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Mr. Colin Mayes

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Standing Committee on Aboriginal Affairs and Northern Development

Monday, June 5, 2006

• (1530)

[English]

The Chair (Mr. Colin Mayes (Okanagan—Shuswap, CPC)): I open the Standing Committee on Aboriginal Affairs and Northern Development meeting of Monday, June 5, 2006.

Committee members, you have the orders of the day in front of you. Today we'll have witnesses and a brief on education of aboriginal people. The witnesses are from the Department of Indian Affairs and Northern Development. We have Mr. Paul LeBlanc, Senior Assistant Deputy Minister, Socio-economic Policy and Regional Operations; Line Paré, Director General of the Education Branch, Socio-economic Policy and Regional Operations; Fred Caron, Assistant Deputy Minister, Office of the Federal Interlocutor for Métis and Non-Status Indians; and Mary Tobin Oates, Senior Adviser in the Inuit Relations Secretariat. Welcome to the meeting. Thank you very much for your attendance.

We'll be having a briefing.

Mr. LeBlanc, would you mind leading off?

Thank you.

Mr. Paul LeBlanc (Senior Assistant Deputy Minister, Socio-economic Policy and Regional Operations, Department of Indian Affairs and Northern Development): Thank you, Chairman.

I trust members have a copy of a briefing deck that was available. Has it been circulated? There should be copies for members.

The deck contains the broad areas that we'd like to present to committee. On behalf of my colleagues, I will provide a brief overview of the deck that we'll be looking at together for perhaps eight to ten minutes maximum, and I would ask Monsieur Caron to add a few comments from the perspective of the Office of the Federal Interlocutor. Then my colleagues and I would be pleased to spend the majority of the time allotted to entertain questions and comments of the committee members, Mr. Chairman, if that's appropriate.

The Chair: Thank you for that.

I would just like to mention to the committee that we will go until 5 and then have an in camera meeting from 5 to 5:30 to discuss further witnesses, as it looks like the House will be sitting longer than we anticipated, so there will be an opportunity to hear more witnesses. I want to go over a list of witnesses and have some discussions on which direction we want to take as our first priority. Is that a reasonable request for the committee?

Some hon. members: Agreed.

The Chair: Okay, thank you.

Mr. LeBlanc, go ahead, please.

• (1535)

Mr. Paul LeBlanc: Perhaps before starting into the deck I might briefly add that our deputy minister, Michael Wernick, asked me to pass on that he has invited officials of the department to support the committee's work in any way possible.

We are working on some briefing material in addition to the deck that you see here, and you may well deem to request specific briefing material, which we will endeavour to provide with the briefest possible delay. Staff are working on bibliographies and reference materials that we hope could be helpful to the committee's reflection as you continue your work on education, because we know the committee has expressed a particular interest in education and it's of course an important field.

With that, I'll try to move quickly through the deck.

Page 2 makes a simple point that you've seen when our colleagues presented their deck on the demographics of aboriginal people in Canada: a very young population, 50% below the age of 25, and a population that's very strongly emphasized off reserve, with 71% of aboriginal-identified population not on reserve.

This is particularly relevant for education. The heavy youthful demographic makes education all the more important a priority and all the more important a challenge both on and off reserve.

INAC's primary focus is first nation education on reserve, but there are very strong links to off-reserve education. Our primary interest in programs focuses on education for first nations residents on reserve, whether they get that education on or off reserve. So a lot of our programming supports first nations residents who are studying in provincial schools in neighbouring communities, and we'll elaborate on that as we go through.

Education outcomes are improving. We've seen some steady improvement over the last 10 or 20 years, but there are important gaps still. A few key indicators show that, in the 2001 census, 44% of aboriginal people 15 years and older had not completed high school, compared to 31% of the population in general. Of aboriginal people 15 years and older, 5% had a university degree at the time of the 2001 census compared to 16% for the Canadian population.

In the area of post-secondary certificate, diploma, or trade certification, the gap has indeed narrowed, with 27% completion for aboriginal people compared to 28% for the Canadian population. The government is of course committed to further improving aboriginal education outcomes as this is a key to eliminating social and economic gaps.

The area of education outcomes was of course one of the major priorities of consensus that came from the meeting of federal, provincial, and territorial leaders and national aboriginal leaders in Kelowna in the fall of last year.

Page 4 touches on the overall roles and responsibilities. The department provides first nations and Inuit education programs in such areas as support for elementary and secondary education of status Indians living on reserve, whether they are studying on reserve in on-reserve schools or whether they are pursuing their education in provincial schools in neighbouring localities.

Financial support is provided to first nations and Inuit students for the pursuit of post-secondary education, and there are also programs that promote labour market participation and developing job skills for first nations and Inuit youth through the first nations and Inuit youth employment strategy.

There are programs that support and promote cultural heritage and languages as well, through a network of cultural education centre programs. I'll elaborate a little more later on.

INAC, through the federal interlocutor, works with aboriginal organizations, as well as with provincial governments where appropriate, to find practical solutions to improve the life chances of Métis, non-status Indians, and urban aboriginal people by developing stronger relationships, playing a role of advocacy, and developing partnership programs. Monsieur Caron will elaborate a bit in a few minutes.

Page 5 indicates that since 1980, programs for the approximately 120,000 first nations elementary and secondary students have been largely devolved to first nations communities in favour of local control over education.

• (1540)

The time has long since past when INAC delivered very elaborate education programs or staff to provide education, or when it managed schools or hired teachers. By and large, it has funding agreements with first nations that draw the broad parameters and objectives—

[Translation]

Mr. Marc Lemay (Abitibi—Témiscamingue, BQ): Mr. Chairman, thanks to this little machine, we have just been informed that there will be a vote in 30 minutes. The bells are ringing. Can someone check? It would be important for us to know. What are we going to do?

[English]

Mr. Paul LeBlanc: Can we continue until 4 o'clock, then?

The Chair: As soon as we get some notice through the whip....

Hon. Anita Neville (Winnipeg South Centre, Lib.): We've just been advised it's at 4:10 p.m.

The Chair: Okay, we'll have to leave, at least, by five minutes to four. Is that all right?

Mr. Rod Bruinooge (Winnipeg South, CPC): Yes.

The Chair: Thank you.

Mr. LeBlanc.

Mr. Paul LeBlanc: Okay.

Again, it is heavily characterized by devolution to first nations management.

The majority of first nations elementary and secondary students, some 60%, attend approximately 500 first-nations-run schools on reserve. So about 60% of first nations students are in schools in their on-reserve communities, and about 38% to 39%—just about 40%—attend schools in the provincial system, as do, of course, a great number of aboriginal people who reside off reserve.

I should mention that the programs the department is funding support the tuition costs for first nations students in on-reserve schools and support the tuition costs for first nations on-reserve students who study in provincial schools. As I said, we no longer play a direct role in education delivery. About 1.4% of students attend seven schools that remain under the direct administration of the department.

First nations and Inuit, or their administering organizations, deliver INAC post-secondary student support, distributing and reporting on funds allocated to eligible students.

On page 6 there is a little more about the specifics and the funding of those programs. There is \$1.1 billion annually to support students living on reserve. As you see in the breakdown, the majority of that is for the core elementary-secondary costs. There is \$101 million for special education, which involves discerning students' unique learning challenges and correcting them or helping students to rise to them as early in life as possible.

There is \$40 million for something called the New Paths for Education initiative. This is a supplementary program that allows first nations to develop success opportunities that meet their particular needs. It could be for more involvement of parents in schools. It could involve particular curriculum development. It could involve introducing better technology, and so on. There is a large array of options for enhancing education capacity.

And there is \$8.5 million for the network of 111 cultural education centres across the country.

Post-secondary education programs provide approximately \$300 million annually to support 25,000 post-secondary first nations and Inuit learners across Canada.

The Indian and Northern Affairs Canada education branch also administers the first nations and Inuit youth employment strategy, which has a budget of \$24 million.

On pages 7, 8, and 9 we describe work that's currently under way under a heading we refer to as a renovated education action plan. The department, in strong consultation and strong partnership with first nations, primarily through the Assembly of First Nations, is working on a new education action plan, the objective of which is to see a revamped education policy framework—you may want to move to page 9, where it's best described—that would redevelop the principles, better define the roles and responsibilities, and clearly define the goals, strategies, and expected outcomes. And we will do this in agreement with first nations and in a way that will give us a policy suite that clearly and best reflects the ambitions and interests of aboriginal people. We work with an AFN/INAC steering committee on this goal.

Accompanying the policy framework will be a comprehensive management framework. The management framework will cover all aspects of managing the resources and program results. So it will cover how to describe objectives, how to measure outcomes, how to report on outcomes, how to eliminate unnecessary reports, how to agree on what reports are important, and how to have an effective management, accountability, and measurement system that works for first nations and that answers the requirements of the first nations and the Government of Canada.

●(1545)

That education action plan, with these major components, is scheduled for completion early in 2007. The work is under way now. There will be milestones all the way through. The department will look forward to reporting to you at committee as major milestones are met.

With respect to on-reserve first nations education, our minister touched on this point when he met with committee last week. He talked about the absence of a legislative framework for first nations education. He described it as something that's essential, that should be pursued on a priority basis.

Since 1995, self-government negotiations have resulted in recognition of first nations jurisdiction over education in various ways. Jurisdiction, the full transfer of responsibility, has been achieved where full self-government has been achieved. Where a fully self-governing first nation like the Nisga'a have come about, education is a component where the first nation has jurisdiction and manages its affairs. In other words, it is removed from the Indian Act.

The Indian Act is very sparse in terms of its legislative help in the area of first nations education. Another example of how this has been responded to is something called the Mi'kmaq education agreement. In Nova Scotia, first nations have come together. The federal government has passed legislation that effectively transfers jurisdiction to the first nations in Nova Scotia that have partnered under this agreement. At the same time, the Province of Nova Scotia passed legislation recognizing the first nations jurisdiction over education. So where there's this traditional constitutional provincial responsibility, notwithstanding that it's not interpreted to apply in the first nations context, they have recognized through legislation...and entered into cooperative arrangements with the first nations in Nova Scotia.

With this jurisdiction, the legal jurisdiction, the first nations in Nova Scotia have come together to create a school-board-type entity in which they, in turn, vest the authority the legislation has given to the individual first nations. They now have a school board system with strong links to the provincial system, and they have full jurisdiction over education.

These are examples of areas that we think are very important to continue to explore to bring legislative certainty to the education rights and privileges of first nations people and aboriginals, and also to better align responsibility with where control really is. As the minister mentioned a few days ago, in the system we have now, the education file has devolved. The control rests with first nations. The minister and the department have relatively little control; yet, technically and legally speaking, the minister remains responsible under the Indian Act.

With respect to aboriginal learners and provincial and territorial education systems, provincial and territorial legislatures have exclusive legislation over education, except on reserve. About four out of five aboriginal learners attend either provincial or territorial educational institutions. As I mentioned earlier in terms of the fall first ministers event, provinces and territories are very much willing to work with the Government of Canada to improve outcomes among all aboriginal learners on and off reserve.

While they have control and manage education in their communities, many first nations leaders have a high number of their residents studying off reserve. They are interested in working increasingly with the provinces, so the provincial education system better serves first nations students studying off reserve.

The provincial system has a great deal to offer first nations in developing the systems components of their education that are now underdeveloped, and first nations are interested in those partnerships. Of course, first nations are interested in pursuing that in a way that does not compromise their jurisdiction, does not compromise their ambition for jurisdiction in what they see, I believe, as an important imperative in having a great deal of say about the educational outcomes of their young people.

●(1550)

In concluding, if today's aboriginal children and youth—more than 315,000 of them—can succeed in education, they will be empowered with choice and self-reliance and they will make a full contribution to the economic prosperity of Canada. Increasingly, with human resource shortages, as the fastest-growing demographic, aboriginal young people will have an increasingly important role to play in the mainstream of economics and the economic prosperity of the country. Governments, aboriginal leaders, learning institutions, and educators are ready to work together in support of fundamental change in aboriginal education.

[*Translation*]

On that, I thank you. If I have any time left, I will give the floor to my colleague Mr. Caron.

[English]

The Chair: I think we need to leave for the vote. I understand it's just one vote, and I have been assured by Mr. Préfontaine that it only takes 20 minutes. I think we should adjourn for the vote and then come back.

Would the witnesses be willing to stay until we return? If there is any delay past 4:30 p.m., we will advise and tell you of that.

Mr. Lemay.

[Translation]

Mr. Marc Lemay: That being said, Mr. Chairman, since our witnesses are going to stay, could we postpone the in-camera meeting until Wednesday? That way, we could make up the 30 minutes, and it would mean that these key people, especially Mr. LeBlanc who has been coming to our committee for two weeks and who despairs of ever being able to go back to his office to work, won't be required to come back a second or a third time.

What do you think about that?

[English]

The Chair: I think it's a good suggestion. We have two witnesses on Wednesday, so whether or not we would have time to do it then, I don't know. How about we just see how it goes, how many questions we have, and if we do have maybe even just 15 minutes to talk about future witnesses...?

I'll suspend the meeting.

Thank you.

- _____ (Pause) _____
-
- (1630)

The Chair: I'd like to commence the meeting, please. I would like to thank the witnesses for their patience. Thank you very much for indulging us the time to go and vote.

I think we're going to hear from Mr. Fred Caron now. Is that correct?

Go ahead, if you would, Mr. Caron.

Mr. Fred Caron (Assistant Deputy Minister, Office of the Federal Interlocutor for Métis and Non-Status Indians, Department of Indian Affairs and Northern Development): Thank you very much, Mr. Chairman. I'll add, just very briefly, to what my colleague, Mr. LeBlanc, has said.

As he mentioned, the primary role of the department has been with respect to on-reserve education, given its responsibilities for activities on reserve. Off reserve, the provincial governments are the administrators of the education system, so the department doesn't have any direct program role at this point in off-reserve education.

But as Mr. LeBlanc mentioned, there is a very important percentage of aboriginal people who live off reserve, in cities in particular, whose educational outcomes are equally important I think to making progress on the aboriginal file overall and whose statistics are relatively similar to those of the aboriginal students on reserve. So provinces, in particular over the past year or two, have expressed

an increasing interest in trying to work with the federal government, within provincial systems. The thinking is not of duplicating the on-reserve system off reserve, but rather of working with provinces to try to improve areas in which the federal government can help education outcomes for aboriginal learners off reserve.

There are a number of important best practices that provinces have developed. It's an area of increasing interest to them in terms of the role that aboriginal people in particular can play in provincial economies. So I think there are some promising initiatives that are being considered, some of which are in place in the off-reserve situation.

We're certainly giving some consideration to ways in which the federal government may be able to help. That's pretty well where we are on that aspect.

I should just say, in terms of the role of my office, for those who may not be familiar with it, that the minister actually wears two hats. He's Minister of Indian Affairs and he's federal interlocutor. The interlocutor role was developed in the mid-eighties, as a point of entry into the federal government for Métis, non-status people, but obviously, it didn't become a full department with program funding and so on. This is a little bit of context of the role that my office plays.

I'll stop there because I'm sure the members will want to ask questions, and I'll be happy to answer them. Thank you.

• (1635)

The Chair: Thank you, Mr. Caron.

We're going to have questions. To start the first round here, we have the Liberals. Who would like to speak on behalf of the Liberals?

Hon. Anita Neville: I guess it's me.

Gary, do you want to go ahead? I know you've got a lot of questions. You can come back to me next.

Mr. Gary Merasty (Desnethé—Missinippi—Churchill River, Lib.): Sure.

One of the comments you made, Mr. LeBlanc, was that the department has relatively little control. It's an issue that I think is perhaps a bit misleading in that the department has a really strict relationship with the first nations. Yes, the first nations on reserve do administer the program; however, there are programs and processes they have to go through to work with the department.

For example, to be more specific, provincial education systems have services like in the Saskatchewan context—community school funding, integrated services, SchoolPLUS, other administrative functions that support the school board head office, curriculum units, and certain other large ancillary services that provide significant support to the school, wherever it may be, in whatever town or city. When it comes to first nations funding, there is virtually an absence of funding in that area.

So I think it has to be looked at more closely in terms of the proper resourcing to support the programs at the first nations level.

I have just another quick example. When provinces make a change...for example, the behaviour disorder funding that was made available a few years ago. It took the department two or three years to catch up and provide that type of funding.

I guess the question is, how do you envision moving forward in providing the proper administrative and ancillary educational support comparable to what the provinces provide to their schools, and in having the department play more of a role or establishing a stronger regional or tribal council presence to support these community schools?

In regard to tribal council funding, under Prince Albert Grand Council, for example, there are 33 schools and 12 bands, but the tribal council funding formula only funds them at a maximum of five bands and 2% of the education budget. There are 33 schools and 12 bands, so there's a bit of a disparity.

So relatively little control I think is a bit of a misnomer. I think there needs to be a lot more reality there in looking at what needs to happen.

The Chair: Mr. LeBlanc.

Mr. Paul LeBlanc: Thank you, Mr. Chairman.

There are many aspects to that question.

To start with, in my reference to "relatively little control", I was referring primarily to who plays the primary role of actual delivery of the education service in first nations. I take the member's point about important points of contact in the partnership that are very meaningful to the relationship and where the department still has an important role to play. And of course funding is one of them.

I referred to the education action plan as part of the policy review and all of that. There were some other parts I didn't elaborate on, but there is, at the same time, between now and spring 2007, a review going on regarding all the basics of funding formulas—for example, what is the driving logic of the funding formula; what would be the options to the existing funding formula; are there options that are more equitable, that are more effective, that get to the need better? That's an important one.

To be able to do the reflection on what the right funding formula is, of course, you need to have good information on comparable costs, so the action plan includes sponsoring and conducting research on teacher salary comparative costs, tuition costs per student. How much does the aboriginal first nations educational system cost compared to the provincial costs? That will be important in making the compelling, definitive cases about whether or not the funding is right, whether it's where it should be, and what the arguments are about funding.

The other aspect that I think is relevant to your areas of inquiry is this whole issue of legislation. Funding now is program funding—essentially discretionary program funding. One of the issues we believe would be contemplated in this review of legislative options would be tying funding more closely to a legislative outcome, linking it to legislative obligation—a statutory profiling of funding—as opposed to more discretionary funding on a program basis.

So we're hoping to bring all of these aspects into focus between now and 2007 in this work on the action plan and on the legislative options as well.

● (1640)

Mr. Gary Merasty: There has virtually been a cap on funding their growth.

The nominal role process is somewhat cumbersome when it comes to the issue of first nations on reserve. The first nations have repeatedly stated they're not held to the same accountability or the same measures that provinces are. If schools off reserve take first nations students, the department automatically pays the provincial school, without an audit, whereas first nations schools are audited on September 30. If the students are not in their seats or don't have a steady pattern of attendance, they're not part of that nominal role.

How can we improve the situation, as we go forward and focus more on the funding part, so that it's more sustainable long term and addresses some of the real issues at the community level?

Mr. Paul LeBlanc: If I understand you correctly, I think the key challenge therein is the 2% limit, as you mentioned, that came from a program review era on the federal side.

The federal government honours, if you will, the portability or transferability of education rights, providing choices to parents and young people to study on reserve or next door or to travel to study in the provincial system. By and large, that's provided for. In some cases, the department will directly pay the provincial tuition through its regional office. In some cases, the allocation is fully transferred to the first nations, and the first nations will in turn pay tuition for their students.

The issue, of course, is that the cost of education in some provinces escalates disproportionately to the resources the department has. This is particularly evident in provinces that are able to invest more heavily in education. The tendency, at least on the surface, is that they seem to outpace us and the resources we have available.

This can result in tougher choices at the community level for how much they'll support. Will they support transportation as well as tuition? They may be crunched and not be able to. It may in fact cut into limited resources if they pay the full amount.

These comparisons are difficult to make because when you get the unit cost in the province, you're comparing a tuition rate that flows out of a system that has elaborate secondary and third-level support mechanisms or support structures, which the first nations schools don't have. It takes a lot of work to find true comparisons to make the argument on whether or not this is overfunded or underfunded. It's usually to try to make the argument that it's underfunded.

● (1645)

The Chair: Thank you.

We'll move on to the Bloc, please, Mr. Lemay.

[*Translation*]

Mr. Marc Lemay: Thank you.

Mr. LeBlanc, I have a specific question to ask you, and I would like a concise answer. In a document from your department entitled Education Action Plan (in response to the observations and recommendations in Chapter 5 of the Auditor General of Canada's Report, November 2004)", it says, in the third paragraph on page 1:

The policy framework, to be completed by June 2006, will be based on a common understanding with First Nation representatives on a strategic vision for First Nations education....

It is now June 2006. Imagine how surprised I was to see, in the document you tabled for us, that we are looking at 2007. That is on page 8.

Is it due to a lack of funds, a lack of cooperation, or to the fact that it took too long to do the translation into French or English? What caused the one-year delay in the implementation of this strategic framework, with all of the costs that entails?

Mr. Paul LeBlanc: Mr. Chairman, perhaps there was a lack of clarity in our explanation in the text. In the first action plan that the member is referring to, we talk about 2007 as the completion date for both phases of the action plan, the policy framework and the management framework. In the text, I was referring solely to the second date. That does not mean that all of the aspects won't be completed until 2007. We expect the policy framework to be complete in 2006, well before the final date in 2007.

So we did not clearly explain the details for the timelines. For example, the first plan talks about a document to clarify roles and responsibilities. It was done in 2005, I believe. A good draft was completed in 2005. We will continue to work on it throughout 2006. So our priority is the policy framework. We will have excellent drafts well before June 2007, but we indicated that 2007 would be the closing date for the entire exercise.

Mr. Marc Lemay: In that case, I would like to understand something else. I have the same impression again, but I hope you will prove the opposite. Page 6 of your text says:

In 2004-2005, the Government of Canada spent about \$1.1 billion [...] \$950 million for elementary/secondary [...] \$101 million for Special Education [...]

Do you stop educating them after that? Is your objective to see aboriginal students obtain a high school diploma and then stop their studies? A little further on, it says:

[...] the Post-Secondary Education Program provided approximately \$305 million to support nearly 25,000 First Nation and Inuit learners [...]

I want a good understanding. There appears to be a structured program for elementary and secondary education, but after that, the department simply helps those who want to continue. Have I understood correctly?

Mr. Paul LeBlanc: We place tremendous value on post-secondary education. That is why we invest such significant sums of money in it, over \$300 million. I must clarify that the Indian Act covers basic education, in other words, the elementary and secondary levels, but not post-secondary education. The first nations and the department began discussing the issue a long time ago. We consider program policies at the post-secondary level discretionary, as the result of government policies to support first nations. It is different from the elementary and secondary levels.

•(1650)

Mr. Marc Lemay: I will stop you right there. What you have just said is very important. Are you telling me that the Department of Indian Affairs and Northern Development Act, that old thing, obliges you to provide elementary and secondary education to aboriginals, but that nothing in the act enables you to go any farther? Is it really a discretionary program for the department? We should make a recommendation or, at the very least, start discussing that seriously.

At any rate, it is the first time I have heard that. Yet I believe that I am quite up to speed on issues relating to Indian affairs. Is it really a discretionary program? There is nothing in the act for post-secondary education?

Mr. Paul LeBlanc: Our interpretation is that there is nothing in the act that requires a contribution at the post-secondary level, and that there is nothing in the act that limits the possibility of contributing at the post-secondary level. The government determines its priorities and ensures the considerable amounts of money are well invested.

Mr. Marc Lemay: That is fine, but on occasion our good governments — I have often had respect for them — decide to announce cutbacks. This \$305 million amount is not announced anywhere, as it is discretionary. Post-secondary education is discretionary. Perhaps that should be entrenched in the act somewhere.

Mr. Paul LeBlanc: Indeed, it is discretionary.

Mr. Marc Lemay: Do I have a bit of time left, Mr. Chairman?
[English]

The Chair: You have one minute.

[Translation]

Mr. Marc Lemay: Fine. Why hasn't the Department of Indian Affairs and Northern Development considered setting education standards for first nations? Is the department about to establish any?

I will give you an example. In non-aboriginal communities, schools are grouped under school boards that manage them. Some aboriginal communities have them too. I believe there are some in my colleague's riding among the Cree, for example. It does not appear to be generalized. It should be. That would help administer these programs.

Mr. Paul LeBlanc: You are right that it is not generalized. It takes several shapes. A little earlier, I gave the example of Nova Scotia. In that case, the priority is on certification, numbers, standards, etc. The conditions in the contribution contracts signed between the department and the first nations on education, we also deal with the need for standards and talk about compatibility with provincial standards.

So it is dealt with indirectly. We recognize this initial fundamental point, the transfer of responsibilities. The department has finally transferred these responsibilities to the first nations community management and leadership. In fact, first nations have a general obligation, in accordance with the conditions of the funding contract, as well as considerable latitude to establish their priorities.

Mr. Marc Lemay: Thank you.

[English]

The Chair: Thank you.

Madam Crowder.

Ms. Jean Crowder (Nanaimo—Cowichan, NDP): Thank you, Mr. Chair.

I want to thank the department for coming before us.

I have two questions. I'm going to ask them both and then I'll let you respond.

The first question is around terminology. I noticed in your presentation that sometimes you refer to "aboriginals" and sometimes you refer to "first nations" and "Inuit". When you refer to something like this, for example, "more than 50% of aboriginal population are under 25 years of age", or "according to the 2001 Census, 71% of aboriginal identity population...are not on reserve", my understanding is that your department is responsible for first nations and Inuit. Aboriginal is broader.

I'd like you to comment on that. When you say that 71% of aboriginals live off reserve, that's actually not first nations, so that's a misleading number, in my view.

The second question I have is around consultation. I weeded through a huge amount of material that was kindly prepared for the committee, including the report that was tabled in 1996. Implicit in one of the recommendations was that the department should work together with first nations and financial institutions to develop new arrangements for obtaining capital.

Then there is the 2000 report that talks about finding a departmental mechanism that would ensure all 600 first nations are being adequately represented or that an opportunity for their effective input is provided.

Implicit in the 2004 report was the fact that first nations needed to be included in developing responses.

When I come to your educational action plan under roles and responsibilities—and of course roles and responsibilities, it seems, would hinge on adequate consultation—in your own report it says, "In February 2005, a departmental working group was established to draft a statement...", and so on. And then:

Dialogue with First Nations will be engaged in order to arrive at a mutually agreed upon statement of respective roles and responsibilities.

I guess what I'd like to know is, what has this consultation process looked like to get us to this point? I understand you have various draft agreements in progress and a policy framework that's going to come forward. What does that consultation process look like, and how have you ensured that 600-plus first nations communities have been adequately represented in this discussion?

•(1655)

Mr. Paul LeBlanc: Perhaps I will say a little bit about the first question. I would ask my colleague, Line Paré, to elaborate on the second point, because she's working closely with it.

I certainly hope we haven't misled anyone. We certainly don't want to mislead in our various uses of "aboriginal" versus "first nation". You're indeed correct that the department's primary program

and investment focus is first nations. Recognizing the role that the Office of the Federal Interlocutor primarily plays, we added to the broader picture of aboriginal people more generally, but by and large, in terms of the relevance of the stats and the relevance of the investments, we are focused on the first nations learners.

So it's not intended to distract, and if we have, I would certainly make efforts to provide data that is more easily interpreted and has more clarity. We'd be glad to do that.

Ms. Jean Crowder: The department's spending on education?

Mr. Paul LeBlanc: Yes.

With that, I will ask Line to respond on your second point.

Ms. Line Paré (Director General, Education Branch, Socio-economic Policy and Regional Operations, Department of Indian Affairs and Northern Development): With respect to consultation and involvement of first nations in the area of education over the years, the department has worked with the Assembly of First Nations. We have established a number of working groups.

One example I would like to provide to the committee is with respect to special education programs. As the department designed the special education program, the first nations, through the Assembly of First Nations, were involved and continue to be involved.

Ms. Jean Crowder: Sorry, can I just interrupt for a second?

I understand that part. My question was more specifically about developing the framework and the policy that the department has been mandated to report on in 2006 and 2007.

I'm sorry if I was not clear enough on that question.

Ms. Line Paré: No, no. Perfect.

These working groups with the Assembly of First Nations continue. We are developing the policy framework right now. We're working with the Assembly of First Nations through a joint steering committee, facilitating regional dialogue sessions across the country so that first nations educators, first nations leadership, and community members can provide input and feedback to the policy framework.

And we want to take—

Ms. Jean Crowder: So will they be involved in drafting? Will there be a joint drafting mechanism for that policy framework?

Ms. Line Paré: Yes, with the Assembly of First Nations, we have a joint steering committee. From the first nations there are 10 representatives and from the Government of Canada there are 10 representatives. Within the steering committee, we have decided on a core drafting team, so the joint steering committee is really responsible for the overall drafting of this policy framework.

We're receiving feedback input through regional dialogue sessions that are taking place this week, and there will be a second round of regional consultations towards the end of the summer so that we can have a final policy framework.

•(1700)

Ms. Jean Crowder: So people will have an opportunity to sign off on whatever the final document is.

Ms. Line Paré: We have our respective approval process, so within the Assembly of First Nations, in our terms of reference for our committee, it says that the draft policy framework will be approved by the AFN chiefs committee on education. Then the document will come to the Department of Indian Affairs, and at some point it will go into our official and formal approval process.

The Chair: Thank you, Madame Paré.

Mr. Bruinooge.

Mr. Rod Bruinooge: Thank you, Mr. Chair. I might have to share my time with one of my honourable colleagues.

I don't know if we're still going forward with our in camera session or not.

The Chair: No. I'm going to continue and make sure we have good use of the witnesses today.

Mr. Rod Bruinooge: Very well.

My question is in relation to outcomes specifically on reserve.

In the off-reserve education system, as in your typical city, there are various secondary schools that perhaps could have an outcome that is entirely focused on post-secondary. Others might have an outcome that is entirely focused on college or maybe a technical vocation. Who is able to choose the outcomes for these on-reserve schools?

Then a follow-up question would be about the experience the department has had with school boards on reserve. Has it been a good experience, and are they functioning well?

Mr. Paul LeBlanc: In answer to your first question, by and large the discretion rests with first nations leadership in the community.

Mr. Rod Bruinooge: So it's the band council.

Mr. Paul LeBlanc: The band council and the school administering body, but these communities and these smallish schools face very considerable challenges because there is the factor of isolation. There is little, if any, secondary school system support. There are some tribal council or other services that provide some support but very rare instances of anything that would approximate what we know as the full school board type of system.

On your question about where it works, the best example we have is what we call the MK—Mi'kmaw Kina'masutithe—the Mi'kmaq Nova Scotia school board arrangement, where you have a transfer of jurisdiction to about 11 first nations. The feds passed a law that allows the first nation to opt in. They pass band council resolutions taking on the jurisdiction for education. They, in turn, all 11 of them, delegate certain things: teachers' certification, curriculum standards, school accreditation, and so on, these things that are very central to a school board type of functioning body. They delegate them to this arm's-length body and two things happen. There is some distancing between the management of the school and the individual band political leadership. That is one factor. The other factor is that there's an aggregation, an economy of scale, that takes place that's really not possible in the individual first nation.

By all reckoning, it's working very well. There's a strong partnership among the first nations. There's a strong, functioning early development school board there, and also, very interestingly, there's a very strong partnership between that group of first nations, as expressed through their aggregate board, and the provincial system.

The provincial government has bought in. There's a strong transfer of knowledge. There's a strong mutual engagement and cooperation, something that's not easily measured in monetary value but is worth a great deal, obviously.

Mr. Rod Bruinooge: Would you be able to recommend any particular individuals associated with those boards as witnesses?

Mr. Paul LeBlanc: Absolutely. Yes, we'd be glad to identify people you may be interested in. We'd be very pleased to provide information to the committee.

•(1705)

Mr. Rod Bruinooge: Great.

How much time do I have?

The Chair: We still have three and a half minutes.

Mr. Rod Bruinooge: I'll pass it along to my colleague.

Mr. Harold Albrecht (Kitchener—Conestoga, CPC): Thank you, Mr. Chairman, and thank you again to Mr. LeBlanc and the team.

I remember that in previous presentations your department showed us the dramatic difference between aboriginal and non-aboriginal peoples in birth rate. What kind of preparation and forecast do you have in mind to deal with the possible need for additional capital funds to construct schools and to create adequate spaces for educational opportunity, especially for the aboriginal people on reserves?

Mr. Paul LeBlanc: That is a very prominent factor. It will figure in the research work I mentioned earlier that's going on here into the spring of 2007, in terms of the cost analysis that is going to be done, in terms of developing an appropriate funding formula and looking at enhancements to the current funding approach, and in terms of the basic quanta and volume challenges that are before us.

Mr. Harold Albrecht: I have one quick follow-up question.

In the 1996 report there was a comment made on page 65 that sometimes surplus funds are saved by local educational authorities and it appears that some of those funds were occasionally used for non-educational purposes.

Has that been addressed? What kind of progress have we made on that, in terms of the recommendation from 1996?

Mr. Paul LeBlanc: In general, funding agreements with first nations are multi-purpose funding agreements. A first nation will have moneys for social programs, education, and a whole series of things. Within those agreements, certain base obligations have to be met. They have to be accounted for, they're subject to audits, and they're reported to the department.

But the agreements are also designed so that there is flexibility. If there are periods of surplus, measured against any given stream, the first nation has the discretion to transfer moneys to other areas covered by the funding agreement in order to manage their affairs. If there's a lull in demand here, they can respond with more resources over there. They are designed to provide discretion, to promote efficiency, to allow decision-making and self-determination on site by the people who are best....

The downside is that it's subject to criticism on occasion—criticism about whether money for education was spent on housing, for example. But this transfer flexibility is a part of the funding agreement, and it is legitimate and reasonable, in our view.

Mr. Harold Albrecht: The part that I am pleased to hear in the answer is that once the educational objectives are met, accounted for, and audited, then the flexibility is there. I would agree with that.

Mr. Paul LeBlanc: Last week the Auditor General was asked—I think it may have been at the other committee—about auditing the Accountability Act and auditing first nations. The Auditor General indicated that the broad areas of activity are subject to independent audit through our funding agreements, so there are audits in place, and the department has the benefit of the outcomes of those audits.

The Chair: Thank you.

We'll move on to Madam Neville.

Hon. Anita Neville: Thank you very much.

Again, thank you for appearing here today.

I have a lot of questions. I'm going to put out a number of them and just ask you to answer in whatever time you have.

Let me begin by commenting. I'm concerned when I listen to you talk about developing your national policy, because I'm always concerned, and I've been involved in education—and aboriginal education in an urban setting—quite extensively: what's happening to the children now, while you're planning? I'm curious to know what flexibility in response you have while you're responding.

I'd like to have a comment from you on the Berger commission and their recommendations for Inuit people on revamping their whole re-education system, and how you are looking at responding to these.

I'm interested in knowing how you have evolved over time in responding to off-reserve education. I know when I was involved what the responses were and were not, but I'm interested in knowing what the evolution has been.

I'm also struck by your constant reference to school boards and educational authorities. I'm interested to know what your discussions are—with the Assembly of First Nations particularly—related to education and the options for school boards: what their views are and how you are working that process through.

I have more questions, but I probably don't have time.

• (1710)

Mr. Paul LeBlanc: I'll perhaps start with the last one, and my colleagues and I will share the other questions.

In terms of school boards, or school board-like or aggregate services, there are bodies out there now providing these services. The department provides several million dollars annually for support through these bodies for school board-like services—not a full system, but significant support.

All of this is done, clearly, in consultation with first nations and their representative groups, because these are representative groups through which these supports are provided for the services to be extended—some tribal councils, or tribal council-like organizations, or education-dedicated organizations.

Hon. Anita Neville: Can I interrupt you?

When you talk about that consultation, is it done at the local level, or is it done with the AFN leadership, or how does it take place? And is it specific to school boards, or to voucher systems, or to any one of a number of ideas that are being floated about?

Mr. Paul LeBlanc: It takes place nationally in fora such as Madame Paré talked about, at times with formal engagements through joint committees that the AFN and we may have together; it takes place at the regional level between officials of the department in a given region, as in Saskatchewan, along with the aboriginal leadership in that province. In some cases at the regional level, it may be with the regional component of the AFN, and more often, I would say, probably with a kind of cross-cutting membership that would include the AFN but also first nations organization beyond the AFN—related to the AFN, but not the AFN proper.

There is regional consultation that goes on to determine outcomes that are useful within that region but that fit broad policy parameters. Our objective is to keep enough flexibility for there to be imaginative outcomes in different parts of the country. There is an asymmetrical system out there, for sure.

The consultation at the national level is on these systems. There's work ongoing in the management of the existing networks—about 14 or so organizations that provide these kinds of services—and we provide \$15 million to \$17 million annually. As to the prospects of revamping or remodelling this approach by tying it to the legislative outcomes, for instance, where these could be more formalized, school board-like institutions, that dialogue will go on with the AFN nationally.

And that too is happening in the regions. The example I give about Nova Scotia in fact occurred eight years ago, between INAC, the province, the AFN, and other first nations leadership in that province. There are examples of this at different stages of development going on in other regions.

Involved in responding to off-reserve education...? I just want to make sure I get the other elements of your question.

Hon. Anita Neville: I just want to know the evolution of it.

• (1715)

M. Paul LeBlanc: Perhaps Monsieur Caron will respond.

Mr. Fred Caron: On the urban off-reserve...those developments have been more recent. In particular, there's a growing number of aboriginal students in urban schools, and so on. There were federal government programs that related indirectly to education, such as health, head start, the human resources development strategy, and so on. More recently, provinces have been trying to explore with us and build on some of the best practices they have to encourage better results for aboriginal learners.

So it's kind of in its infancy, and we're exploring ways to bring whatever relevant federal efforts there may be to help with that. But it's garnering increasing levels of provincial interest as those numbers become more significant.

The Chair: Thank you, Mr. Caron.

Mr. Blaney, please.

[*Translation*]

Mr. Steven Blaney (Lévis—Bellechasse, CPC): Thank you, Mr. Chairman.

I am pleased that you are with us, Mr. LeBlanc. It is almost like you have a subscription to our committee. We will attempt to ensure that your work is beneficial.

In your brief, you mentioned that the gap between aboriginal students and the Canadian population in general was only 13 per cent: 56 per cent of aboriginal students complete their secondary education, in comparison with 69 per cent of other Canadian students, which is not so bad.

Do we measure the skills and knowledge acquired in school in the communities? Will this measure be taken into consideration in your action plan? It is important to ensure that the diploma has full value. I would like you to comment on that. Then we could talk about the models you are proposing. I would like you to talk about the experience with the Mi'kmaq. Is the experience positive? Perhaps there are links to be made.

Ms. Line Paré: As regards measuring the skills, in Quebec, for example, students who complete their secondary studies must sit a standardized Ministry of Education exam.

Our action plan talks about the strategy on performance indicators and our management framework. Of course, we must work with the first nations and identify performance indicators and aspects to be measured, and help them to develop and implement their performance measurement plan, including an evaluation of students' skills.

Mr. Steven Blaney: Are you talking about aboriginal school boards?

Ms. Line Paré: I am talking about first nations and schools on reserves.

Mr. Steven Blaney: Let's look, for example, at the Pakuashipi community in Quebec, which is a Montagnais community. Do the young people in these communities take the ministry's exam at the end of the year?

Ms. Line Paré: Normally, they take the ministry's exam, because most of these communities have high school diplomas. However, some communities, like Kitigan Zibi, do their own evaluations and award their own diplomas, which are recognized by the CEGEPs and

neighbouring universities, like the University of Ottawa. That is under an agreement reached with the community several years ago.

Mr. Steven Blaney: Our research document from the Library of Parliament talks about the Mi'kmaq experience. You alluded to it. For some time now, you have succeeded in removing education from the Indian Act. What are the advantages of that for the schools we are talking about? Is the model advantageous? Do you intend to explore that avenue any farther? Is it beneficial for the children? Is the diploma rate higher, etc.?

Ms. Line Paré: One of the most important aspects for the Mi'kmaq in Nova Scotia is that it was the communities that really wanted to take responsibility for education. They can develop their own standards. They can establish standards for teachers. In recent years, we have seen an improvement in Mi'kmaq language and culture in Nova Scotia. The main organization worked very hard to support the schools in the areas of language and culture. Is that yielding results? Yes. The school belongs to them, and they are very proud of that.

• (1720)

Mr. Steven Blaney: So you would say that we could draw on that model to...

[*English*]

The Chair: We're out of time here. I'm sorry, Mr. Blaney.

We will move on to the Bloc.

Mr. Lévesque, please.

[*Translation*]

Mr. Yvon Lévesque (Abitibi—Baie-James—Nunavik—Eeyou, BQ): Good afternoon, Mr. LeBlanc.

You give grants to school boards. Does this money enable the school boards to build their own on-reserve infrastructure and to provide the teaching? When these communities send their students to off-reserve centres to continue their post-secondary education, be it at the college or the university level, does the department continue to provide funding?

As far as I know, the First Nations University of Canada in Saskatchewan is the only first nations university. It came into being with the assistance of the Department of Indian Affairs and Northern Development and Western Economic Diversification Canada.

Has the Indian Act evolved to such an extent that we could, for example in eastern Canada, build a university that reflects first nations culture, where the infrastructure, the training for professors, and the teaching provided would be funded by the Department of Indian Affairs and Northern Development?

Mr. Paul LeBlanc: You are right that the department invests in First Nations or Inuit so that the leaders of these communities can help their students and members accede to a post-secondary education. This post-secondary education is done almost exclusively in provincial or territorial institutions, with a few exceptions, including the First Nations University in Saskatchewan.

That university was not created as a result of an obligation under the Indian Act. It was a specific discretionary initiative undertaken by the government of the day. If a government wanted to repeat this initiative, technically, it could do so if the initiative were consistent with its priorities and policies in this area.

Through its assistance program for post-secondary education, the department actively supports about 25,000 young aboriginals in pursuing a post-secondary education in almost all of the same institutions attended by other Canadians. The results are improving year after year.

Our information seems to indicate that there is a great need for this kind of support, which recognizes specific problems that young aboriginals must overcome and that helps them actively work and rise to the challenges they face. Often, they must move to attend university. So they experience huge changes, be they geographic, social, or family related.

The program has been quite successful, as there are about 4,800 graduates this year. Is that not correct, Ms. Paré?

• (1725)

Ms. Line Paré: More or less.

Another part of the post-secondary education support program makes it possible to assist post-secondary learning institutions, such as the University of Quebec network, to develop or adapt its courses to a first nations clientele, to provide training to professors or specific programs, and to provide social services as regards health care. This small component is provided under the department's post-secondary education support program.

[English]

The Chair: We are out of time in both senses, both for the questions and for the meeting.

What is the pleasure of the committee? I know we've had a short meeting here and I know there are many other questions we'd like to put forward. As far as our putting together further witnesses is concerned, I would suggest to the committee that maybe we spend an extra 15 to 20 minutes at the next meeting. Would that be all right with the committee?

So that would be on Wednesday—pardon?

Hon. Anita Neville: Who are the witnesses on Wednesday?

The Chair: We have the Assembly of First Nations between 3:30 and 4:30, and then we have the Inuit Tapiriit Kanatami between 4:30 and 5:30.

Hon. Anita Neville: That's fine. I realize we're out of time, Mr. Chairman, but I'd like to give notice that at the next meeting I would like to move the motion on matrimonial property that we had before us.

The Chair: Okay. We also have a motion here from Mr. Lemay.

Do you want that to come forward at the next meeting also, Mr. Lemay?

[Translation]

Mr. Marc Lemay: Yes. At any rate, it will have to be postponed to Wednesday, since I tabled it this afternoon, in accordance with the 48 hours' notice. I would like colleagues to familiarize themselves with it so that if they have any comments or questions to ask, they can contact me.

As for me, I have already put together a list of witnesses that I would like to hear from. I sent it to the committee clerk. Some colleagues should submit their own list as soon as possible, so that we can study it, so that we will not have to look at 42 different lists on Wednesday.

[English]

The Chair: We have that list and some suggestions and we are going to pass it out now, just so you can have a review of it.

There's one that's missing, which I have, and it'll be added. I'll make sure my executive assistant contacts you all with that submission.

Madam Crowder.

Ms. Jean Crowder: Given that there is a mixing up of terms in this presentation today, I wonder if we could just ask the department to send us the stats broken down. For example, educational outcomes in here talks about aboriginal educational outcomes. I don't know if we're talking about first nations and Inuit or if we're talking about aboriginals in the broader population.

I wonder if the department could provide us with a breakdown. They can just send it to us.

The Chair: Certainly. I think that would be all right.

Mr. LeBlanc? Okay. Thank you.

I think what we'll do is we'll not only talk about the witnesses, but we'll talk about the parameters of the study in education, because that's a big area, whether it's secondary education or post-secondary education, and just where we want to go with that, and the structure, the funding.

There are a number of issues there, I'm sure, that we could explore. So we should maybe set some priorities within that.

Mr. Rod Bruinooge: It almost sounds like a topic for a separate meeting.

The Chair: Okay. We'll decide on that at the opportunity we have in camera.

Mr. Rod Bruinooge: Perhaps at the next meeting we could address that. If we can't, we'll drop it off at the subcommittee—if we can't resolve it.

I'll move to adjourn.

The Chair: Thank you.

The meeting is adjourned.

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