

SCHEDULE B

DEFINITIONS

For purposes of this Agreement and the Schedules, the Parties agree that the following definitions apply:

- (a) **“1701 Information”** means the data collected pursuant to the 1701 Instructions from school districts by the Ministry and used in the calculation of Full Time Equivalent (FTE) students for BC Public Schools;
- (b) **“2016 Funding Agreement”** means funding agreement between Canada and British Columbia, dated August 26, 2016, with a term of April 1, 2016, to March 31, 2026, to which the Tripartite Tuition Letter among the Parties (dated November 29, 2017) is appended, and which rescinds and replaces the bilateral master tuition agreement between Canada and British Columbia, dated March 23, 2004;
- (c) **“Aboriginal Education Council”** means a council established by a board of education or school district, comprised primarily of representatives from First Nations within the school district, to provide advice to improve outcomes for Aboriginal students;
- (d) **“Agreement”** means the BC Tripartite Education Agreement: Supporting First Nation Student Success entered into by the Parties effective on July 1, 2018, which renewed and replaced TEFA.
- (e) **“1701 Instructions”** means the document published annually by the Ministry to guide school districts in collecting the 1701 Information;
- (f) **“BC Assembly of First Nations”** means the society under the *Society Act* (BC), whose mandate is to advance the rights and interests of First Nations people in British Columbia; restore and enhance the relationship among First Nations people in British Columbia, the Crown and the people of Canada; develop and promote policies and resources for the benefit of First Nations; and work in coalition with other organizations to advance the rights and interests of Indigenous People;
- (g) **“BC First Nations Education Funding Handbook”** means the funding manual that sets out the funding formula to calculate funding for First Nation Students attending First Nation Schools, as amended from time to time;
- (h) **“BC First Nations Education Funding Model”** means the approach set out in section 6.0 of the Agreement, and described in Schedule J [Funding Protocol], and Schedule K [BC First Nations Education Funding Model – Overview of Components], for federal funding for K4-12 First Nations education in BC;
- (i) **“BC First Nations Education System”** means the education system described in Schedule A.

- (j) **“BC Independent School”** means independent schools regulated by the *Independent School Act* (BC), but does not include First Nation Independent Schools;
- (k) **“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;
- (l) **“BC Schools”** means BC Public Schools and BC Independent Schools;
- (m) **“Estimator Tool”** means a calculator that determines the funding allocation for a First Nation based on the BC First Nations Education Funding Model and First Nation Student enrolment;
- (n) **“First Nation”** means a Band within the meaning of the *Indian Act*;
- (o) **“First Nation Independent School”** means a school located on-reserve and operated and administered by one or more First Nations in British Columbia and providing education at one or more of the kindergarten, elementary or secondary levels, and which is regulated by the provincial *Independent School Act*;
- (p) **“First Nation School”** means a school located on-reserve and operated and administered by one or more First Nations in British Columbia, and providing education at one or more of the kindergarten, elementary or secondary levels, and includes First Nation Independent Schools;
- (q) **“First Nation Student”** means a student who is ordinarily resident on reserve in British Columbia and is eligible to be on the Nominal Roll;
- (r) **“First Nation Student Rate”** means the education costs for a First Nation Student attending a BC Public School in a school district, as calculated annually by the Ministry in consultation with FNEC and Canada pursuant to section 8.0 of Schedule J [Funding Protocol], and is based on the funding paid by the Ministry to the board of education pursuant to sections 106.3, 106.4, and 115 of the *School Act* (formerly the “First Nations Billing Rate”);
- (s) **“First Nation Student Transportation Fund”** means the funding paid by Canada to British Columbia to be allocated by the Ministry to boards of education as First Nations Student Transportation Funding;
- (t) **“First Nation Student Transportation Funding”** means the funding paid by Canada to British Columbia to be used only for the provision of transportation services to First Nation Students attending BC Public Schools, as set out in Schedule G [Transportation for First Nation Students Attending BC Public Schools];

- (u) **“First Nations Educational Outcome Improvement Team”** means a team established pursuant to section 4.16(b) of the Agreement;
- (v) **“First Nations Leadership Council”** means the political executives of the BC Assembly of First Nations, the First Nations Summit and the Union of BC Indian Chiefs;
- (w) **“First Nations Schools Association” or “FNSA”** means the First Nations Schools Association, a society incorporated under the *Society Act* (BC), which supports First Nation Schools in creating effective, nurturing, and linguistically and culturally appropriate education environments that provide students with a positive foundation in all academic areas;
- (x) **“First Nations Summit”** means the society under the *Society Act* (BC), which is comprised of First Nations and Tribal Councils in British Columbia and provides a forum for First Nations in BC to address issues related to Treaty negotiations as well as other issues of common concern;
- (y) **“FNSA School Assessment Process”** means the process for the assessment of First Nation Schools developed and approved by the FNSA, as amended from time to time;
- (z) **“Funding Agreement”** means an agreement between Canada and FNEESC or between Canada and an individual First Nation that includes terms and conditions relating to the provision of federal funding for programs and services;
- (aa) **“Information Sharing Protocol”** means an information-sharing agreement as defined by section 69 of the *Freedom of Information and Protection of Privacy Act*, R.S.B.C. 1996, chapter 165;
- (bb) **“ISC”** means the federal department of Indigenous Services Canada;
- (cc) **“Local Education Agreement” or “LEA”** means an agreement entered into between a First Nation and a school board or independent school authority, to purchase education services for First Nation Students from the school board or independent school authority, using federal funding received from the Department of Indigenous Services Canada;
- (dd) **“Minister”** means the Minister of ISC or the Minister of the Ministry, as the case may be, and **“Ministers”** means both of them.
- (ee) **“Ministry”** means the provincial Ministry of Education, Government of British Columbia;
- (ff) **“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

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.

(gg) **“Operating Grants Manual” or “OGM”** means the document issued by the Ministry that provides a detailed description of the operating grant formula in place for a school year, and which is updated annually and released on or before March 15 every year;

(hh) **"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);

(ii) **“Parent”** means, in respect of a student:

- i. the guardian of the person of the student;
- ii. the person legally entitled to custody of the student; or
- iii. the person who usually has the care and control of the student;

(jj) **“Provincial LEA”** means the LEA described in section 2.4 of Schedule H [Local Education Agreements];

(kk) **“Reciprocal Tuition”** means the arrangements under the Memorandum of Understanding dated November 6, 2009 regarding reciprocal tuition reached by FNEESC and the BC Ministry of Education, according to which the Ministry of Education will pay the full tuition costs for off-reserve students attending First Nation schools;

(ll) **“School Year”** means the period beginning on July 1 and ending on June 30 the following year.

- (mm) **“Second and Third Level Services”** means aggregate services provided by FNEESC to First Nations and First Nation Schools, similar to services provided by the British Columbia Ministry of Education and by provincial school boards to BC Public Schools, with specific adaptations to meet First Nations’ unique circumstances, in order to improve efficiency and achieve economies of scale, as set out in Schedule C [Second and Third Level Services];
- (nn) **“Self-Governing First Nations”** means First Nations in British Columbia that have entered into a self-government agreement, final land claim agreement or treaty with the Crown that includes governance provisions with respect to education;
- (oo) **“Student Support Services”** means funding provided to First Nations to support First Nation Students’ access to education services and programs and includes: ancillary student supports; comprehensive instructional student supports; financial assistance; guidance and counselling; and accommodation;
- (pp) **“Technical Review Committee”** means the committee established by the Ministry of Education to review technical issues or questions and to make recommendations to the Ministry pertaining to public school funding methodologies and formulae for operating funding allocations made under the *School Act*, that meets as requested by the Ministry.
- (qq) **“Transportation Capital”** means the funding for the purchase of new or replacement school buses for First Nation schools on reserve.
- (rr) **“Tripartite Education Framework Agreement”** or **“TEFA”** means the agreement entered into by the Parties on January 27, 2012 identifying their respective roles and responsibilities relating to the improvement of educational outcomes for First Nation students in British Columbia, which expired in June 2018;
- (ss) **“Tripartite Tuition Letter”** means the letter agreement signed by the Parties on November 29, 2017 and appended to the 2016 Funding Agreement; and
- (tt) **“Union of BC Indian Chiefs”** means the society under the *Society Act* (BC), which supports the work of Indigenous people, whether at the community, nation or international level, for the recognition of their Aboriginal rights and respect for their cultures and societies.