

SCHEDULE D

SPECIAL EDUCATION FOR FIRST NATION STUDENTS ATTENDING FIRST NATION SCHOOLS

WHEREAS

- A. Following specific direction from First Nations and First Nation Schools in British Columbia, FNEESC and the FNSA have managed the federal government's High Cost Special Education Program funding for First Nation Schools in the BC Region since the establishment of the program in 2002.
- B. First Nations in BC have consistently directed FNEESC, working with the FNSA, to maintain a program design that emphasizes the provision of funding at the school-level to facilitate direct supports for First Nation Students with special needs, complemented by collective initiatives to create economies-of-scale and increase access to necessary expertise and relevant special education materials ("Special Education Program").
- C. This structure, which has evolved to reflect the growing experience of FNEESC and the FNSA and First Nations in BC, with evidence gathered through the ongoing program implementation, as well as emerging research about promising practices in the field of special education, will be continued through the inclusion of special education funding in TEFA.

THEREFORE the Parties agree as follows:

1.0 ROLES AND RESPONSIBILITIES

- 1.1 Under the terms of the Agreement, and in accordance with Schedule J [Funding Protocol], Canada agrees to provide funding for First Nation Students with special education needs who attend First Nation Schools in BC, to be managed by FNEESC, working with the FNSA, as described herein.
- 1.2 FNEESC, working with the FNSA, will:
 - a) Manage the Special Education Program funding under section 2.1, and continue to deliver the Special Education Program, in accordance with the *Special Education Program for First Nations Schools in British Columbia: Description and Procedures Handbook* and as generally described herein; and
 - b) Report annually on the number of students who have an Individual Education Plan (IEP) in place, and the number of First Nation Students who are meeting the goals listed on their IEPs.

1.3 British Columbia will:

- a) work with FNEESC, as well as the FNSA, to ensure that diagnoses and intervention plans for First Nation Students with special needs are recognized when those students transition between the First Nation Schools and BC Public schools; and
- b) involve FNEESC and Canada in any and all reviews of and changes to the Ministry of Education's approach to special education support services for students with special needs.

2.0 SPECIAL EDUCATION FUNDING MODEL FOR STUDENTS ATTENDING FIRST NATION SCHOOLS

2.1 Special Education funding for First Nation Students with special needs attending First Nation Schools will be managed as described herein, reflecting the existing program design – which has been formally endorsed by First Nation Schools in BC – and may be adjusted or adapted by FNEESC, with input from the FNSA, from time to time to respond to First Nation Student needs or direction of First Nations.

a) First Nation School Grants – Base-Plus-Per-Capita Formulated

- i. The majority of the Special Education funding will be allocated to First Nation Schools by FNEESC through school-based grants. To calculate those grants, all First Nation Schools will be provided a base amount of funding, supplemented by a per capita amount to account for differing school sizes.
- ii. For greater clarity, following historic and current practice in implementing the Special Education Program, the Special Education funding may include the provision of funding grants and special education second level services to First Nation Schools that are operated by a First Nation(s) that have a treaty or self-government agreement, including those that may sign education jurisdiction agreements.
- iii. All First Nation Schools will access their Special Education grants from FNEESC through the submission of annual Workplans, which will describe the activities to be undertaken according to the program's eligible expenditures. First Nation Schools will be expected to implement their Special Education activities according to their approved Workplans.
- iv. All First Nation Students who are identified as requiring support through the Special Education Program must have an Individual Education Plan (IEP) – either completed/continuing or in development.
- v. Interim and final reports will be required in February and June of each year.

- vi. Special Education Workplans will also be reviewed and monitored through the FNSA School Assessment Process.

b) Additional First Nation School Grants for Extraordinary Circumstances

- i. FNEESC and FNSA will reserve a portion of the Special Education funding for allocation to First Nation Schools that cannot meet the needs of all of their First Nation Students with special needs using their school-based Special Education grant, which will be allocated using a thorough application process.
- ii. First Nation Schools will be required to describe the services provided for all students who are supported using the funding grants for extraordinary circumstances when submitting their interim and final Special Education reports.

c) Reporting on Special Education Program

- i. FNEESC will report on Special Education services as set out in Schedule I [Regional Reporting, Mutual Accountabilities and Data Sharing].

d) Collective Second and Third Level Support Services

- i. As continually directed by First Nations and First Nation Schools, a portion of the Special Education funding will be retained for collective support services, such as the following:
 - A. Special Education staff members, who will support First Nation Schools with information requests, program implementation, and IEP development;
 - B. Special Education Coaches, who will visit First Nation Schools throughout the province to support school staff and students, depending on funding and time availability;
 - C. Speech language, physical and occupational therapist services, to be allocated through an application process, with service delivery prioritized based upon need and the availability of local services;
 - D. A Coordinated Psycho-Educational Assessments initiative, to enhance access to specialists for relevant student assessments and the identification of necessary interventions for students with specific exceptionalities;
 - E. Assistive technology supports for students, as identified through student assessments and IEPs; and
 - F. Other supports, as directed.