115(a) of the *School Act*.

Note: In light of COVID-19, we anticipate that accommodations will be necessary to comply with current health and safety regulations through different instruction models present across the province including students receiving instruction in First Nations communities.

PURPOSE

The Joint Committee has developed these *First Nations Student Transportation Planning and Procedures* as a guideline for School Districts and First Nations for the application process to access transportation funds.

GUIDING PRINCIPLES FOR DEVELOPING JOINT FIRST NATION STUDENT TRANSPORTATION PLANS

The following Guiding Principles apply to the development of Joint First Nation Student Transportation Plans by Boards and First Nations:

1. The Board of Education and First Nation will identify transportation needs and services to get all First Nation students enrolled in BC public schools to and from those schools, respecting parental choice of where to enroll their child to attend school.
2. Safety is paramount in all planning and decisions:
 - a) there will be a safety protocol in place to address safety issues for the First Nations (e.g. weather conditions; wildlife);
 - b) shelters will be made available where needed.
3. Transportation will be available for extracurricular activities and sports/sporting events.

4. There will be no walk limits (i.e. drivers need to go into the community or catchment area to pick up and drop off children).
5. The shortest ride possible will be implemented.
6. Wherever possible, there will be no highway pickups or drop offs.
7. A communications protocol will be established and agreed upon to ensure effective and timely communications to address issues that arise (e.g. travel disruption due to inclement weather) and method of preferred communication (e.g. radio/satellite communication).
8. Drivers will receive adequate professional development related to customer service, student management, etc. as required.
9. Criminal record checks will be required for bus/water taxi employees (including school district staff and non-school district staff).
10. Changes to the joint plan may only be made by written agreement, with timely notice to parents.

There will be an annual joint review and assessment of the joint plan for effectiveness and to identify any improvements.

PROCESS

Joint Plan Review and Approval Process

The Joint Plan Review and Approval process will encompass the following 3 steps:

1. The Ministry of Education, working with the Transportation Technical Team (“Technical Team”), will conduct a preliminary assessment of all received Joint Plans including verification of complete information, assessment of costs reasonableness, etc.
2. The Ministry of Education will share the submitted Joint Plans and additional information with the tripartite Joint Committee. The tripartite Joint Committee will review the submitted Joint Plans and approve funding levels.
3. The tripartite Joint Committee will provide direction to the Technical Team for further action or follow up as necessary.

Reporting on “to/from” Funding

Boards are expected to report on how the “to/from” funding allocation assisted in reducing travel times and extended services to First Nation Students. This information will assist in outlining some of the benefits associated with the Fund in providing additional or improved “to/from” transportation services and it will inform future planning.

NOTE: The above reporting requirements are in addition to the Ministry of Education’s regular financial reporting related to special grants.

Questions / Further Information

If you have questions related to the above grants and agreements, First Nations may contact Christian Gonzalez, Manager, Local Education Agreements, FNESC, at christiang@fnesc.ca and Boards may contact Jane London, Project Director, Funding and Financial Accountability Branch, Ministry of Education, at Jane.London@gov.bc.ca.

For more information, refer to BCTEA 2021-22 Joint Plan Questions and Answers.

TRANSPORTATION TO EXTRACURRICULAR ACTIVITIES

Extracurricular activities are activities not falling within the scope of a regular curriculum but often relating to officially or semiofficially approved and usually organized school-based student activities (such as athletics) connected with school and usually carrying no academic credit. They improve student engagement and benefit the social, cultural and physical health and well-being of students. Some examples include: cultural events, sports as well as homework, writing, drama and music clubs, etc.

School districts and First Nations are expected to find reasonable and most cost-effective transportation means for students to attend extracurricular activities and sports. The BCTEA Parties agreed that transportation funding to enhance participation by First Nations students in extra-curricular activities would be handled separately from “to/from school” and capital.

Boards, working with First Nations, must utilize the extracurricular funding within the current school year towards the cost of extracurricular transportation for on-reserve First Nations Students. Funds previously approved under this category may be carried forward to the next year and used for extracurricular activities. If the funds are not spent by the end of the second school year (2020/21), the funding should be spent first the following school year. Boards must work with First Nations to determine the process for reimbursement of funds for participation in extracurricular activities. Boards will be required to administer these funds in order to collect data and report as per the [Extracurricular Reporting Template](#). This data will help support student participation in extracurricular activities and develop a more permanent approach to transportation for extracurricular activities.

FUNDING FOR SHELTERS

Capital funding is provided to school districts to maintain school facilities through the Annual Facility Grant (AFG). Boards of Education working on bus shelter projects with First Nations may apply AFG funding through this annual grant.

WATER TRANSPORTATION

Modes of transportation in areas where First Nation Students are required to cross bodies of water to attend school may be included in the Joint Plan. Some preliminary identified eligible expenses include:

- Operational costs for ferries/water taxis;
- Required supervision during ferry ride or while waiting for the ferry;
- Required supervision boarding and disembarking water transportation.

Note: More information and discussion may be required prior to funding approval.

SUPPORTS

In some cases, there may be a need for additional supports to facilitate the safe arrival of children. Some preliminary eligible expenses may include:

- Supervision during bus travel for special needs children; or, to address bullying during transportation;
- Supervision while waiting for the bus.

PARENTAL TRANSPORTATION SUPPORTS

It is the expectation that students on reserve will be bused to school. In 2019/20 funding for parental transportation assistance was allocated in extraordinary circumstances. Additional funding for parental transportation supports due to COVID-19 was not approved for the 2020/21 school year, as separate funding was allocated for COVID-19 related expenses.

BOARDED STUDENTS

Some First Nation Students are required to leave home to attend school and are boarded or billeted away from home. These Students may need additional supports. Boards should be reaching out to parents and their First Nation, particularly in cases where the First Nation is not local, to make sure the Student's transportation needs "from/to" school and home are addressed equitably, including extracurricular. This may include the allocation of available transportation services or alternative services (e.g. providing bus passes). Boards and First Nations may include funding requests under a Joint Plan; however, it should be noted that the approval of this funding is not guaranteed.

FUNDING FOR CAPITAL ACQUISITION

Requests for buses will be processed through the established Ministry of Education application-based Bus Acquisition Program. Please note that the Bus Acquisition Program is for School District assets only and is restricted to "yellow fleet" buses.

As noted above, capital funding is provided to school districts to maintain school facilities through the Annual Facility Grant (AFG). Boards of Education working on bus shelter projects with First Nations may apply AFG funding through this annual grant.

OTHER

Policy	Eligibility
<p>Administrative Fees Costs for administering education programs to cover expenses for students (First Nations and Non-First Nations) attending a BC Public School in a provincial school district.</p>	<ul style="list-style-type: none"> Ineligible
<p>Accessories (e.g., cameras) Different items or tools to support safety of First Nation Students. Example: installing cameras in school buses to prevent bullying.</p>	<ul style="list-style-type: none"> Ineligible
<p>Professional Development Focuses on integrating Indigenous world views and perspectives into learning environments by providing training to support school district staff. Example: conducting cultural awareness training for bus drivers.</p>	<ul style="list-style-type: none"> Ineligible
<p>Water-taxi and/or Ferry Services Modes of transportation in areas where First Nation Students are required to cross bodies of water to attend school. Example: Students travel by</p>	<ul style="list-style-type: none"> Eligible for operational costs

Policy	Eligibility
<p>ferry from Penelakut to attend school in Ladysmith or Chemainus. Refer to Water Transportation section for more information.</p>	
<p>Boarded Students Some First Nation Students who are required to leave home to attend BC Public School and are boarded and billeted. Regular communication must take place between the First Nation, the Board, parents and billeted family. Refer to Boarding Students section for more information.</p>	<ul style="list-style-type: none"> • Eligible for to/from school • Eligible for transportation to extracurricular • Eligible for to/from home
<p>Dual Credit Courses/Programs Students are eligible to receive credits for courses or programs that lead to a post-secondary credential from a post-secondary institution recognized under the British Columbia Transfer System or programs offered in French through Educacentre.</p>	<ul style="list-style-type: none"> • Ineligible • Dual credit courses/programs are part of a regular school day, which are administered by school districts
<p>Unsigned Plans Unsigned joint First Nation Student Transportation Plans are received by the Ministry of Education to express the need of transportation for First Nation Students to attend a BC Public School.</p>	<ul style="list-style-type: none"> • Ineligible • During the pandemic, email confirmation from both parties can be accepted in lieu of a signed plan.
<p>Allocation of Extracurricular Funding The grants provided to Boards may be used for all on-reserve First Nation Students attending extracurricular activities in their respective district. Boards must use extracurricular funding to support all on-reserve First Nation Students attending public schools within their district. Extracurricular funding includes First Nations who have opted out of participating in the Transportation Fund (i.e., Block and Grant First Nations) or have not signed a Joint Plan. Extracurricular funding will go to Boards in relation to all local First Nations with Students attending a BC Public School in the school district, with the exception of Treaty/Self-Governing First Nations.</p> <p>Refer to the Transportation to Extracurricular Activities section for more information.</p>	<ul style="list-style-type: none"> • Eligible
<p>Funding for Shelters Capital funding is provided to school districts to maintain school facilities through the Annual Facility Grant (AFG). Boards of Education working on bus shelter projects with First Nations may apply AFG funding through this annual grant.</p>	<ul style="list-style-type: none"> • Eligible through the Annual Facility Grant (AFG) process

Policy	Eligibility
<p>Transportation Fees First Nation Students living on-reserve and attending BC public schools are eligible for funding and will not be charged rider fees. There are no catchment areas for on-reserve students.</p>	<ul style="list-style-type: none"> • Eligible
<p>Alternative Education Programs Transportation costs to Alternative Education Programs are ineligible. School districts are expected to assess student needs and address them equitably.</p>	<ul style="list-style-type: none"> • Ineligible
<p>Parental Transportation Assistance It is the expectation that students on reserve will be bused to school. Parental Transportation assistance may be considered on a case by case basis only under extraordinary/unique situations where no other forms of transportation are available.</p>	<ul style="list-style-type: none"> • Extraordinary/Unique situations

NEXT STEPS

The Parties will review the effectiveness of the interim approach to administering the Fund to assess whether the Fund has effectively addressed and resolved transportation needs of First Nation Students attending BC Public Schools and identify and implement improvements and/or further options into a more permanent approach aimed at maximizing the Fund's effectiveness.

APPENDIX A: DEFINITIONS

The following definitions from the BCTEA support common interpretation of transportation-related Q&As:

- **“BC Public School”** means all public schools in British Columbia providing kindergarten to grade 12 education, but does not include BC Independent Schools or First Nation Schools.
- **“First Nation Student”** in BCTEA means a student who is ordinarily resident on reserve in BC and is eligible to be on the Nominal Roll.
- **“Nominal Roll”** means the registry of all eligible elementary and secondary students ordinarily resident on reserve and funded by Canada to attend a band-operated, federal, provincial, or private/independent school. To be eligible for the Nominal Roll, a student must be:
 - i. enrolled in a band-operated, federal, provincial, or a private/independent school (including E-learning institutions and Alternative/Outreach schools) recognized by the province in which the school is located as an elementary/secondary institution;
 - ii. a school- student aged 4 to 21 years on December 31 of the school year in which funding support is required and enrolled in Kindergarten 4 through grade 12, or an adult student age 18 and over and enrolled in an Adult Graduation Diploma program, on December 31 of the school year in which funding support is required; and
 - iii. ordinarily resident on reserve; and
 - iv. a student who is ordinarily resident on reserve land that is leased is not eligible to be on the Nominal Roll unless that student is a registered Indian.
- **“Ordinarily resident on reserve”** means that the student usually lives at a civic address on reserve, is a child in joint custody who lives on reserve most of the time or is staying on reserve and has no usual home elsewhere. Students continue to be considered ordinarily resident on reserve if they return to live on reserve with their parents, guardians or maintainers during the year, even if they live elsewhere while attending school or working at a summer job. (In this context, reserves are deemed to include all land set aside by the federal government for the use and occupancy of an Indian band, along with all other Crown lands which are recognized by Canada as settlement lands of the Indian band of which the student is a resident).