



First Nations Student Transportation Fund Planning and Procedures

2020-21

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 (“FNESC”), 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.

Throughout 2018/19 and 2019/20, 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 “Transportation 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 2020-2021 school year, including that:

- 2019/2020 service levels and associated spending will remain in place and used as a baseline for assessing gaps in new transportation plans;
- additional funding is being phased in in order to transition from existing services to improved/extended services based on approved Transportation Plans;
- transportation funding to enhance participation by First Nations Students in extracurricular activities for the 2020/21 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 Transportation Committee has developed these *First Nations Student Transportation Planning and Procedures 2020-21* as a guideline for School Districts and First Nations for the application process to access transportation funds for the 2020-21 school year.

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), and

- 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

2020/21 School Year Submission Date for Joint Plans

Due to the impacts of COVID-19, the 2020/21 Joint Plan submission date was changed from May 1, 2020 to October 30, 2020 to help alleviate pressure and workload on Boards and First Nations who are focusing on other more urgent matters. Boards and First Nations engaging in shared planning and decision making for Joint Plans is still the recommended approach; however, it is recognized that the COVID-19 situation requires flexibility.

As communicated in March 2020, First Nations and Boards should choose from the following options for submission of Joint Plans for the 2020/21 school year. Boards may visit [Ministry of Education School District Reporting Catalogue website](#), and First Nations may visit the [FNESC Website](#) for information and templates related to the 2020/21 Joint Plans. The Joint Plan submission deadline for all options is October 30, 2020.

- **Option 1: Status Quo Plan Roll Over**

2019/20 Joint Plans that are meeting the needs of the First Nation, where no revisions to services and funding are required for 2020/21, can be rolled over to the 2020/21 school year. Email a letter to BCTEA@gov.bc.ca indicating agreement to roll over the Joint Plan. If you have unspent funds from your 2019/20 allocation please indicate that amount so that accurate allocations can be made in your 2020/21 submission. The email must include: i) signatures of the Chief of the First Nation (or delegate) and Board Chair; and ii) operational contacts at both the First Nation and the Board.

- **Option 2: Revisions to 2019/20 Joint Plans**

If the 2019/20 Joint Plan is not meeting the needs of the First Nation, and revisions to services and funding are required for 2020/21, resubmit the original plan to BCTEA@gov.bc.ca, clearly identifying the changes/updates to the original Joint Plan. The updated Joint Plan must include: i) signatures of the Chief of the First Nation (or delegate) and Board Chair; and ii) operational contacts at both the First Nation and the Board.

- **Option 3: New Joint Plans**

For Boards and First Nations that did not submit Joint Plans for the 2019/20 school year, please use the appropriate templates at the link referenced above, to prepare a 2020/21 Joint Plan for submission. Submit the

Joint Plan to BCTEA@gov.bc.ca. The Joint Plan must include: i) signatures of the Chief of the First Nation (or delegate) and Board Chair; and ii) operational contacts at both the First Nation and the Board.

Boards should plan to maintain existing service levels and billing arrangements for transportation services that were in place in the 2019/20 school year pending approval of funding in the fall 2020.

Joint Plans 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 Transportation Committee. The tripartite Committee will review the submitted Joint Plans and approve funding levels.
3. The tripartite Transportation 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, FNEC, at christiang@fnesc.ca and Boards may contact Denise Evdokimoff, Project Director, Funding and Financial Accountability Branch, Ministry of Education, at denise.evdokimoff@gov.bc.ca.

For more information, refer to [FAQs](#) and [FAQs about COVID-19 and the BC Tripartite Education Agreement](#).

TRANSPORTATION TO EXTRACURRICULAR ACTIVITIES

The BCTEA Parties agreed that transportation funding to enhance participation by First Nations students in extracurricular activities for the 2019/20 and the 2020/21 school years would be handled separately from “to/from school” and capital. A total of \$1 million was allocated to all school districts to support extracurricular transportation for on-reserve First Nations Students.

Boards must utilize the extracurricular funding within the 2019/20 school year towards the cost of extracurricular transportation for on-reserve First Nations Students. 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.

Reporting Deadline for Extracurricular Transportation Funding

As noted in the Joint Plan approval letters, there are specific reporting requirements for the transportation funding. The July 10, 2020 deadline for submission of reports, communicated in the approval letter, has been changed to September 30, 2020 to allow Boards and First Nations more time to review spending and prepare reports. This timeline now aligns with most other financial reporting that is due to the Ministry of Education. Please submit completed reports to BCTEA@gov.bc.ca by September 30, 2020.

FUNDING FOR SHELTERS

Funding for shelters is a one-time discretionary cost based on availability of funds for up to a maximum of \$7,500 per shelter. In order to be considered for potential funding, agreement between the School District and the First Nation must be made in terms of the shelter's location (i.e., on reserve, off reserve) and how maintenance will be performed (i.e., how will ongoing maintenance be provisioned).

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

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 are addressed equitably, including extracurricular. This may include the allocation of available transportation services or alternative services. 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

Approved Capital Acquisitions from 2019-20 Joint Transportation Plans

As communicated in the approval letters, the Ministry committed one-time capital funding to Boards for bus acquisitions related to the 2019-20 Joint Plans. Based on the Bus Acquisition Program procurement cycle, approved buses should be available for the 2020/21 school year, as detailed in the Capital Plan Response Letter from the Capital Management Branch to school districts in March 2020. If operational funding was requested with the acquisition of a new bus within the 2019/20 school year Joint Plans, this funding was removed (for the first year only) to align operational costs associated with the actual bus delivery. These operational costs will be reinstated in the 2020/21 plans. As such, please follow **Option 2: Revisions to 2019/20 Joint Plans** to ensure operational funding is provided for your new bus acquisition.

Potential Delays due to COVID-19

We are unable to guarantee that buses will be delivered by September 2020. The delivery timeline of buses depends on many factors including:

- when the order is placed by the school district;
- which manufacturer was chosen and how the bus is optioned out;
- when the order falls into the manufacturers production schedule; and
- the logistics of delivery based on where buses are being delivered.

Currently all manufacturing of BC school buses occurs in the United States and we do not have control over their supply timelines, particularly during this time. Contractually, the requirement of the BC school bus acquisition program is that the buses arrive at the school district within the fiscal year (sometime prior to March 31, 2021).

New Capital Acquisition Requests

First Nations Students are part of the public school system and moving forward, the Ministry will address the acquisition of new buses through its regular Bus Acquisition Program. Any new capital acquisition request related to the transportation of on-reserve First Nations Students should be submitted during the Province's regular procurement cycle.

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 ferry from Penelakut to attend school in Ladysmith or Chemainus . Refer to Water Transportation section for more information.</p>	<ul style="list-style-type: none"> • Eligible for operational costs
<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
<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 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>	<ul style="list-style-type: none"> • Eligible
<p>Funding for Shelters (one-time only) Funding is discretionary based on availability of funds. Agreement between the Board and the First Nation regarding shelters must be completed prior to funding being released to the Board. Agreement on ongoing maintenance and location (on or off reserve must be reached) Funding for shelters is currently capped at \$7,500 per shelter</p>	<ul style="list-style-type: none"> • Eligible based on agreement between First Nation and Boards, and funding availability

<p>Transportation to/from Outside Catchment Areas First Nation Students living on-reserve and attending BC public schools outside of their catchment area are eligible for funding and will not be charged rider fees.</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

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).