

LOCAL EDUCATION AGREEMENT

Between

UPPER NICOLA BAND

(Sylx - commonly known as the
Okanagan people)



The People of the Upper Nicola Indian Band, with the unity and respect of our traditional values, are creating the environment that promotes a higher quality of life for all through responsibility, accountability, social health, education and economic development.

We, the Okanagan Nation, make this declaration today as a sign for every generation to come. Therefore, we hereby declare that: *"We are the unconquered Aboriginal peoples of this land our mother; The Creator has given us our mother, to enjoy, to manage and to protect; We the first inhabitants have lived with our mother from time immemorial; Our Okanagan Governments have allowed us to share equally in the resources of our mother; WE have never given up our rights to our mother, our mother's resources, our governments, our religion; We will survive and continue to govern our mother and her resources for the good of all for all time.*

SCHOOL DISTRICT #58

(NICOLA – SIMILKAMEEN)



Mission Statement

School District No. 58 will work with families, schools and communities to develop the knowledge, skills and positive attitudes of all students.

The Nicola-Similkameen Board of Education values:

Student Achievement

Establish high expectations for all students to achieve their full potential. Monitor and assess student progress to plan for continuous improvement. Create a culture of celebrating student successes.

Effective Relationships

Build relationships through open dialogue and active listening Encourage the involvement of all partners through mutual trust and respect Celebrate our diversities, fostering an environment that is safe and respectful.

Effective Instruction

Promote diversity and instructional strategies that inspire the curiosity and desire to learn Hold high expectations while being flexible and persistent in providing opportunities for all Encourage and support staff in seeking to improve their knowledge and skills. Attract and retain outstanding staff.

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EDUCATION AGREEMENT

This Agreement to be effective from July 1, 2013 to June 30, 2015

Between: Upper Nicola Band (Hereinafter referred to as the "Band")

And: Board of Education (Hereinafter referred to as the "Board")
SD #58 (Nicola-Similkameen)

WHEREAS the Upper Nicola Band Chief and Council, as the government of the Band or it's designate, has the authority and responsibility for the education of its members;

AND WHEREAS the *United Nations Declaration on the Rights of Indigenous Peoples, Article 14-16*, (Appendix 1) addresses the rights of indigenous peoples and education;

AND WHEREAS it is recognized that this Agreement will be governed by and construed in accordance with the laws in force in the Province of British Columbia and pursuant to the School Act;

AND WHEREAS the Board has the authority under the School Act to enter into an agreement with respect to the education of Band children with the Council of the Upper Nicola Band as defined in the Indian Act (Canada);

AND WHEREAS it is recognized by the Band and the Board that the Board is the legislated authority relating to the governance and operation of the public school, school personnel and students;

AND WHEREAS the Band and the Board intend to provide education programs and other educational services for Band children resident within School District No. 58 (Nicola-Similkameen) which are appropriate to Syilx cultural and linguistic heritage and a continuing source of satisfaction and pride for the Band and for the School District;

AND WHEREAS the Parties wish to enter into this Agreement to set out terms and conditions regarding the purchase of educational services by the Band from the Board for the Band's students, and the process by which the Band, and parents and legal guardians, will be involved in the education of their children.

THEREFORE the parties agree as follows:

1. DEFINITIONS

For the purpose of this Agreement, the following definitions shall apply:

“Aboriginal” people – There are three groups of people included in the Aboriginal community: Bands (“status and non-status,” people who live on-reserve or off-reserve), Métis, and Inuit people.

“Aboriginal Affairs and Northern Development (AANDC)” means the federal department of Aboriginal Affairs and Northern Development, formerly Indian and Northern Affairs Canada.

“Aboriginal Education Programs and Services” means Aboriginal Language and Culture programs, Aboriginal Support Services, or other Ministry approved Aboriginal Education Programs that Targeted Aboriginal Education Funding is used to fund. Such programs and services are developed collaboratively by the Board and local Aboriginal communities and documented, such as in an Aboriginal Education Enhancement Agreement. Such Aboriginal Education Programs must be additional to any other programs and services to which an Aboriginal student is eligible, including base funding, ESL and Special Education, and must be documented, preferably through Enhancement Agreements.

“Band” refers to the Upper Nicola Band

“Band Leaders” refers to the leadership at the Band level, including: Chief, Councillors, Portfolio Holder or appointed representatives who represent and are responsible for students and families.

“Board” means the Board of Education, constituted under the *School Act* for School District #58 (Nicola-Similkameen) or, a person/s designated by trustees to oversee Aboriginal Education.

“Coordinator” means the Upper Nicola Band education coordinator.

“Core Subjects” means Mathematics, English, Science, and Social Studies.

“District Principal of Aboriginal Education” means a person hired to advocate for Aboriginal students and parents by providing leadership in the development and delivery of community, district, and school level Aboriginal Language and Cultural programs in both Merritt and Princeton.

“Dogwood Certificate or Diploma” means the British Columbia Certificate of Graduation that is awarded by the Ministry to a student upon successful completion of the provincial graduation requirements, as set out in the provincial *Graduation Program Order* as authorized by the *School Act*, section 168(2)(b).

“EA” means the Aboriginal Education Enhancement Agreement presented to the School District October 2012.

“Early Learners” refers to any child who is between the age of 0 and 6. The early years set the foundation for lifelong learning. Offering our children a wide range of experiences during these years helps them learn and thrive! Early learning refers to the emerging and expanding of young children’s physical, intellectual, emotional, social, and creative capacities.

“Early School Leavers” refers to any student leaving school prior to the completion of Grade 12,

including students who are removed from the system.

“Educational Program” means an organized set of learning activities that, in the opinion of the Band and the Board, is designed to enable the students to develop their individual potential, to instil pride and identity in their Syilx culture, acquire the knowledge, skills, and attitudes needed to contribute to a healthy society, and demonstrate a respect for the natural environment, culture and community.

“First Nation” means the Band as defined in the Indian Act (Canada).

“First Nation Education Council (FNEC)” means the advisory council within School District #58 (Nicola-Similkameen) that deals with all matters pertaining to the negotiation and implementation of the Local Education Agreements. (Appendix 2)

“First Nation Student” refers to a student who is eligible to be on the Nominal Roll and for whom the First Nation receives tuition funding from AANDC.

“First Nations Support Workers (FNSW)” means a person hired through targeted funds to provide Aboriginal Education Programs and Services to Aboriginal students including Syilx.

“Full Time Equivalent (FTE)” means a student who is: of a school age as defined in the School Act – students in kindergarten (full-day program) and grade one through twelve. Students who are 19 years of age or younger and who have not graduated are considered full-time equivalent student.

“Funding” – There are three funding sources for Band education, “tuition funding” (“core funding”), “targeted funding” (“additional funding”) and “other funding”. “Other funding” is defined as any funding that is subsequent to this agreement (That is, Bursary and Scholarship, Special Projects, Partnership Funding, etc.)

“1704 File” – The Ministry of Education requires that a Student Record File be established and maintained for each student enrolled in school. The Student Record File contains copies of the current records used in the planning and administration of the student’s education program. Reference: Special Education Resource Manual, 2007; Retrieved from: (SEE TUITION FUNDING) <http://www.sd33.bc.ca/docs/Student%20Services%20Resource%20Manual.pdf>

“Individual Education Plans (IEP)” The IEP is a concise and usable document, required for students identified with special needs who receive ongoing special education services. The IEP summarizes the student’s educational program. It should be implemented and reviewed/updated annually. Its development should be seen as a dynamic, ongoing process. (Appendix 3).

“Informed Consent” refers to the provision of approval or assent, particularly and especially after thoughtful consideration, after receiving all relevant information. In the context of assessment and placement and education referrals, Informed Consent requires that the parent or guardian be informed of:

- The assessment procedures to be carried out;
- The information to be collected;
- The intervention that may take place;
- The likely benefits and risks; and
- The option to refuse or withdraw at any time,

and provided meaningful opportunity to provide input into the assessment and placement or education referral decision.

“Local Education Agreement (LEA) ” means the agreement between the Board of Education of School District #58 (Nicola-Similkameen) and the Upper Nicola Band.

“Modified Program” means a program that is modified in accordance with the British Columbia, Ministry of Education, *Special Education Services: A Manual of Policies, Procedures and Guidelines (March 2011)*, as may be amended from time to time. (Appendix 3).

“Ministry” means the Ministry of Education (BC).

“NSyilxcin” means the language of the Syilx (commonly known as the Okanagan language).

“Nominal Roll (NR)” means the annual census of eligible students, who as of September 30th, live on reserve and attend an elementary or secondary school. Aboriginal Affairs and Northern Development Canada (AANDC) requires the NR to calculate funding for eligible students.

“Parent or Legal Guardian” means, the guardian of the student or child or the person legally entitled to custody of the student or child, or the person who usually has the care and control of the student or child.

“Programs” means any programs established under the *School Act* during the term of this agreement.

“Safe Environment” means a commitment to maintain safe, caring and orderly schools which “focus on prevention of problems and use school-wide efforts to build ‘community’, fostering respect, inclusion, fairness and equity” which “communicate and consistently reinforce clear expectations of acceptable conduct” and “teach, model and encourage socially responsible behaviours that contribute to the school community, solve problems in peaceful ways, value diversity and defend human rights.” Retrieved May 22/10 from: <http://www.bced.gov.bc.ca/sco/>

“School Act” means the provincial *School Act*, RSBC 1996, Chapter 412

“School Based Team (SBT)” The School-Based Team develops and implements support strategies to assist the classroom teacher in meeting the student’s needs. If additional assistance is still needed the School-Based Team may decide to make a referral to the District-Based Team or community professionals and services. Members of the School-Based Team should be chosen based on their ability to provide information or support the student’s program. In some cases, such as when the student has needs in only a specific area, the team may be limited to the principal, the teacher(s), the parent and, if appropriate, the student. In other cases, such as when the student has multiple needs, the team may be extended to include educational, related services personnel, and or Band representative.

“School Completion Certificate or Evergreen Certificate” means the British Columbia School Completion Certificate granted by the Ministry, a School Completion Certificate is awarded to a student who has successfully completed the goals and objectives contained in his or her Individual Education Plan, in accordance with the requirements set out in Ministerial Order 205/95: Student Credentials Order, under the authority of the *School Act*, section 168 (2) (t).

“School District” means the area constituted under the *School Act* as School District #58 (Nicola-Similkameen).

“School Year” means a 12-month period commencing on July 1st and ending on June 30th of the following calendar year.

“Student” means a student who is a member of the Upper Nicola Band or residing on Upper Nicola Band reserve lands and enrolled in a school operated by the Board.

“Syilx” means the Syilx people (commonly known as the Okanagan people)

“Targeted Funding” means the funding provided by the Ministry of Education for Aboriginal education programs that include academic, cultural and linguistic support, that is additional to the tuition funding, providing programs and services that are over and above the funding that non-Aboriginal students are eligible to receive. These funds come directly to the School District. FNEC determines the budget and advises the Board of Education and the Aboriginal community representatives on the administration of the budget.

“Tuition Funding” Funding provided by AANDC, for First Nations students identified on the Ministry of Education’s 1704 Forms, with which the Band purchases education services from the Board at a rate set out by the Ministry of Education in its fiscal framework for a given school year.

“Upper Nicola Band” means the people who are indigenous to the area located in the Syilx traditional territory and residing on Upper Nicola Band lands.

2. GUIDING PRINCIPLES

The Band and the Board are committed to Aboriginal Education; the best interest of the students is paramount. The Parties agree to the following principles:

- 2.1 All students have the right to quality education within a safe environment that meets individual needs, is relevant, including cultural and social, and is taught by skilled and knowledgeable master instructors.
- 2.2 Continuous school improvement must address student needs.
- 2.3 Students have equal potential to achieve and to exceed the provincial average.
- 2.4 Promote and support the integration of Syilx history, language, and culture throughout the curriculum.
- 2.5 Parent and community involvement is an integral component to student success.
- 2.6 Communication and professional conduct are obligations to maintain an environment based on mutual respect and equality.
- 2.7 Public education shall complement education provided at the Band school; public education will not impair, impede, or detrimentally effect education offered at the Band level.

3. GOALS AND OBJECTIVES

The Aboriginal Education Enhancement Agreement (2012), or its replacement may reflect the Goals and Objectives as outlined in this LEA. The Band and the Board intend to work together to achieve the following objectives:

- 3.1 To increase Band presence:
 - 3.1.1 Continue to engage, through FNEC, the Band in the hiring process for positions that have a major impact on students.
 - 3.1.2 Continue to engage, through FNEC, the Band on the selection of the Principal of Aboriginal Education and the on-going evaluation and supervision of that individual.
 - 3.1.3 Involve representatives of FNEC in the selection of staff associated with the delivery of Aboriginal Education programs to students.
 - 3.1.4 Increase the number of First Nations employees to reflect the nominal role and to reflect the five Nicola bands.
 - 3.1.5 Provide an employment equity policy and seek First Nation input into any amendments regarding First Nations employment and/or an employment equity policy.
 - 3.1.6 Promote positive role models from the Band.
- 3.2 To develop a sense of self-worth and identity as outlined in the EA 2012 (Appendix 2).
- 3.3 To provide appropriate and relevant Syilx instruction and curriculum as outlined in the EA 2012 (Appendix 2) including:
 - 3.3.1 The offering of NSyilxcin where appropriate.
 - 3.3.2 Use traditional knowledge keepers to pass on the cultural teachings.
 - 3.3.3 Use the Band's traditional territory and other gathering/teaching sites.

- 3.4 To ensure the literacy and numeracy skills of Early Learning students are met.
- 3.4.1 Implement and use of proven and research based literacy and numeracy programs.
Collaborate between the Band and the Board regarding early childhood development programs with priorities being placed on: (a) early intervention, specifically in the areas of assessment, (b) remedial work, (c) issues of attendance, (d) evaluation of age/grade levels.
- 3.5 To increase the number of Syilx students who meet the Six Year Graduation requirements as outlined in EA 2012 (Appendix 2) by:
- 3.5.1 Provide appropriate academic counseling.
- 3.5.2 Informed consent from the student's parents/guardian prior to course changes.
- 3.5.3 Host community meetings in the Upper Nicola community.
- 3.5.4 Improve the understanding of how personal skills and employment/career goals have an impact on course selection.
- 3.5.5 Increase the number of students able to enter into post-secondary education institutions and/or able to gain immediate and meaningful employment.
- 3.6 Promote health and wellness with Syilx students as outlined in EA 2012 (Appendix 2).

4. THE PARTIES OBLIGATIONS:

- 4.1 Develop and implement Syilx programs, resources, and curriculum.
- 4.2 Incorporate Syilx culture and values in the District and school policies and documents, including but not limited to Board policies, Academic Plans, Curriculum and Instruction.
- 4.3 Through effective communication, promote active participation and involvement of parents and other members of the Band in the education of their children.

5. THE BOARD'S OBLIGATIONS:

- 5.1 Provide quality programs to improve academic success and culturally relevant programs in accordance with:
- The School Act, Regulations and Orders;
 - *The Joint Educational Planning and Support for Children and Youth in Care: Cross-Ministry Guidelines (Ministry of Education and Ministry of Children and Family Development, 2008);* and,
 - Within the terms of this Agreement.
- 5.2 Develop and implement strategies to keep students in school, and to provide cultural and academic appropriate alternate educational services to re-engage early school leavers to meet the requirements of the Dogwood Certificate.
- 5.3 Support and guide the students, and their parent(s), to make course selections that maximize individual student potential leading to the Dogwood Diploma.
- 5.4 Include FNEC representation on public committees that would recommend policy and/or have a financial impact on the Band.
- 5.5 Provided that the student's parent has given prior written consent, provide reports on student progress to the Band education coordinator.

- 5.6 Provide the Band with aggregate data on student achievement for planning and decision-making. (This may include the Early Developmental Inventory, Foundation Skills Assessment, etc.)
- 5.7 In a timely manner and prior to a change in placement or programming, provide direct communication to the parents and Band representatives, if appropriate, regarding concerns related to placement or programs for their child/ren.
- 5.8 Provide the District and School Calendar to the Band by March 30th, each year.

6. THE BAND'S OBLIGATIONS:

- 6.1 Provide support to the students and parents:
 - 6.1.1 Provide continuous, open communication with the school and District staff regarding student support, soliciting family support, and any other topics related to the education of the students; and within the Band involving the Band's leaders, Band's FNEC representative, Band's staff, community and parents.
- 6.2 Inform the Board of the Band's education representative(s).
- 6.3 Plan for and direct all targeted funding for educational programs through FNEC representatives.
- 6.4 If approved by parent/guardian, involve the coordinator at meetings and discussions regarding student progress during the mid-year and the year-end reports.
- 6.5 Identify Band programs, services and/or resources that are available to support student success and the objectives of this agreement related through a student's individual success plan and the school based team.
- 6.6 Pay the School District tuition fees in accordance with Section 13.

7. CURRICULUM DEVELOPMENT AND IMPLEMENTATION

- 7.1 The District recognizes that the Syilx are the rightful owners of their respective language and culture.
 - 7.1.1 Copyright materials that have been developed by the Band and loaned to the School District will remain property of the Band.
 - 7.1.2 Traditional Ecological knowledge developed jointly by the Band and the Board, or the Band and FNEC cannot be used outside the school district without prior written approval of the Band.
- 7.2 The Parties agree to work together to improve and/or develop culturally appropriate strategies, processes, and curricula:
 - 7.2.1 Seek and secure Additional Funding.
 - 7.2.2 Curriculum must meet the approval process of the Band and/or FNEC and the Ministry of Education prior to implementation.

- 7.3 FNEC will participate in the hiring process for any contract personnel hired to develop curricula for First Nations students.
- 7.4 The Parties agree to collaboratively provide personnel and/or identify resource people to assist with:
 - 7.4.1 Curriculum development;
 - 7.4.2 Professional development on Syilx cultural awareness;
 - 7.4.3 Coordinating the delivery and implementation of Syilx curriculum; and,
 - 7.4.4 Work experience and apprenticeship programs.
- 7.5 Curriculum reflecting First Nations culture and language will be reviewed and approved by the FNEC and NSyilxcn authorities, and the Board prior to implementation in the classroom.
 - 7.5.1 Upon written request curriculum developed for NSyilxcn will be made available to the Bands for their own use without cost.
 - 7.5.2 The parties agree to work together so that available Nłe?kepmxcín and NSyilxcn are offered in District Schools that have a high First Nations student enrollment.
 - 7.5.3 The Board supports the ongoing development and implementation of NSyilxcn programs and services subject to viable enrollments, NSyilxcn instructors and the support of the Bands. Should there be a change in the Ministry's practice regarding targeted funding or a change in the current classification of these courses, an opportunity will be given to discuss the funding of these programs.

8. ASSESSMENT AND PLACEMENT

- 8.1 The Board will ensure that each student be placed in a program appropriate to his/her needs and abilities.
 - 8.1.1 Early identification of and intervention with students, beginning at the Early Learning Years, is necessary for student success.
 - 8.1.2 Monitor student progress and report to the parents.
 - 8.1.3 Band representative be included in these meetings.
 - 8.1.4 For the children and youth in care, reference to the *Joint Educational Planning and Support for Children and Youth in Care: Cross-Ministry Guidelines (Ministry of Education and Ministry of Children and Family Development, 2008)*.
 - 8.1.5 Monitor student progress and report to the Band in accordance with Enhancement Agreement (Appendix 2).
- 8.2 Assessments may include classroom, school, district or provincial assessments. These assessments result in understanding of individual learning and lead to instruction, interventions and resources that improve student learning.
- 8.3 Placement of students on an IEP: Adapted, Modified, or Gifted (Appendix 4) will occur only after the following steps have been completed:
 - 8.3.1 Completion of an appropriate assessment, the implication for educational services identified in an IEP, for the purpose of assisting the student, with an on-going reporting of services and results provided.
 - 8.3.2 In a timely manner, provide and discuss a written report of the results with the parents and the school-based team, and if approved by the parent, to include the designated FNSW and Coordinator.
 - 8.3.3 A written report stating the reason for the placement, the options considered and the educational opportunities gained and lost by the placement has been

provided to the parent and, if approved by the parent/guardian, to the designated FNSW and coordinator.

- 8.3.4 Informed consent from the child's parent prior to a change from the current to recommended educational services.
- 8.3.5 Written reports on the results of the placement, based on the progress of the student, will be provided to the parent and designate FNSW at the end of each term during the placement.

- 8.4 School Principals will provide the student records/information to the coordinator providing the student's parent has given the written consent.

- 8.5 Appeals regarding educational placement or regarding the IEP will be in accordance with the Board's *Appeal Procedure By-law #500.0* and the School Act for the Province of British Columbia.
 - 8.5.1 The parent will request and receive support in the appeal process from appropriate services, including school staff.

- 8.6 In accordance with the *School Act* and upon written request to the Principal, parents will be provided an opportunity to examine, in the presence of the Principal (or designate) records contained in the students record file. This would also include copies of all reports, communications, and notice of all formal meetings initiated by the school concerning their child/children.

- 8.7 The Board shall inform, and invite in a timely manner, a parent or legal guardian or their designate to attend School Based Team meetings dealing with students on issues such as special education.

9. STUDENT CONDUCT AND SAFETY

Expectations for student behaviour shall be in accordance with the *School Act* and *Regulations* and the District and/or School *Code of Conduct*, and the *Appeals Bylaw* of the Board, with due consideration given to any recommendations on discipline policy provided by the Band.

- 9.1 The Board and the Band support and encourage positive, responsible and respectful behaviour.

- 9.2 The Band, through FNEC, will participate in any review or changes to the Board of Education's discipline policies and procedures.

- 9.3 School principals and staff, parents and the community will work together with the best interest of the student in mind when dealing with behaviour issues.
 - 9.3.1 Where agreed upon, the Syilx practice restoring harmony will be utilized.
 - 9.3.2 Provide the necessary accommodations to ensure student safety within the school environment and to and from the school, including bus transportation.
 - 9.3.3 Ensure the SBT meetings and other meetings, to address student conduct and safety, include the appropriate staff.
 - 9.3.4 With written parental consent, the Coordinator shall be notified of potential disciplinary action and all correspondence related to the discipline of a student by the school administrator.

10. CULTURAL AWARENESS

- 10.1 The Board recognizes that the SD #58 (Nicola-Similkameen) operates in traditional Syilx and Nłeʔkepmxcin territory and the Syilx and Nłeʔkepmxcin languages, cultures and history will take precedence over other Aboriginal people.
- 10.2 The Board will support Syilx cultural awareness activities.
 - 10.2.1 The Band and the Board will encourage and support staff, parents and community groups to participate in cultural awareness activities.
 - 10.2.2 While the Ministry of Education provides education direction to Boards, the district and schools will endeavour to promote a common understanding of Syilx cultural values and traditions.

11. COMMUNICATION

The Parties have an obligation to maintain effective communication at all times.

- 11.1 The Chief and Council and the Board agree to meet at least once a year to review and address Syilx education needs/concerns.
- 11.2 School staff will meet with the parents as requested and/or as needed as outlined in the *School Act*.
- 11.3 The Parties will build a shared understanding of the school programs and processes, including their impact on students. Including:
 - 11.3.1 Developing and incorporating structures such as parent workshops and parent forums to promote understanding.
 - 11.3.2 Encouraging parents to attend regular and frequent parent-teacher meetings/activities.
 - 11.3.3 Developing appropriate strategies to address any learning issues.
- 11.4 The Board will encourage employees to attend community meetings and events where requested or invited by the Band.
- 11.5 Parents must provide written permission for the coordinator to receive information on attendance, assessment, achievement, reports on progress (report cards) and permission to attend meetings.

12. ACCOUNTABILITY

- 12.1 Prepare an annual report of education programs under this Agreement and present that report to the Band and the Board. The report shall aggregate Band evidence of the following by June 30th of each school year in accordance with the Freedom of Information Act.
- 12.2 The Board's report shall include but not limited to:
 - Number of students
 - Student data as obtained through surveys such as Fluid Survey;
 - Student attendance by primary, intermediate and secondary levels, suspension data, and transition data.
 - Number of students in alternate programs and secondary school;
 - Dogwood Certificate and School Leaving (Evergreen) Certificate data;
 - A complete financial report on the Targeted Aboriginal Education Funding,

Additional Funding and Special Education Funding, which includes:

- Number of staff employed using the targeted funds, including their duties and responsibilities;
- Student awards (e.g. Graduation Bursaries and Scholarships);
- Other documents/evidence in support of the Goals and Objectives (Sec. 3.0).

12.3 The reports may address other issues agreed upon by the Board and the Band.

13. PAYMENT

13.1 Subject to this Section, the Band shall pay to the Board an annual student full-time enrollment tuition fee as per the First Nation Billing Rate for each student defined in the nominal roll, who is enrolled in an Educational Program in the District as of September 30th of each year, and for whom the Band has received tuition funding from AANDC.

13.2 For billing purposes, enrolment in the School District as of September 30th of a school year shall reflect current Ministry and AANDC policies.

13.3 Enrolment figures for the nominal roll(s) shall be certified and approved by the school-based principal, the coordinator and AANDC.

13.4 The annual tuition fee for each student shall be the amount specified in the First Nation Billing Rate. Until such time as the final First Nations Nominal Roll is determined, the payment schedule in Section 13.5 will be based on the First Nations Nominal Roll as established collaboratively between the school-based principal and coordinator. When the First Nation Billing Rate and First Nations Nominal Roll are confirmed the final instalment shall be amended to include an adjustment for past instalment payments.

13.5 The Parties agree that, based on when the Band receives funding from AANDC, tuition fees payable for each school year shall be paid by the Band to the Board according to the following schedule:

13.5.1 60%, based on the previous year's tuition fee and the September 30th Nominal Roll payable on or before April 15th.

13.5.2 The remaining dollars of the eligible tuition fees, taking into account any necessary adjustment, on or before June 30th.

13.6 In the case of "Early School Leavers" the Band and Board agree to collaborate in developing a plan that best meets the educational needs for that student. Any agreement requiring financial support for that student would take into account the percentage of tuition fee in relation to the remainder of the school year and the expenses already incurred by the Board. Similarly, Band students entering a Board's school, part way through the school year, will be supported financially through tuition fees received by the Band for his/her educational purposes

13.7 The Band and the Board agree that additional services or programs (for example, transportation to and from school) not referred to in this Agreement may be provided by either Party, if the Band and the Board agree to the terms and costs for such service(s) or program(s).

13.8 In the event of a school closure, due to a labour dispute, the tuition fee will be equitably adjusted by agreement of the Parties. Any adjustment shall take into consideration the

number of days of school closure and adjustments in funding made by funding sources to the Band and to the Board. It is the intention of the Parties that any benefit will support students. Neither the Band nor the Board should benefit or lose financially as a result of a school closure.

13.8.1 During job action and with prior agreement with the Board, the Band may provide tutoring/supports to students with costs recovered from saved tuition funds in accordance with Section 13.8. A work plan will be developed jointly between the Band and Board, which will include a budget and student work assignments.

13.9 The Parties acknowledge that some obligations under this Agreement are dependent upon monies and resources being made available by entities other than the Band and the Board. If such monies and resources are not made available, either Party shall not be obligated to carry out the terms of this agreement that require such monies and resources.

14. DISPUTE RESOLUTION

14.1 Attempt to Settle:

The Band and the Board shall attempt to settle any dispute arising under this agreement in good faith before referring the matter to a Dispute Resolution Committee.

14.2 Dispute Resolution Committee:

If a dispute between the Band and the Board arises over this agreement and is not settled in a timely manner, within thirty (30) days of the dispute, the parties shall establish a panel consisting of three members; called the Dispute Resolution Committee.

14.2.1 The purpose of the Dispute Resolution Committee shall be to resolve as expeditiously as possible any dispute arising under this Agreement so as not to impair progress in the implementation of this Agreement.

14.2.2 The Band and the Board will each appoint one member of the Dispute Resolution Committee and the two members shall agree upon the appointment of the third member, who shall be the Chair of the Dispute Resolution Committee.

14.2.3 The Dispute Resolution Committee will convene within ten (10) business days, or such longer time period as may be reasonably required to appoint the third member of the Dispute Resolution Committee to consider and resolve the dispute.

14.3 Proceedings:

When a dispute is under consideration by the Dispute Resolution Committee, the parties shall proceed to carry out their respective obligations under this Agreement until the dispute is resolved.

14.3.1 The dispute shall be resolved as expeditiously as possible, for the benefit of the students.

14.3.2 No formal rules of evidence shall apply to proceedings of the Dispute Resolution Committee, however, established legal procedure and evidentiary rules may be used as a guide to conduct the proceedings.

14.3.3 Proceedings of the Dispute Resolution Committee shall be accessible to the Board and the Band but not be open to the public.

- 14.4 Decision:
Within five (5) business days of the conclusion of its' proceedings, the Dispute Resolution Committee shall render a binding decision in writing to the Band and Board.
- 14.5 The Dispute Resolution Committee shall decide the extent, if any, to which each of the Parties shall bear the reasonable costs of resolving any particular dispute.
- 14.6 The Parties shall endeavour to resolve issues or disputes that may arise about this Agreement, or its implementation, in a manner that fosters an improved, on-going and respectful relationship between the Board and the Band.

15. DEFAULT

- 15.1 If there is a default under the terms of this Agreement, the issue will be referred to the Dispute Resolution process (Section 14).

16. ACCESS TO ADDITIONAL RESOURCES AND SERVICES

- 16.1 Access to Additional Resources and Services: Board resources will be available to the Band. Costs to be negotiated between the Band and the Board:
- 16.1.1 Resources and personnel to share ideas, put on workshops, undertake professional development, circulate information and work with teachers, FNSW staff, students and parents.
- 16.1.2 Assist in the development of learning centres or tutoring programs on reserve that may include the provision of learning resource materials, services and activities.
- 16.2 Access to Band Activities: The Band will inform the Board of educationally relevant activities which may be of interest to the Board, students, teachers and administrators.

17. JOINT PROJECTS

- 17.1 The Band and the Board are encouraged to enter into joint education projects in the First Nations communities, subject to need, viable enrollments and adequate resources.

18. NOTICES

- 18.1 All correspondence shall be considered official provided it is delivered personally, by registered mail, facsimile or via email with corresponding "read receipt," addressed:

If to the Upper Nicola Band:

Chief and Council,
Upper Nicola Band,
PO Box 3700, Merritt, B.C. V1K 1B8

If to the Board:

Chairperson,
Board of Education,
School District #58 (Nicola-Similkameen)
PO Box 4100, Merritt, B.C. V1K 1B8

- 18.2 Either party may, from time to time, give to the other written notice of any change of address.

19. REFERENCES

- 19.1 Every reference to the Band will include the Chief or any person designated by the Band to act for or on its' behalf with respect to any provision of this Agreement.
- 19.2 Every reference to the Board will include the Chairperson of the Board of Education, or any person designated by the Board to act for or on its' behalf with respect to any provision of this Agreement.

20. GENERAL

- 20.1 This Agreement will be governed by and construed in accordance with the laws in force in the Province of British Columbia, pursuant to the *School Act*, and in accordance with the UNDRIP (*Appendix 1*) by the intentions of the Band and the SD58 Board.
- 20.2 This Agreement will have effect and be binding upon the parties hereto and their respective successors and assigns.

21. TERM AND DURATION

- 21.1 This Agreement between the Band and the Board will be for the period of: July 1, 2013 to June 30, 2015.
- 21.2 Extension of Agreement: This Agreement shall be considered in effect unless notice is given ninety (90) days prior to June 30, 2014 or any successive anniversary.
- 21.3 The Parties agree to formally review and/or amend as necessary within ninety (90) days of each anniversary.
- 21.4 Unless a new agreement can be concluded by June 30, 2015, the Parties agree that the terms and conditions provided for in this Agreement will continue to apply until a subsequent Agreement is reached

IN WITNESS WHEREOF the parties have executed this Agreement as of the date first above written.

SIGNED ON BEHALF OF THE UPPER
NICOLA BAND:

CHIEF, Daniel Manuel

COUNCILLOR, Brian Holmes

COUNCILLOR, Dennis MacDonald

COUNCILLOR, Wallace Michel

COUNCILLOR, George Saddleman

COUNCILLOR, Cindy Tom-Lindley

WITNESS

SIGNED ON BEHALF OF THE SCHOOL DISTRICT
#58 (NICOLA – SIMILKAMEEN):

_____ CHAIRPERSON,
Gordon Comeau

WITNESS

Appendix 1

United Nations Declaration on the Rights of Indigenous Peoples, Article 14 - 16

The Government of Canada formally signed the United Nations Declaration on the Rights of Indigenous Peoples on November 12, 2010.

Article 14

1. Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
2. Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
3. States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.

Article 15

1. Indigenous peoples have the right to the dignity and diversity of their cultures, traditions, histories and aspirations which shall be appropriately reflected in education and public information.
2. States shall effective measures, in consultation and cooperation with the indigenous peoples concerned, to combat prejudice and eliminate discrimination and to promote tolerance, understanding and good relations among indigenous peoples and all other segments of society.

Article 16

1. Indigenous peoples have the right to establish their own media in their own languages and to have access to all forms of non-indigenous media without discrimination.
2. States shall take effective measures to ensure that State-owned media duly reflect indigenous cultural diversity. States, without prejudice to ensuring full freedom of expression, should encourage privately owned media to adequately reflect indigenous cultural diversity.

Appendix 2

MEMORANDUM OF UNDERSTANDING
ABORIGINAL EDUCATION ENHANCEMENT
AGREEMENT

School District No. 58 (Nicola-Similkameen)

Coldwater, Lower Nicola, Nooaitch, Shackan, Upper Nicola,
Upper Similkameen Bands, Aboriginal Communities

Ministry of Education

October, 2012

SCHOOL DISTRICT #58 (Nicola-Similkameen) ABORIGINAL EDUCATION ENHANCEMENT AGREEMENT

Background:

As noted on the Ministry of Education website,

British Columbia schools have not been successful in ensuring that Aboriginal students receive a quality education, one that allows these students to succeed in the larger provincial economy while maintaining ties to their culture. Growing recognition of this problem led to the signing of a Memorandum of Understanding in 1999:

"We the undersigned, acknowledge that Aboriginal learners are not experiencing school success in British Columbia. We state our intention to work together within the mandates of our respective organizations to improve school success for Aboriginal learners in British Columbia."

Memorandum signatories include:

*the Chiefs Action Committee,
the provincial Minister of Education,
the federal Minister of Indian and Northern Affairs, and
the President of the BC Teachers Federation.*

The Memorandum of Understanding led to a framework for the creation of Enhancement Agreements. Through these agreements, new relationships and commitments were made to improve the educational success of Aboriginal students.

Purpose:

An Enhancement Agreement (EA) is designed to enhance the educational success of Aboriginal students. It is a working agreement between a school district, all local Aboriginal communities, and the Ministry of Education designed to improve Aboriginal student success. The EA also establishes a collaborative partnership between Aboriginal communities and school districts that involves shared decision-making and specific goal setting to meet the educational needs of Aboriginal students.

EAs highlight the importance of academic performance and more importantly, stress the integral nature of Aboriginal traditional culture and languages to Aboriginal student development and success. Fundamental to EAs is the requirement that school districts provide strong programs on the culture of local First Nations' peoples on whose traditional territories the districts are located.

Enhancement Agreements

provide aboriginal communities and districts greater autonomy to find solutions that work for Aboriginal students, the schools and the communities; and require a high level of respect and trust to function;

- are working documents that are developed for a five-year period and provide goals and targets that are reviewed / assessed regularly to determine progress;
- include actions that are assessed frequently during the term of the agreements to determine their effectiveness and adjusted as needed.



SCHOOL DISTRICT #58 (Nicola-Similkameen) ABORIGINAL EDUCATION ENHANCEMENT AGREEMENT

Process:

School District No. 58's present Aboriginal Education Enhancement Agreement was signed September 23rd, 2004. The agreement, signed by the Lower Nicola Indian Band, Nooaitch First Nation, Coldwater Indian Band, Shackan First Nation, Upper Nicola Indian Band, Upper Similkameen Band, Metis Association, Board of School Trustees and the Ministry of Education outlined four previous goals:

1. Improve academic achievement
2. Increase academic preparedness
3. Improve grade 7-12 transition rates
4. Improve students self-worth

The 2004 Enhancement Agreement and most recent Local Education Agreement were reviewed extensively by the working committee prior to undertaking the development of the new Enhancement Agreement.

The following Enhancement Agreement reflects a collaborative process between School District #58 (Nicola-Similkameen), The First Nations Education Council (FNEC) and the Aboriginal Communities of the Nicola Valley and Upper Similkameen Valley. Members of the working committee below, gathered information through numerous working sessions, world café activities, interviews and community visits.

- Coldwater Band: Martha Aspinall, Beverly Bob (Elders & Language & Cultural Reps.)
- Shackan Band: Mandy Jimmie (FNEC Rep.)
- Nooaitch Band: Natasha Fountain (FNEC Rep. / Band Councilor)
- Lower Nicola Band: Lynne Charlton (FNEC Rep. / Education Manager)
- Upper Nicola Band: Charlene McRae (FNEC Rep. / Education Coordinator)
- FNSW: Mary June Coutlee (MSS), Martha Chillihitzia (MCE), Christine Anderson (MSS)
- SD #58 Principals: Leroy Slanzi (MCE), Bill Lawrence (MSS)
- District Aboriginal Principal – Shelley Oppenheim – Lacerte
- Assistant Superintendent – Steve McNiven
- Chief Percy Joe (Shackan Band)
- Arnie Narcisse (Executive Director for Lower Nicola Band)
- Tim Manuel (Instructor for Aboriginal Academy 9)

The goals outlined in the EA have been prioritized as have the guiding statements in each of the rationale. Also, in an effort to honour people's voices, all working documents and community input have been archived and will continue to be reviewed regularly by the working group.

The action items listed in this document are fluid, and as so, they to will be reviewed and their effectiveness evaluated. The actions are suggested strategies and structures that have been developed by the working committee and gathered through community input. The examples include work that has been started in relation to reaching the goals as well as possible future strategies and structures that will help us improve student success and reach the goals.



SCHOOL DISTRICT #58 (Nicola-Similkameen) ABORIGINAL EDUCATION ENHANCEMENT AGREEMENT

Context:

The First Nations people in the Nicola and Upper Similkameen Valley have been committed to the advancement of their students' success and to the achievement of high standards in education. The Bands of the Nicola Valley have been advocates for Aboriginal students attending the public schools in Merritt and Princeton.

The First Nations Education Council (FNEC) is an advisory council to the Board. Its purpose includes improving the learning environment of all levels of the school system so that Aboriginal students may gain maximum benefit from their formal education. The FNEC is instrumental in the development and implementation of the Aboriginal Education Enhancement Agreement. The FNEC includes representatives from the local Bands, the Conayt Friendship Society, school board, schools and senior school district administration.

Student

The FNEC acknowledges the importance of ensuring success for all Aboriginal students through this agreement as well as recognizes and honours the historical and critical importance local First Nations People place on the preservation of their language and culture. Further, they recognize the primacy of each Aboriginal Peoples' language and culture within its traditional territory. This Aboriginal Education Enhancement Agreement acknowledges and honours the special relationship that exists between School District No. 58 and the:

- Coldwater, Lower Nicola, Nooaitch, Shackan and Upper Nicola Bands and supports their commitment to the preservation of their language and culture. Further this Agreement acknowledges and honours Nlaka'pamux and Syilx as the principle culture / Aboriginal languages of this territory and School District No. 58 will continue to support the development of its programs and curriculum;
- Upper Similkameen Band and supports the continued fusion of local First Nations culture into the schools of Princeton
- Metis Association
- Conayt Friendship Society

The FNEC acknowledges the collective responsibility for the success of all Aboriginal learners attending school in School District No. 58. In respect and honour of the local First Nations and Metis, the FNEC will continue to develop appropriate and meaningful educational programs for the benefit of all Aboriginal learners.

In addition to acknowledging collective responsibility, the FNEC stresses the importance of collective accountability. Accountability will be provided through the alignment of the Enhancement Agreement with other school / district improvement processes and through annual review and reporting of results.

Finally, all stakeholders understand that this is a working document and that changes to address progress and the needs of students in relation to the goals will be ongoing.

School District #58 (Nicola Similkameen) is committed to working collaboratively to:

- 1) improve 2012/2013 results as measured by the examples of indicators provided for each of the goals;
- 2) develop new data collecting tools and gather base line data for the purpose of setting specific targets in all four goal areas by the end of the 2012/2013 school year;
- 3) review and report out on Enhancement Agreement results on a yearly basis;
- 4) allocate dollars to reaching the goals outlined in the Enhancement Agreement;

SCHOOL DISTRICT #58 (Nicola-Similkameen) ABORIGINAL EDUCATION ENHANCEMENT AGREEMENT

Goal #1

To Increase the level of health and wellness amongst Aboriginal Students.

Rationale:

Research tells us that a student's health and wellness is essential for student success. This goal is based on the recognition that health and learning are interdependent and encompasses physical, social, emotional and spiritual well being.



It is our belief that by taking a holistic approach to this work that

incorporates both a traditional and contemporary perspective we will be able to improve student success. Parent involvement in all areas as well as the alignment of School District, Band and community activities will be instrumental in achieving this goal. Universal programs offering pro-active opportunities for all Aboriginal students will be developed while our most vulnerable students will be supported with specific interventions to address barriers to success. Increased support in the areas of grief and loss as well as drug and alcohol prevention will be a priority. Furthermore, alternative and holistic solutions for students experiencing conflicts will be developed with the aim of keeping students connected to school and the community.

Indicators:

Indicators are provided in Appendix A. They are displayed to show how the indicators will be used in each of the goal areas and in some instances in more than one goal area to provide evidence of progress for Aboriginal students. Indicator tools, baseline and targets will be set and reviewed annually.

Examples of Possible Action Items: (items will be reviewed, analyzed and adjusted annually)

- Expand range of extra-curricular activities
- Expand range of Aboriginal focussed clubs
- Provide information to parents at the beginning of the year and regularly throughout
- Align District resources with Bands and community
- Provide access to a wellness space in schools
- Develop health and wellness programs and curriculum in partnership with Bands and community agencies.
- Response Ability Pathway Training
- Provide opportunities for traditional healing methods
- Provide access to Aboriginal counseling
- Provide alternatives to suspensions
- Increase universal support for students in relation to health related issues and include an Aboriginal perspective
- Expand on District work with Children in Care planning and include an Aboriginal perspective
- Consider and involve extended family when working with Aboriginal students
- Develop a peer support group that focuses on all students but provides specific support for Aboriginal student issues
- Assess health related needs and support through the work of the Human Development Teacher
- Expand on Community LINKS work with a focus on the needs of Aboriginal students and families

SCHOOL DISTRICT #58 (Nicola-Similkameen)

ABORIGINAL EDUCATION ENHANCEMENT AGREEMENT

Goal #2

To increase the level of participation and knowledge of local Nlaka’pamux and Syilx culture and language among students.

Rationale:

Educational research indicates that if children feel their culture, language, heritage and roots are valued then they will have a basis for positive self-esteem and the confidence to learn new things. With this in mind it is vital that opportunities for students to learn to speak the local Aboriginal Languages are provided throughout the school system. As a result, a priority will be strengthening the K-12 language program. To help facilitate this, language teachers will be supported in the areas of curriculum development, instructional strategies, and classroom management.

The Shared Learning: Integrating BC Aboriginal Content K-10 document states that,

integration of authentic Aboriginal content into the British Columbia K-10 curriculum with the support of Aboriginal peoples will help to promote understanding of BC Aboriginal peoples among all students. A curriculum that focuses on Aboriginal content can lead to enlightened discussion of Aboriginal issues and give Aboriginal students a sense of place and belonging in the public school system. (p.4, 2006)

With this in mind we believe it is important to increase the knowledge of local Nlaka’pamux and Syilx culture. In order to do this local resources will be developed and shared within the schools, families and communities. The resources and lessons will be integrated into the work of teachers in classrooms, the outdoors and in the local communities.

Indicators:

Indicators are provided in Appendix A. They are displayed to show how the indicators will be used in each of the goal areas and in some instances in more than one goal area to provide evidence of progress for Aboriginal students. Indicator tools, baseline and targets will be set and reviewed annually.

Examples of Possible Action Items: (items will be reviewed, analyzed and adjusted annually)

- To provide language instruction / opportunities across all grade levels
- To provide language instruction in the Aboriginal Academy program
- To promote language instruction through culture camps, language camps and other programs
- To enhance curriculum through the integration of language activities
- Provide equal representation of all second languages during course selection
- Provide opportunities for all classes and the community to access the House of Honour
- Provide local culture camp to teachers, parents and extended families
- Expand on the Aboriginal Academy program by developing cultural experiences for other grade levels
- Integrate Aboriginal activities into all subject areas
Provide opportunities for student mentorship
- Capitalize on the use of technology in language classes
- Hire certified First Nations language teachers
- Support language instruction through staff development and in-service
- Increase language resources
- Connect resources to a seasonal calendar
- Increase collaboration between regular classroom teachers and language teachers
- Look to ensure staff is in place to integrate cultural activities
- Use technology to collect and share resources
- Promote the creation of student developed resources
- Increase access to other agencies / resources (eg. NTA, UNB, LNIB)

SCHOOL DISTRICT #58 (Nicola-Similkameen)

ABORIGINAL EDUCATION ENHANCEMENT AGREEMENT

Goal #3

To improve Aboriginal students/parents feeling of self-worth and identity.

Rationale:

Research has supported the importance of fostering a positive identity through education. The Royal Commission of Aboriginal Peoples report affirms that:

Elders expressed deep concern to [RCAP] Commissioners about the current state of education. While they do not reject participation in Canadian education, they question the exclusion of traditional knowledge and its methods of transmission. They see that young people and adults emerge from school with a confused sense of Aboriginal identity and without the basic cultural knowledge to participate fully in the traditions of their society” (RCAP, v3, c5, s7)

In order to improve students and parents feeling of self-worth and identity we believe we must increase the representation of local Aboriginal culture in our schools and increase the number of Aboriginal role models connecting with students, staff and the community. Alongside of this work will be an increased recognition of Aboriginal student success and staff development in the area of self-worth and identity. Finally it is our belief that it is important to continue to increase the number of Aboriginal employees throughout the district.

Indicators:

Indicators are provided in Appendix A. They are displayed to show how the indicators will be used in each of the goal areas and in some instances in more than one goal area to provide evidence of progress for Aboriginal students. Indicator tools, baseline and targets will be set and reviewed annually.

Examples of Possible Action Items: (items will be reviewed, analyzed and adjusted annually)

- Increase the number of Aboriginal role models in schools by inviting Aboriginal guests/speakers into schools and by continuing to increase the number of Aboriginal teachers / employees throughout the district (see LEA Strategies)
- Expand Regalia displays
- Expand the public displays of art, drumming, basketry, dancing and other local culture
- Create posters highlighting local Aboriginal role models
- Provide welcoming rooms in all schools
- Develop a district list of celebrations
- Increase communication in relation to student success and celebration across the district and the community
- Provide for an Aboriginal topic to be presented at Summer Institute for all teachers
- Provide ongoing staff development in the area of Aboriginal Education
- Promote participation in the Provincial Aboriginal Education Conference
- Provide signage in local languages
- Provide opportunities to share traditional foods and dress at celebrations and related events
- Expand Aboriginal content in school libraries and online and connect them to local resources
- Develop an Elders program for the district
- Increase connections with Band Schools through invitations to activities / celebrations
- Develop and communicate a process / budget for inviting resource people into schools
- Provide cross-cultural training for all staff on the impact of residential schools
- Provide English as a Second Dialect training for teachers and specialists
- Ensure staff are in place to support staff development
- Expand on staff development for FNSW and Special Education Assistants
- Provide alternatives to discipline which connect Aboriginal students to the school / communities and promote self-worth

SCHOOL DISTRICT #58 (Nicola-Similkameen)
ABORIGINAL EDUCATION ENHANCEMENT AGREEMENT

Goal #4

To improve the graduation/six year completion rate of Aboriginal students (Dogwood Certificate).

Rationale:

It is important to recognize that success and life chances will mean different things to different students and that it will not always be measured with a Dogwood Certificate. However, it is also clear that graduation and six year

completion rates continue to be below a satisfactory level, and although we have seen improvements, this is still the case for our Aboriginal learners.

With this in mind it is important that we address this concern by fully understanding Aboriginal students as learners and what they require in order to be successful. Improving literacy skills through appropriate strategies across the grade levels will be a priority in this work. In addition we believe

it is important to increase the opportunities for parental involvement and to support adults and students in

understanding the connection between resilience and academic success. Motivating students to graduate with the necessary post-secondary (life chances) requirements will also be addressed through increasing student engagement. Engagement will be increased by providing opportunities for student to explore their interests and to be exposed to new experiences in order for them to develop realistic goals. Academic success continues to be a priority. It is our belief that all the goals outlined in this document will provide a holistic foundation for achievement.

Indicators:

Indicators are provided in Appendix A. They are displayed to show how the indicators will be used in each of the goals areas and in some instances in more than one goal area to provide evidence of progress for Aboriginal students. Indicator tools, baseline and targets will be set and reviewed annually.

Examples of Possible Action Items: (items will be reviewed, analyzed and adjusted annually)

- Provide clear academic counseling to Aboriginal students and families
- Develop a grade 8 and 9 teaching team for the purpose of supporting Aboriginal student transition into high school
- Develop and offer an Aboriginal Academy
- Communicate post-secondary requirements clearly to Aboriginal students and families
- Support transitions between schools
- Develop an interview process that includes Aboriginal students and parents to plan for completion of the graduation program
- Provide flexible opportunities for upgrading and continued success
- Develop partnerships with universities, trades, industry, business and community agencies for the purpose of transitioning students into post-secondary or the workforce
- Expand assessment and programs / services to address human development
- Develop common assessment and responses across the district
- Provide Aboriginal representation on School Based Teams and District Based Teams

SCHOOL DISTRICT #58 (Nicola-Similkameen)
ABORIGINAL EDUCATION ENHANCEMENT AGREEMENT

Goal # 4: Academic Success - Action Items Continued

- Increase the amount of project based learning at the elementary and middle school years
- Provide job experiences at the secondary level
- Provide leadership opportunities for students
- Increase the number of Independent Directed Studies opportunities for Aboriginal students
- Provide field trip experiences outside of the community (NVIT, UBC, TRU, Youth Conferences) for Aboriginal students
- Continue to expand on the Trades program
- Provide parent and student workshops on the topic of resiliency
- Provide staff development on the topic or components of resiliency
- Provide resiliency research and information to all staff and parents
- Continue to expand on the Aboriginal Education website
- Provide more parent communication & support
- Continue to develop alternate programs that reflect resiliency research
- Connect the work of the counseling team to resiliency research
- Support the transition of Aboriginal students from the primary program to the intermediate program in the areas of numeracy and literacy
- Expand on the English as a Second Dialect program by providing more support within the classroom
- Develop literacy and numeracy supports at the Grade 8 and Grade 9 level
- Incorporate assistive technology into the elementary schools with a focus on Aboriginal students and the transition between primary and intermediate
- Provide information sessions in the Aboriginal communities
- Develop school and district calendars highlighting parent events
- Get school staff into the Aboriginal communities to meet families and community members

SCHOOL DISTRICT #58 (Nicola-Similkameen)
ABORIGINAL EDUCATION ENHANCEMENT AGREEMENT

Appendix A: Indicators

Goal #1 Health and Wellness

District Level Indicators:

- Attendance
- Grade to Grade Transitions
- Six Year Completion Rate
- Satisfaction Survey Results

School Level Indicators:

- Extra-curricular participation rates
- Student Survey

Action Indicators:

- # of health & wellness related activities
- # of health & wellness related programs
- # of home contacts

Goal # 2 Culture and Language

District Level Indicators:

- Attendance
- Language classes enrollment

School Level Indicators:

- Student marks
- Work habits
- Student Survey

Action Indicators:

- # of language programs
- # of language classes
- # of staff development activities
- # of resources
- # of resource people
- # of related activities

Goal # 3 Self-Worth and Identity

District Level Indicators:

- Attendance
- Grade to Grade Transitions
- Six Year Completion Rate
- Satisfaction Survey Results

School Level Indicators:

- Extra-curricular participation rates
- Student Survey
- Parent Survey
- Anecdotal information

Action Indicators:

- # of school / class presentations
- # of elder visits
- # of role model visits
- # of Aboriginal employees
- # of staff development activities

Goal #4 Academic Success

District Level Indicators:

- Grade to Grade Transitions
- Six Year Completion Rate
- Graduation Rate
- Foundation Skills Assessment
- Post-Secondary Transition Results

School Level Indicators:

- Primary Literacy Results
- Academic Language Results
- Classroom Marks / Grades
- Aboriginal Academy Results
- Independent Directed Studies results

Action Indicators:

- # of district assessment and program/services
- Aboriginal Representation on School Base Team / District Based Team
- # of Independent Directed Studies courses
- # of Field Trip experiences
- # of staff development activities

* Some Action items / student participation will be monitored by FNSW via Fluid Technology Survey

SCHOOL DISTRICT #58 (Nicola-Similkameen)
ABORIGINAL EDUCATION ENHANCEMENT AGREEMENT

**SCHOOL DISTRICT #58 (Nicola-Similkameen)
 ABORIGINAL EDUCATION ENHANCEMENT AGREEMENT**

**SCHOOL DISTRICT #58 (Nicola-Similkameen)
 ABORIGINAL EDUCATION ENHANCEMENT AGREEMENT**

| Appendix A: Indicators | Health & Wellness (Goal #1) | Culture & Language (Goal #2) | Self-Worth & Identity (Goal #3) | Academic Success (Goal #4) | Target | Tool / Collector |
|---|-----------------------------|------------------------------|---------------------------------|----------------------------|--------|------------------|
| • # of Aboriginal employees | | | ✓ | | | |
| • # of staff development activities | | | ✓ | | | |
| • # of district assessment and program/services | | | | ✓ | | |
| • # of Independent Directed Studies Courses | | | | ✓ | | |
| • # of Field Trip experiences | | | | ✓ | | |
| • # of staff development activities | | | | ✓ | | |
| Task Completion | | | | | | |
| • Grade 8/9 Team in place | | | | | | |
| • Grade 9/10 interview developed | | | | | | |
| • Aboriginal Representation on School Base Teams / District Based Teams | | | | | | |
| • Parent communication | | | | | | |
| • Grade 8/9 Literacy and Numeracy supports | | | | | | |

SCHOOL DISTRICT #58 (Nicola-Similkameen)
ABORIGINAL EDUCATION ENHANCEMENT AGREEMENT

Appendix B: Targets and Data

Note:

Goals 1-3: Targets will be established after the first annual review and provided in the report to the Board, the FNEC, the local Bands and the Ministry of Education. Baseline information will be established for all four goals using indicators selected from Appendix A.

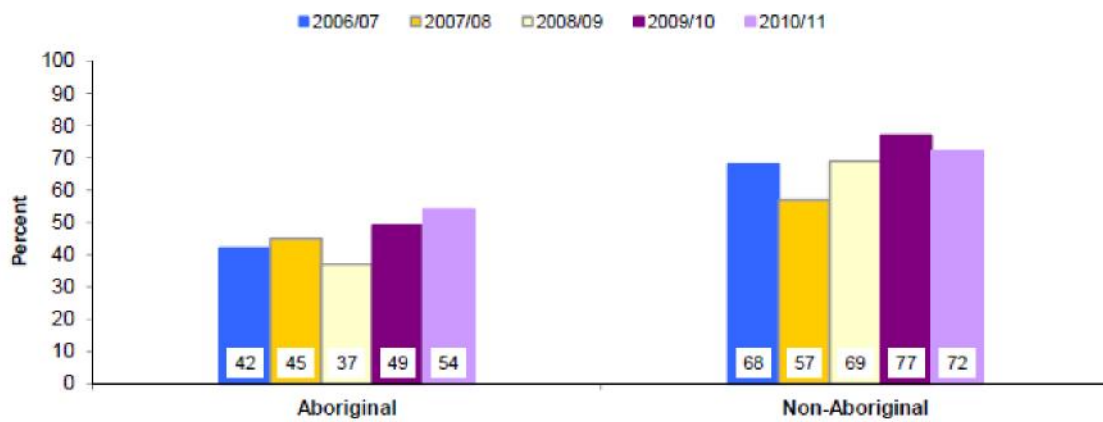
Six-Year Completion Rate

District target: The 2012-13 completion rate for Aboriginal students will be at 60% or better with the five-year target to achieve 70% or better.

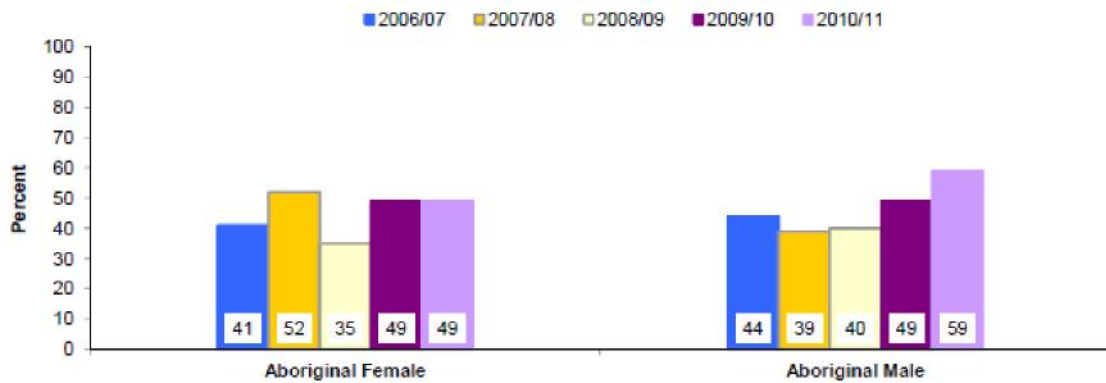
SIX-YEAR COMPLETION RATE* (ABORIGINAL STATUS AND GENDER)

| School Year | Aboriginal | | | Non-Aboriginal | | |
|-------------|----------------|----------|--------|----------------|----------|--------|
| | All Students % | Female % | Male % | All Students % | Female % | Male % |
| 2006/07 | 42 | 41 | 44 | 68 | 70 | 66 |
| 2007/08 | 45 | 52 | 39 | 57 | 53 | 61 |
| 2008/09 | 37 | 35 | 40 | 69 | 68 | 70 |
| 2009/10 | 49 | 49 | 49 | 77 | 77 | 77 |
| 2010/11 | 54 | 49 | 59 | 72 | 72 | 71 |

Six-Year Completion Rate: Aboriginal/Non-Aboriginal



Six-Year Completion Rate: Aboriginal by Gender

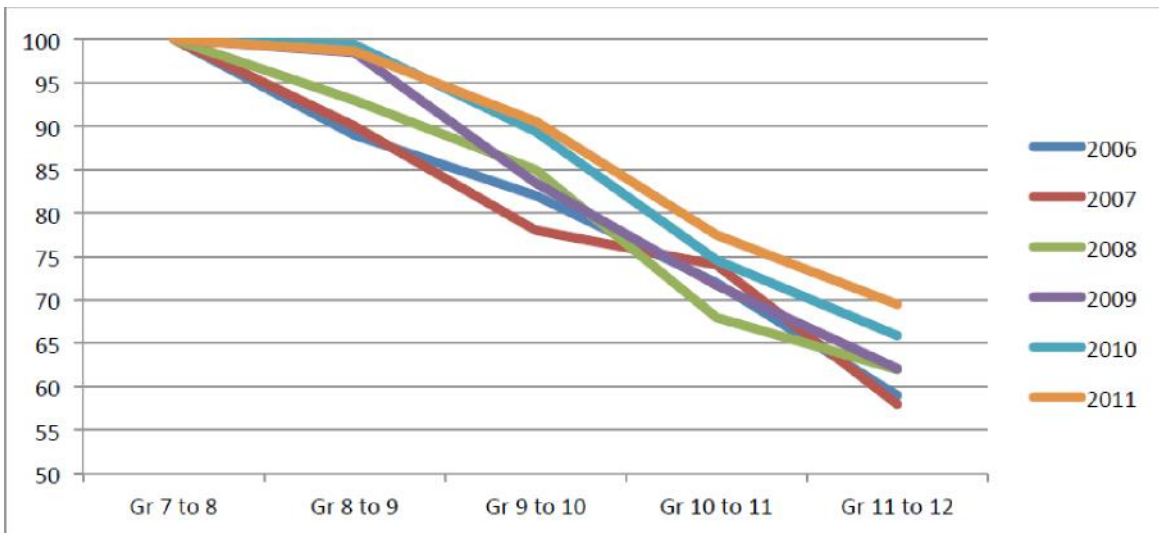


Appendix B: Targets and Data Continued

Transition Rates:

District target: 2013-2014 transition rates for Aboriginal students moving from grade 9 to 10 will be at 90% or better.

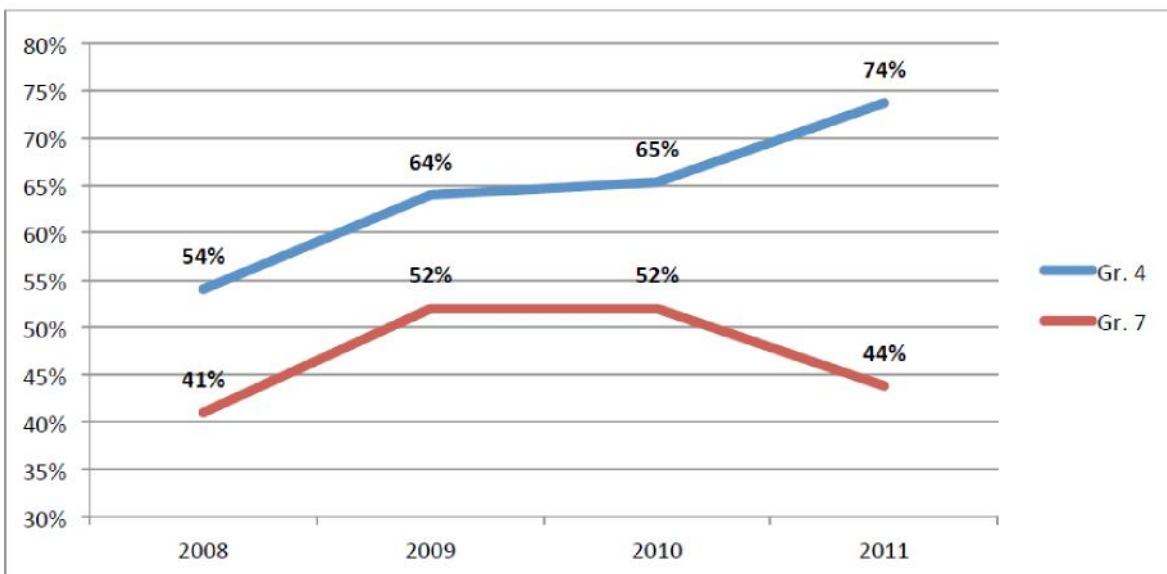
Transition Rates for Aboriginal Students



Foundation Skills Assessment Results:

District target: 2013-2014 FSA Reading result for Grade 4: at or above 80%, for Gr. 7 at or above 55%.

Reading for Grade 4 and 7 Aboriginal students (meeting or exceeding):



Example of Language Class Data for September 26, 2012

MSS

Thompson 8 Thompson 10

Semester 1 – 10

Semester 2 - 13
Semester 2 - 5

Thompson 11

Semester 2 - 8

Merritt Central

Monday, Wednesday, Friday - 1:00 to 2:15

Grade 5, Grade 6, Grade 7 – 15 kids in each class

Nicola-Canford

Monday, Tuesday, Wednesday, Friday - 11:15 to 12:00

Grade 5 – 10

Grade 6 – 18

Grade 7 – 7

Diamond Vale

Tuesday & Friday - 1 to 2:30

Grade 5, 6, 7 – 6

Grade 5/6 - 10

Appendix 3

FIRST NATIONS EDUCATION ADVISORY COUNCIL (FNEC) TERMS OF REFERENCE

Preamble

The First Nations Education Council (FNEC) operates under the umbrella of the Local Education Agreement negotiated with each of the five bands in the Nicola Valley.

The Council recognized the importance of having First Nations students achieve success in the context of intellectual, human, social and career development. First Nation's language, cultural knowledge and history will form an integral part of the education system.

The FNEC will work towards ensuring that relative and responsive programs and services for Aboriginal students are developed, implemented and evaluated. The Council is committed to working collaboratively to increase the academic success of Aboriginal students, and to bring about positive educational outcomes for Aboriginal students, parents and communities.

Composition of the Council

The membership of the FNEC will consist of:

- One representative of each of the five local bands or designate
- One representative from the Metis
- One representative from the Conayt Friendship Centre
- Two trustees
- Superintendent or designate
- Secretary – Treasurer or designate
- Two school – based principals/vice-principals – one elementary and one secondary representative

The **District Principal of Aboriginal Education** shall attend meetings of the FNEC, as a non – voting resource person.

Role of the Council

- a) To recommend the expenditure of targeted dollars, and or additional funding allocated for First Nations programming.
- b) The Council shall schedule meeting dates. The Parties will encourage their Council members to attend these meetings.
- c) The Secretary – Treasurer will make a detailed presentation to the FNEC on the district's preliminary budget.
- d) To recommend improvements to learning environments in the school system, so that students of First Nations heritage gain maximum benefits from their formal education.

- e) To make recommendations in regard to the expenditure of targeted dollars allocated for First Nations programming.
- f) To facilitate the development and implementation of First Nations culture and language education programs.
- g) To assist in the development of programs that will increase the awareness and appreciation of all First Nations people and culture within the school district.
- h) To prepare and recommend an annual budget for the First Nations targeted dollars and/or additional funding.
- i) In accordance with Section 10 (e) of the LEA, to be a part of the interview process for positions that are specifically directed at First Nations students.
- j) To work on providing First Nations high school students with the opportunity to participate in student success programs.
- k) To participate in the development of job descriptions, roles, evaluation process, and expectations for the First Nation Support Workers, First Nations Language Teachers and the First Nations Principal.
- l) To participate in the development of a comprehensive survey to be sent out annually to First Nations parents and other stakeholders as agreed to by the parties, with the survey to provide information on the directions, successes and growth areas for First Nations education programs.
- m) To develop a rewards system for use in all schools that have a high First Nation student population.

Term

The Council staff shall undertake a review of its terms of reference every two years. The terms of reference may be amended at any time during the two years, based upon consensus of the FNEC.

Appendix 4

Individual Education Plans

Students with special needs who are receiving ongoing special education service require an Individual Education Plan (IEP). This plan is a concise and usable document, which summarizes the student's educational program. The IEP should be implemented and reviewed/updated at least annually. Its development should be seen as a dynamic, ongoing process.

IEPs:

- are written records of planning prepared with input from students, parents/guardians, school personnel and other service providers, i.e., preschool staff.
- describe students' current learning, strengths, styles and needs, and identify appropriate goals.
- help in determining the degree of intervention needed.
- describe individual team members' responsibilities.
- provide coherent plans for student learning and service needs.
- should include planning for students' transitions.
- assist in determining criteria for evaluation.
- help in determining how well students are meeting their goals, and form the basis of reporting students' progress.

(Reference: [Special Education Services](#), A Manual of Policies, Procedures and Guidelines; Retrieved from: <http://www.bced.gov.bc.ca/specialed/sid/10.htm>; June 22, 2008)

An adapted program retains the learning outcomes of the prescribed curriculum, but adaptations are provided so the student can participate in the program.

These adaptations can include:

- Alternate formats (For example Braille, books-on-tape)
- Instructional strategies (For example use of interpreter, visual cues, and aids)
- Assessment procedures (For example oral exams, additional time)

How do teachers report to parents about a student on an adapted program? (*)

- Students on adapted programs are assessed using the standards for the course/program and can receive full credit for their work. Letter grades are assigned when a student's course/program is adapted. School personnel should document the adaptations provided for the student. Students who have an adapted program can still graduate from high school with a BC Dogwood Certificate.

A modified program has learning outcomes that are substantially different from the prescribed curriculum, and specifically selected to meet the student's special or unique needs. The School Psychologist must be consulted prior to a student being placed on a modified IEP for the first time. For all students, the appropriate Parent Consent Form must be completed prior to placement on a modified IEP and re-signed by parent every school year that the student remains on a modified program. For these students specific individual goals and objectives will be established for the student and documented as part of his or her IEP. Modifying a student's program may impact eligibility for a BC Dogwood Certificate. (Special Education Resource Manual 69 August 2007).

How is the decision to modify a student's program made?

The decision to modify all or part of a student's program is made with the School Psychologist, Core School-Based Team, including the parent, and student, (if appropriate). It is very important that there is adequate documentation to support the decision to modify, and that parents understand the implications of the decision. Core School-Based Teams should use the district form Consent for a Modified IEP Program. The decision to modify all or part of a student's program should be reviewed annually by the School-Based Team and the School Psychologist. The parent's permission must be secured in writing.

How do teachers report to parents about a student on a modified program?

The use of letter grades and percentages for reporting the progress of these students on their modified program is not appropriate unless the student is working on Locally Developed courses that have a Board approved implementation process. Structured, written comments should be used to report the level of the student's success in achieving modified goals and objectives. In these circumstances, the efforts of the student will be recognized by providing them with a School Completion Certificate upon graduation from high school. A School Completion Certificate plus transcript is also possible for some students on modified programs. Where a professional support person other than the classroom teacher is responsible for providing some portion of the student's educational program (For example Speech Pathologist), those persons should provide a written report on the student's progress for inclusion with the report of the classroom teacher. Official transcripts of courses/marks should identify whether a course has been modified, although adaptations need not be identified. With written consent, information about adaptations and modifications should be communicated to post-secondary institutions or community agencies providing adult services.

A student may be on a program that is both adapted and modified. In these cases, a student's report card and transcripts should clearly indicate which courses/programs are modified.

Reference: Special Education Resource Manual, 2007; Retrieved from:
<http://www.sd33.bc.ca/docs/Student%20Services%20Resource%20Manual.pdf>