

**The Reciprocal Education Approach (REA)  
Instructions for First Nations and School Boards**

**2023-2024**

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# INTRODUCTION

The purpose of this document is to provide information and guidelines about the Reciprocal Education Approach (REA) to ensure smooth and consistent implementation throughout the province. The REA is helping to change the educational landscape for First Nation students and families by improving access, removing barriers and strengthening parent and guardian choice for First Nation students attending schools of school boards and First Nation-operated or federally-operated schools (First Nation schools) in Ontario.

This guide is intended for use by First Nations, school board officials and school administrators.

A fact sheet for parents, guardians, families and students is available .

## Overview

The REA was designed to improve access to education for First Nation students by eliminating the need for First Nations and school boards to negotiate and enter into an agreement for the base tuition fee.

When requirements and eligibility criteria are met, the REA requires that school boards:

- a) Admit First Nation students, who ordinarily reside on-reserve, to a school of the school board; and
- b) Provide funding support for students who would ordinarily be eligible to be pupils of the board to attend a First Nation school.

For school board obligations to be initiated, First Nations and students must:

- a) Meet certain eligibility criteria; and
- b) Submit written notice for each student to the school of the school board at which the student intends to register or is currently registered<sup>1</sup>.

The REA sets out reciprocal base fees for elementary and secondary students during the regular school day which school boards will be required to pay or charge First Nation Entities, which is dependent upon where the student attends school.

School boards and First Nation Entities may enter into agreements for additional services and supports in addition to the base fee. Policies and processes have been established to support a consistent implementation of the REA, including standardized payment and reporting processes.

First Nations and school boards may also continue to enter into agreements regarding other

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<sup>1</sup> The *Education Act* provides that a school board must receive **written notice** from one of the Entities noted in Table 1: *Summary of Eligibility* and the student's parent/guardian, the student, or Another Authorized Person where the student is 16 or 17 and withdrawn from parental control or is 18 years of age or older.

supports and services which do not require the payment of a fee (e.g. provisions regarding cooperation between the school board and First Nation, sharing of resources and information, etc.).

### *How the REA was Developed*

In the Fall of 2017, in response to concerns from First Nations and school boards on the provisions in the *Education Act* regarding Education Services Agreements (ESAs) and Reverse Education Services Agreements (RESAs), the Ministry of Education (ministry) invited First Nation Political Territorial Organizations, Independent First Nations, the Chiefs of Ontario, the Kinoomaadziwin Education Board and school board associations to participate in a working group.

In May 2018, amendments to the *Education Act* received Royal Assent. These amendments set out the legislative framework for the REA. In February 2019, the working group was reconvened to work on the implementation considerations of the REA. Regulations setting out implementation details were developed based on the input of the Working Group. The REA is supported by sections 185 and 188 of the *Education Act* and O. Reg. 261/19 (Reciprocal Education Approach) which came into force on September 1, 2019.

## **How to Use this Guide**

This guide is organized into three main sections:

**Section 1: Information for First Nations.** This section provides detailed instructions to support First Nation organizations, communities and schools. It summarizes the steps that First Nations would take to support students' admissions, to ensure eligibility of their schools and initiate payment processes.

**Section 2: Information for School Boards.** This section provides detailed instructions and processes specific to school boards and schools.

**Section 3: Information for All.** This section provides information for First Nations and school boards to support the implementation of the REA including: negotiation of additional supports and services; late payments and arrears; existing agreements; and dispute resolution.

## New in 2023-24

### Base Fee changes:

Key updates to allocations within the elementary and secondary base fees for 2023-2024 include the following updates to the Grants for Student Needs (GSN), as outlined in memorandum 2023: B04 –2023-24 Grants for Student Needs Funding:

- The new \$19.1 million **Safe and Clean Schools Supplement** within the Learning Opportunities Grant will support the salaries and benefits costs related to professional/paraprofessional staff; educational assistants; and custodial/maintenance staff. **[new allocation]**
- Realignment within the **Indigenous Education Grant First Nations, Métis, and Inuit Studies Allocation** and the **Board Action Plan Allocation** to better support Indigenous education priorities **[updates within allocations]** and the new time-limited \$17.1 million **One-Time Realignment Mitigation Fund** that will partially mitigate the impacts for school boards that are facing a net funding reduction in the 2023-24 school year relative to the 2022-23 school year, due to this realignment. **[new temporary grant]**
- The new \$10.1 million **Remote Learning Administration Allocation** within the School Foundation Grant will support remote learning administration. **[new allocation]**
- Transfers from Priorities and Partnerships Funding (PPF) to the GSN to help streamline funding and reduce administrative burden for school boards, including:
  - An additional \$13.2 million within the existing **Specialist High Skills Major (SHSM) Allocation** within the Learning Opportunities Grant to support program growth and increase access to more SHSM programs. **[update within existing allocation]**
  - An additional \$8.3 million in a new **Early Math Intervention** amount within the Differentiated Special Education Needs Amount (DSENA) Allocation to help increase student engagement, close learning gaps and ensure students are prepared for the transition into a de-streamed Grade 9 curriculum. **[update within existing allocation]**
  - The new \$2.5 million **Demographic Data Gathering Allocation** within the School Board Administration and Governance Grant to support school board capacity to collect, analyze and use voluntary student and workforce demographic data. **[new allocation]**
- Expiration of the **COVID-19 Learning Recovery Fund** and the **Teacher Job Protection Funding Allocation**. **[removed allocations]**
- Other changes to GSN funding that will be affecting the base fees, including labour-related changes such as updates to salary benchmarks and benefits funding amounts, and updates associated with keeping up with costs (e.g. updates to non-staff benchmarks).

Refer to Appendix A for details on the allocations that are included, partially included or excluded from the elementary and secondary base fee calculations. The 2023-24 elementary and secondary base fees for each school board, based on school boards' estimates, will be posted on the ministry's website.

# SECTION 1: INFORMATION FOR FIRST NATIONS

## A. Ensuring Eligibility

This section outlines eligibility requirements set out in the *Education Act* and related regulations required to initiate the REA.

This section includes:

- ✓ Eligibility requirements for entities that operate First Nation schools
- ✓ Eligibility requirements for First Nation schools
- ✓ Information and timelines for providing documentation that demonstrates school eligibility
- ✓ Eligibility criteria for students who wish to attend a First Nation school under the REA
- ✓ Eligibility criteria for students who wish to attend a school of a school board under the REA

Table 1: Summary of Eligibility

<b>Entities that operate First Nation schools</b>
<p>The <i>Education Act</i> specifies the entities that:</p> <ul style="list-style-type: none"> <li>• operate schools which may participate in the REA (i.e. an “eligible school”), and</li> <li>• would be required to provide written notice to initiate the REA process (for a student to attend a First Nation school or a school of a school board).</li> </ul> <p>These entities are:</p> <ul style="list-style-type: none"> <li>• a band,</li> <li>• a council of a band,</li> <li>• the Crown in right of Canada, or</li> <li>• an education authority that is authorized by a band, a council of a band, or the Crown in right of Canada</li> </ul> <p>(hereafter referred to as “First Nation Entity(ies)”) </p>
<b>Eligibility Requirements for First Nation Schools</b>

**Note:** First Nation school eligibility is not applicable where a student wishes to attend a school of a school board under the REA. “First Nation schools” is a term used in this document to describe schools that are operated by a First Nation Entity and are located on- or off-reserve.

Please refer to the list of eligible schools is provided on the ministry [website](#) for the most up-to-date and accurate list of eligible schools to participate in REA.

If a First Nation school is not listed on the ministry [website](#) and wishes to participate in the REA, the following requirements must be met:

Requirement(s)	1) The school must be operated by a First Nation Entity.
	2) The school does not charge tuition to students or their parents or guardians. <sup>2</sup>
Supporting Documentation	<p>1) Band councils will be required to submit a Band Council Resolution. Tribal Councils and Education Authorities must be incorporated and will be required to submit a board resolution or declaration.</p> <ul style="list-style-type: none"> <li>• This documentation must state that the First Nation entity providing the documentation operates the school and must include the name of the school and the legal and operating name (if the operating name is different than the legal name) of the entity.</li> </ul> <p>2) Schools are required to submit an attestation that confirms the school does not charge tuition to students or their parents or guardians for elements of a classroom education that are required by, and generally common to, all students.</p> <p><i>Required documentation must be submitted to the Indigenous Education Office of the Ministry of Education at <a href="mailto:IEO@ontario.ca">IEO@ontario.ca</a> by October 30th of a given school year to be eligible for that school year and each subsequent school year.</i></p>

<sup>2</sup> Schools that charge tuition fees for students to other public entities (e.g., provincially-funded school boards, the federal government or other First Nations), and fees for room and board would still satisfy this requirement.



Confirmation of Eligibility	<p>Upon receipt, the ministry will review the documentation to confirm the requirements have been met. This is a one-time requirement for each school.</p> <p>Once eligibility has been confirmed, schools will be included on a list of eligible schools on the ministry's <a href="#">website</a>.</p> <p>First Nation entities are required to provide the ministry with notification if an eligible First Nation school is no longer in operation or if they no longer meet the eligibility requirements (e.g., there is a change to the tuition fee policy that makes the school ineligible for the REA).</p>
<b>Student eligibility criteria for students who attend, or wish to attend, a First Nation school under the REA</b>	
Requirements	<ul style="list-style-type: none"> <li>• A pupil of the board, or</li> <li>• A person under the age of 21 years old<sup>3</sup> who is a resident of Ontario, and who is eligible to be a pupil of the board<sup>4</sup> in accordance with O. Reg. 261/19 (Reciprocal Education Approach).</li> </ul>
Supporting Documentation	<ul style="list-style-type: none"> <li>• Supporting documentation will be required to demonstrate the following: <ul style="list-style-type: none"> <li>○ Right to permanently remain in Canada (e.g., band membership, citizenship status); and</li> </ul> </li> <li>• A resident of Ontario (i.e., home address).</li> </ul>
Confirmation of Eligibility	<ul style="list-style-type: none"> <li>• For each student, school boards will be required to confirm eligibility requirements at the time of registration of the student with a school of the school board.</li> <li>• A complete written notice form is required to initiate the REA.</li> </ul>
<b>Student eligibility criteria for students who attend, or wish to attend, a school of a school board under the REA</b>	
Requirement(s)	<ol style="list-style-type: none"> <li>1. The student is eligible to receive funding for elementary or secondary education from the federal government, a band, a council of a band, or an education authority that is authorized by a band or a council of a band or by the federal government.</li> </ol>

<sup>3</sup> For the purposes of student eligibility for the REA, a person who turns 21 years old on or after January 1 of a given school year is deemed to be under 21 years of age.

<sup>4</sup> For the purposes of the REA, the parent/guardian is not required to live within the catchment area of the school board for the pupil to be admitted as a pupil of the board.

	2. The student ordinarily resides on a reserve within the meaning of the <i>Indian Act</i> (Canada).
Supporting Documentation	The eligibility requirements noted above are demonstrated by way of the written notice form which is delivered to the school of a school board.
Confirmation of Eligibility	First Nation entities are responsible for confirming student eligibility criteria on the written notice form.

## B. Admission of Students Under the REA

This section outlines what is required to initiate a school board's obligations under the REA.

This section outlines:

- ✓ The written notice process, including:
  - Completing and submitting the written notice forms
  - Registering with a school of a school board

**Note:** Admission of eligible students to First Nation schools is subject to the First Nation Entity's/First Nation school's admission policies.

### ***The Written Notice Process***

The purpose of the written notice is to initiate a school board's obligation to support an eligible student's admission to an eligible First Nation school or to admit an eligible student to a school of a school board.

Written notice must be provided for each student as a one-time requirement. Generally, this means that the written notice will not be required in future years for that student, unless the participating First Nation entity changes, or the student changes First Nation schools, or moves to a new school board.

A template for written notice that may be used is on the ministry's [website](#).

Two written notice templates are available. Ensure you select the correct template. This will be either:

- [written notice for eligible students to attend an eligible First Nation school](#); or
- [written notice for eligible students to attend a school of a school board](#)

Written notice provided in any format is valid if it includes all the mandatory fields and signatures, including the consent and notice of collection of personal information, as indicated in the written notice template on the ministry's website.

## Completing and Submitting the Written Notice

The following persons must complete all mandatory sections of the written notice:

1. the First Nation entity<sup>5</sup>; **and**
2. one of the following:
  - a. the parent, or
  - b. the guardian<sup>6</sup>, or
  - c. in some instances, the student<sup>7</sup>; or
  - d. Another Authorized Person, as follows:
    - i. An adult person who is authorized by the parent, guardian or student (as noted in a, b and c above) to provide the notice<sup>8</sup>; or
    - ii. An adult person who facilitates the student's access to education; or
    - iii. An adult person from the student's extended family, as defined in the *Child, Youth and Family Services Act, 2017*:

*“extended family” means persons to whom a child is related, including through a spousal relationship or adoption and, in the case of a First Nations, Inuk or Métis child, includes any member of,*

*a band of which the child is a member,*

*a band with which the child identifies,*

*a First Nations, Inuit or Métis community of which the child is a member, and*

*a First Nations, Inuit or Métis community with which the child identifies.*

Parents, guardians, students and/or Another Authorized Person are advised to work with their Band, Tribal Council, Education Authority or the federal government, as the case may be, to complete these forms.

Written notice must be delivered by the First Nation entity **or** the parent, guardian, or student or Another Authorized Person to the school of a school board at which the student is currently registered or planning to register.

For a student residing off-reserve wishing to attend a First Nation school:

- Written notice must be delivered to the school of a school board at which the student is registered or is planning to register (i.e. a school in the catchment

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<sup>5</sup> Refer to Section 1, Table 1: Summary of Eligibility.

<sup>6</sup> Guardian, in this context, means a person defined in section 18 of the *Education Act*. This is either a legal guardian (other than a parent) or anyone who has received into their care or residence, a person of compulsory school age (aged 6 to 18).

<sup>7</sup> The student may provide written notice if they are 16 or 17 and have withdrawn from parental control or 18 years of age or older.

<sup>8</sup> See above footnotes for explanations and definitions of guardian and student in this instance.

area in which the student currently resides).

- If the student does not reside within the catchment area of **any** board, written notice must be delivered to a school of a school board that is nearby. Where there are coterminous school boards (boards whose catchment areas overlap), the notice should be delivered to the English-language public school board.
- If the student was not previously enrolled/registered, the school of the school board which receives the written notice must verify the student's eligibility in accordance with the ministry's enrolment policies as set out in the [2023-24 Enrolment Register Instructions for Elementary and Secondary Schools](#). See information regarding registering at a school of a school board, below.

For a student residing on-reserve wishing to attend a school of a school board:

- Written notice must be delivered to the school of a school board at which the student is registered or is planning to register.
- If the student is not already registered with a school of a school board, the student must register at the school where the written notice form was delivered in accordance with the ministry's enrolment policies as set out in [2023-24 Enrolment Register Instructions for Elementary and Secondary Schools](#). See information regarding registering at a school of a school board, below.
- Please note that the REA ensures admission to a school of the board but does not guarantee admission to a specific school (i.e., admission to a specific school may be subject to space availability).

The written notice may be submitted by post mail, electronic mail, facsimile (fax) or hand-delivered.

- It is the responsibility of the First Nation entity or the parent, guardian, student and/or Another Authorized Person to ensure the school receives the written notice. If you have not received confirmation within 10 business days, follow up directly with the school to confirm receipt of the written notice.

The written notice may be delivered to the school of the board at any time during the school year. Outside of the school year, please deliver the written notice to the school board responsible for the school. Refer to Section 1, Part C: *Payment and Fees Charged to First Nation Entities for Students* for information about how students will be funded based on admission timelines.

### *Registering with a School of a School Board*

For a student residing off-reserve wishing to attend a First Nation school under the REA:

- The school of a school board must verify the student's eligibility to support the

flow of funding from the school board to the First Nation entity operating the First Nation school.

- If the student is not currently registered as a student with a school of a school board, the student should be advised to register at the school of the school board where the written notice form was delivered. The written notice can also be submitted at the time of registration.
- To register with a school of a school board, the parent, guardian, student, or Another Authorized Person must demonstrate that the student is eligible to be enrolled as a pupil of the board.
- The student and their parent, guardian or Another Authorized Person will be required to provide documentation demonstrating the following:
  - Their right to permanently remain in Canada (e.g., band membership, citizenship status); and
  - Their residency in Ontario (e.g., home address(es)).
- A student who is currently enrolled at a school of a school board prior to delivering the written notice is only required to deliver a complete written notice to the school in which the student is currently enrolled. No further action is required from the school board, aside from removing the student from the day school enrolment register and placing the student on the Student Information Report. The student may begin attending the First Nation school, subject to that First Nation school's admission policies.

For a student residing on reserve wishing to attend a school of a school board:

- If the student is not already registered with a school of a school board, the student must ensure the written notice is delivered to, and they must register at, the school they intend to attend.
- The student and their parent, guardian or Another Authorized Person will be required to provide documentation supporting the student's enrolment at the school of the school board. Please work with the school's office administrator regarding the school board's admission policies.
- A student who is currently registered or attending a school of a school board is only required to deliver a complete written notice form to the school in which the student is currently registered or attending. No further action is required.

## C. Payment and Fees Charged to First Nation Entities for Students

This section outlines how payment and fees charged to First Nation entities will be calculated and processed.

This section includes:

1. School board obligations
2. Calculation of the elementary and secondary base fees
3. Payment processes
4. Student Enrolment List
5. Submission of the Student Enrolment List
6. Determining full-time equivalency (FTE) status
7. Payment timelines for First Nation entities and/or schools

### *School Board Obligations*

Under the REA, provided eligibility requirements are met and complete written notice has been received, a school board is required to register the student and provide elementary or secondary base fee funding for each student attending an eligible First Nation school, or to admit the student and charge the elementary or secondary base fee to the First Nation entity for each student attending a school of a school board.

### *Calculation of the Elementary and Secondary Base Fees*

The “base fee” is the amount that a school board is required to pay a First Nation entity that operates the First Nation school an elementary or secondary student is attending under REA, and is the same amount that the school board is required to charge the First Nation entity for a First Nation elementary or secondary student who ordinarily resides on reserve attending a school of a school board.

The elementary and secondary base fees, unique to each school board, are per pupil amounts updated annually and set out in regulation. There is one base fee for elementary students and one base fee for secondary students in each school board. School boards do not determine their elementary or secondary base fee. Base fees are determined using a standardized calculation that is based on the Grants for Student Needs (GSN) funding formula, which is the provincial operating funding provided to school boards. The GSN funding formula is intended to provide equitable levels of funding for students across the province. The base fees are based on the same principles as the GSN and, where applicable, the same funding formulas.

For further details, see O. Reg. 261/19 (Reciprocal Education Approach), the annual Fees regulation and the base fee calculations set out in the Enrolment section of the annual Education Funding Technical Paper.

The elementary and secondary base fee amounts are:

- Unique to each school board;
  - The base fee calculations are based on funding for the school board to which written notice has been provided.
  - In the case where a student wishes to attend a First Nation school, this would generally be the school board in which the student is currently enrolled. However, if the student is not currently enrolled in a school of a school board, it would be,
    - The school board catchment area within which the student and their parent or guardian currently reside; or
    - Where the student and their parent or guardian do not reside in any school board's catchment area, a nearby board.
- Per pupil amounts, which will be the same for each elementary or secondary full-time student registered during the regular school day with any given school board; and
- Different amounts each year, as school board enrolment and other circumstances change and as the province updates the funding formula.

A list of each school board's elementary and secondary base fees, based on their estimates for the given school year, will be posted on the ministry's website in advance of each school year.

Please see Appendix A for details on the GSN allocations that are included, partially included or excluded from the 2023-24 elementary and secondary REA base fee calculations.

**Note:** Where a student is attending, or wishes to attend, a First Nation school, an agreement may be negotiated for the provision of additional services and supports for which funding may be provided in addition to the base fee. Where a student is attending, or wishes to attend, a school of a school board, O. Reg. 261/19 (Reciprocal Education Approach) specifies the additional services and supports for which a board may charge a First Nation entity in addition to the base fee. Refer to Section 3: *Information for All* for more information.

### *Payment Processes*

To help ensure transparent processes for all parties, the ministry has established a standardized payment process for flowing funds and charging fees to First Nation entities.

To support the funding flowed and fees charged to First Nation entities, students attending First Nation schools and schools of school boards will be identified on an ongoing basis each year. This will help initiate the payment process and will be based

on student enrolment on two dates in each school year, referred to as “count dates”.

### *Student Enrolment List*

Entities operating First Nation schools (and/or First Nation schools) and school boards will be required to provide a **complete** list of students attending their respective schools under the REA as documentation that students are active as of the count dates (last school day of October and March) of a given school year.

This Student Enrolment List must include the following information:

- Ontario Education Number (OEN);
- The student’s surname and first name;
- Date of birth;
- Grade level;
- The name of the school the student is attending
- School semester type; and,
- Full-Time Equivalency (FTE) status based on the student’s scheduled time for day school programming (see Table 2: *Determining FTE Status* for calculation details).

First Nation schools and school boards are also encouraged to provide student timetables as part of the verification process for funding purposes.

The Student Enrolment List must also meet the following requirements specified below.

Where a student is attending a First Nation school:

- The First Nation school (or First Nation entity operating that school) submits a Student Enrolment List to each “home” school board for payment purposes. Payments can only be provided for students by the school board at which they are registered. The First Nation entity or First Nation school must identify the students by their “home” school board and include the OEN number assigned to that student.
  - The Student Enrolment List must be provided to the school board based on the timelines specified in *Table 3: Summary of Documentation Requirements and Payment Timelines* and *Table 4: Summary of Payment Cycle*. Late submissions will be processed as part of the subsequent payment cycle. For example, if valid documentation to support the second payment is submitted past the deadline specified in Table 3, the payment will be processed as part of the third payment cycle. If the submission is late by more than one year, the school board should contact the [Finance Officer](#) (FO) assigned to the board and submit the prior year information separately from the current year submission.
- The list must include an attestation from the First Nation entity or First Nation school confirming the data accurately reflects the active students at the time of the



count date.

Where a student is attending a school of a school board:

- School boards must submit one consolidated Student Enrolment List to each First Nation entity within 30 days following the two count dates in each school year (last school day of October and March).
  - This means that First Nations will be charged for students attending a school of a school board twice per school year.
  - Boards will be asked to set payment deadlines of 90 days within submission of the Student Enrolment Lists.
- The list must include an attestation by the Director of Education of the school board confirming that the list accurately reflects the active pupils at the time of the count date.

Where a student is attending a school of the school board under the REA, the school board may provide other documentation (e.g., copy of the written notice form, confirmation of the student's status) to the First Nation entity as requested, and in accordance with the school board's policies and its obligations under relevant legislation, including the *Education Act* and the *Municipal Freedom of Information and Protection of Privacy Act*.

A sample Student Enrolment List template is provided as Appendix D for reference.

### *Submission of the Student Enrolment List*

Where a student is attending a First Nation school:

- The First Nation school (or First Nation entity operating that school) will need to send the Student Enrolment List to the attention of both the Supervisory Officer responsible for Indigenous Education and the Business Supervisory Officer at the school board office for payment purposes. This document may be submitted electronically or by post.
- Include payment information with the submission of your Student Enrolment List so that school board can make payments per the payment schedule timeline.

Where a student is attending a school of a school board:

- School boards are directed to send the Student Enrolment List to the First Nation entity named on the written notice form submitted for each student, and to the attention of the contact named on the same form.
- The Student Enrolment List must include payment information with the submission so that First Nation entities will be able to arrange payment accordingly.
- To make alternative arrangements for the submission of documentation or

payment, First Nation entities are asked to work directly with the school boards. The First Nation entity is responsible for reviewing the submission and validating the components to their satisfaction.

Table 2: Determining Full Time Equivalent (FTE) Status

### **Where a student is attending a First Nation school**

If the number of minutes of instruction for which the student is enrolled is equal to or greater than an average of 210 minutes per day, the FTE status for that student is deemed to be a full-time student for that count date (i.e. the FTE status equals 1 on the last school day of October or March of a given school year).

If the number of minutes of instruction for which the student is enrolled is less than an average of 210 minutes per day, the FTE status is determined by taking the number of minutes of instruction for which the student is enrolled in a day school program in a First Nation school on the last school day of October or March of each school year and dividing that figure by 300 (which is the minimum number of instructional minutes that school boards are required to provide to their students).

The student's FTE Status is the average of the FTE status determined on both the October and March count dates of a given school year.

Note: If a First Nation school is providing remote learning, and chooses to submit student timetables, please note that they should reflect student schedules as if students were to return to in-class instruction for the 2023-24 school year.

### **Where a student is attending a school of a school board**

Following the provincial guidelines, as outlined in the annual Calculation of Average Daily Enrolment (ADE) regulation, generally, if the number of minutes of instruction for which the student is enrolled is equal to or greater than an average of 210 minutes per day<sup>9</sup>, the FTE status for that student is deemed to be a full-time student (i.e. the FTE status equals 1).

If the number of minutes of instruction for which the student is enrolled is less than an average of 210 minutes per day, the FTE status is determined by taking the number of minutes for which the student is enrolled in a day school program in a provincially funded school in a cycle, divided by the product of 300 minutes multiplied by the number of days in the cycle<sup>10</sup> on the last school day of October or March of each school year.

<sup>9</sup> If a student is a supervised alternative learning pupil, then the student is only required to be enrolled in classroom instruction for an average of 70 minutes or more per day to be considered a full-time student.

<sup>10</sup> Cycle means the number of school days for which a schedule of classes in a school continues before the schedule is repeated.

### Payment Timelines for First Nation Entities and/or Schools

The table below provides a summary of the payment timelines and associated documentation requirements for First Nation entities and/or First Nation schools.

**Important Note:** Funding can only be provided for students and schools with documented eligibility requirements in place. Refer to Section 1, Part A: *Ensuring Eligibility* for details on how students and schools must document eligibility and important timelines impacting payments.

Table 3: Summary of Documentation Requirements and Payment Timelines

Payment Description	First Nation Entity and/or First Nation School Documentation Requirements	Due Date to School Board	Payment Schedule* (from school boards to First Nation entities)
Preliminary payment	<b>Completed written notices</b> provided to a school of a school board <b>and/or number of students on existing RESAs.</b>	For the purposes of the preliminary payment, only those written notices received no later than <b>September 30 of each year</b> will be counted.  <i>Note:</i> Written notices may be submitted and processed at any time during the school year.	First week of December
Second payment	<b>Student Enrolment List</b>	<b>Last business day in November</b>	First week of March
Third payment	<b>Student Enrolment List</b>	<b>Last business day in April</b>	First week of August
Fourth Payment <i>(Not required for schools which adopted a conventional model and submitted for third payment)</i>	<b>Student Enrolment List</b>	<b>Last business day in July</b>	First week of November

\*This payment schedule reflects the payment school boards are required to make to First

Nation entities based on documentation available at the time of processing.

Table 4: Summary of Payment Cycle

	<b>Covering period</b>	<b>Conventional model</b>	<b>Quadmester/Octomester model</b>
Preliminary Payment	September 1 to November 30	Based on <b>estimated</b> registration of eligible students at each eligible First Nation school.	Based on <b>estimated</b> registration of eligible students at each eligible First Nation school.
Second Payment	December 1 to March 31  - A reconciliation of preliminary payment will be made.	Based on total <b>actual</b> FTE of <i>active students</i> at each First Nation school at the <b>October</b> count date.	Based on total <b>estimated</b> FTE of <i>active students</i> at each First Nation school at the <b>October</b> count date.
Third Payment	April 1 to June 30  - A reconciliation of second payment will be made.	Based on total <b>actual</b> FTE of <i>active students</i> at each First Nation school at the <b>March</b> count date.	Based on total <b>actual</b> FTE of <i>active students</i> at each First Nation school at the October 31 count date and total <b>estimated</b> FTE of <i>active students</i> at each First Nation school at the <b>March</b> count date.
Fourth Payment  <i>(Not required for schools which adopted a conventional model and submitted for third payment)</i>	April 1 to June 30  - A reconciliation of second/third payment will be made.	Based on total <b>actual</b> FTE of <i>active students</i> at each First Nation school at the <b>March</b> count date.	Based on total <b>actual</b> FTE of <i>active students</i> at each First Nation school at the <b>March</b> count date.

# SECTION 2: INFORMATION FOR SCHOOL BOARDS

## A. Ensuring Eligibility

This section outlines eligibility requirements set out in the *Education Act* and related regulations and the school board’s responsibilities regarding the REA.

This section includes:

- ✓ Eligibility requirements for entities that operate First Nation schools
- ✓ Eligibility requirements for First Nation schools
- ✓ Eligibility criteria for students who ordinarily reside off-reserve and who attend, or wish to attend a First Nation school
- ✓ Eligibility criteria for students who ordinarily reside on-reserve and who attend, or wish to attend, a school of a school board

For each First Nation school, confirmation of eligibility is a one-time requirement.

Table 1: Summary of Eligibility

<b>Entities that operate First Nation schools</b>	
<p>The <i>Education Act</i> specifies the entities that:</p> <ul style="list-style-type: none"> <li>• operate schools which may participate in the REA (i.e. an “eligible school”), and</li> <li>• must provide written notice to initiate the REA process (for a student to attend a First Nation school or a school of a school board).</li> </ul> <p>These entities are:</p> <ul style="list-style-type: none"> <li>• a band,</li> <li>• a council of a band,</li> <li>• the Crown in right of Canada, or</li> <li>• an education authority that is authorized by a band, a council of a band, or the Crown in right of Canada</li> </ul> <p>(hereafter referred to as “First Nation Entity(ies)”) </p>	
<b>School eligibility requirements for First Nation Schools to participate in REA</b>	
Requirement(s)	1) The school must be operated by a First Nation Entity.

<p>*Note that First Nation school eligibility is not relevant where a student who ordinarily resides on-reserve attends, or wishes to attend, a school of a school board under the REA.</p>	<p>2) The school does not charge tuition to students or their parents or guardians for elements of a classroom education that are required by, and generally common to, all students.</p>
<p>Confirming Eligibility</p>	<p>A list of eligible schools is published on the ministry <a href="#">website</a>. School boards must verify that the school is on the list of eligible schools for the REA. If the school cannot be verified, contact the ministry’s Indigenous Education Office.</p>
<p><b>Student eligibility criteria for students to attend a First Nation school under REA</b></p>	
<p>Requirements</p>	<p>Person must be:</p> <ul style="list-style-type: none"> <li>• A pupil of the board, or</li> <li>• A person under the age of 21 years old<sup>11</sup>, who is resident of Ontario, and who is <i>eligible</i> to be a pupil of the board<sup>12</sup> (i.e., not an “other pupil”).</li> </ul>
<p>Confirming Eligibility</p>	<p>School boards must verify that the student is eligible to be registered as a <i>pupil of the board</i> in accordance with the ministry’s enrolment policies.</p>
<p><b>Student eligibility criteria for a student to attend a school of a school board under REA</b></p>	
<p>Requirement(s)</p>	<ol style="list-style-type: none"> <li>1. The student is eligible to receive funding for elementary or secondary education from the federal government, a band, a council of a band, or an education authority that is authorized by a band or a council of a band or by the federal government; and</li> <li>2. The student ordinarily resides on a reserve within the meaning of the <i>Indian Act</i> (Canada).</li> </ol>

<sup>11</sup> For the purposes of student eligibility for the REA, a person who turns 21 years old on or after January 1 of a given school year is deemed to be under 21 years of age.

<sup>12</sup> For the purposes of the REA, the parent /guardian is not required to live within the catchment area of the school board for the pupil to be admitted as a pupil of the board.

Confirming Eligibility	<ul style="list-style-type: none"> <li>• These eligibility requirements must be demonstrated in the written notice form delivered to the school of a school board. The First Nation entity will be required to confirm eligibility and residence for funding purposes through these fields in the written notice.</li> <li>• School boards will be expected to register the student in accordance with the ministry’s enrolment policies.</li> </ul>
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## B. Admission of Students Under the REA

This section outlines what is required of school boards under the REA. This section outlines:

- ✓ The written notice process, including:
  - Validating the written notice
  - Registration of students

Note: Admission of eligible students to First Nation schools is subject to the First Nation Entity’s/First Nation school’s admission policies.

### *Written Notice Process*

The purpose of the written notice is to initiate a school board’s obligation to support an eligible student’s admission to an eligible First Nation school, or to admit an eligible student to a school of a school board.

Provided the requirements have all been met, upon receipt of the written notice, the school board is required to:

- Ensure the student is registered at a school of a school board, or
- Provide or charge the base fee funding to the First Nation entity for the student.

Written notice must be submitted for each student under the REA and is a one-time requirement. Generally, this means the written notice will not be required in future years for that student, unless the First Nation entity that is participating in the REA changes, the student attends another First Nation school, or moves to a new school board.

The written notice is to be completed by:

1. the First Nation entity<sup>13</sup>; **and**
2. one of the following persons:

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<sup>13</sup> Refer to Section 1, Table 1: Summary of Eligibility for the list of First Nation Entities which may provide notice.

- a. the parent, or
- b. the guardian<sup>14</sup>, or
- c. in some instances, the student<sup>15</sup>; or
- d. Another Authorized Person:
  - i. An adult person who is authorized in writing by the parent, guardian or student to provide the notice<sup>16</sup>; or
  - ii. An adult person who facilitates the student's access to education; or
  - iii. An adult person from the student's extended family, as defined in the *Child, Youth and Family Services Act, 2017*:
    - *“extended family” means persons to whom a child is related, including through a spousal relationship or adoption and, in the case of a First Nations, Inuit or Métis child, includes any member of,*
      - *a band of which the child is a member,*
      - *a band with which the child identifies,*
      - *a First Nations, Inuit or Métis community of which the child is a member, and*
      - *a First Nations, Inuit or Métis community with which the child identifies.*

First Nation entities and parents, guardians, students and/or Another Authorized Person are to send the written notice to the school of a school board at which the student is currently registered (i.e., as a pupil of the board or on an existing or expired ESA) or where the student intends to register. If the student is not registered with a school of a school board, the student must register at the school of the school board where the written notice has been or will be delivered.

Written notice may be submitted by post mail, electronic mail, facsimile (fax) or hand-delivered.

Templates of the written notice templates that may be used are available on the ministry's [website](#).

Written notice provided in any format is valid if it includes all the mandatory fields and signatures, including the consent and notice of collection of personal information, as indicated in the written notice template on the ministry's website.

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<sup>14</sup> Guardian, in this context, means a person defined in section 18 of the *Education Act*. This is either a legal guardian (other than a parent) or anyone who has received into their care or residence, a person of compulsory school age (aged 6 to 18).

<sup>15</sup> The student may provide written notice if they are 16 or 17 and have withdrawn from parental control or 18 years of age or older.

<sup>16</sup> See above footnotes for explanations and definitions of guardian and student in this instance.



School boards are responsible for ensuring that the consent and notice of collection of personal information in written notice includes contact information for an officer or employee of the school board who can answer questions about the collection of personal information. School boards are also responsible for making any necessary adjustments to the consent and notice of collection as may be required to comply with their obligations, including any under the *Education Act* and the *Municipal Freedom of Information and Protection of Privacy Act*.

### *Validating the Written Notice*

Upon receiving the written notice, schools must ensure that:

- The written notice has been submitted, this will be either:
  - The mandatory content in the form for students wishing to attend a First Nation school; or
  - The mandatory content in the form for students wishing to attend a school of a school board.
- All the mandatory fields for Entities and parents, guardians, students, or Another Authorized Person, and signatures in the written notice have been completed;
  - Both the First Nation Entity<sup>17</sup>, and
  - the parent, guardian<sup>18</sup>, in some instances the student,<sup>19</sup> or Another Authorized Person have completed the mandatory sections of the written notice.
- Where a student wishes to attend a First Nation school, the school that the student intends to attend is an eligible school (please see list of [eligible schools](#)).
- Where a student wishes to attend a school of a school board, schools are to consider the student as eligible for the REA in this context if the First Nation entity has signed off on the two student eligibility fields in the written notice, as follows:
  - The above-named pupil is eligible to receive funding from the Crown in right of Canada, or a band, a council of a band, an education authority that is authorized by a band or a council of a band or by the Crown in right of Canada.
  - The above-named pupil ordinarily resides on a reserve within the meaning of the *Indian Act* (Canada).

Schools are responsible for notifying First Nation entities and parents, guardians, students or Another Authorized Person named on the written notice form of any components of the

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<sup>17</sup> Refer to Section 2, Table 1: Summary of Eligibility for a list of First Nation Entities that may provide written notice to the school board to initiate the REA.

<sup>18</sup> Guardian” in this context means a person defined in section 18 of the *Education Act*. This is either a legal guardian (other than a parent), or anyone who has received into their care or residence, a person of compulsory school age.

<sup>19</sup> The student may provide written notice if they are 16 or 17 and have withdrawn from parental control or 18 years of age or older.

form that are incomplete.

School boards must retain a copy of the written notice forms for auditing purposes for the current school year plus two previous school years.

### *Registration of Students*

For a student residing off-reserve wishing to attend a First Nation school:

- If a student was not previously enrolled with a school of a school board, the school will need to verify the student's eligibility in accordance with the Ministry of Education's enrolment policies set out in the [2023-24 Enrolment Register Instructions for Elementary and Secondary Schools](#). If a complete written notice form is provided, and the student demonstrates that they are under the age of 21 years old, a resident of Ontario and eligible to be registered as a pupil of the board, the school board **must** enrol the student by including the relevant information in the **Student Information Report**. The Student Information Report acts as an enrolment register for these students. **These students must not be included on the enrolment register for day school students**. Please refer to *Table 1: Summary of Eligibility* for further information on student eligibility.
- If written notice is received for a current pupil of the board, that student must be removed from the enrolment register for day school students and placed on the **Student Information Report** once that student starts to attend the First Nation school. The student may begin attending the First Nation school on the later of the two dates specified on the written notice, subject to that First Nation school's admission policies.
  - Refer to Section 2, Part C – *Payment and Fees Charged to First Nation Entities for Students* under the heading *School Board Administrative Processes* for further information about documenting and reporting these students for funding purposes.
- Schools will be required to retain the documentation supporting enrolment (registration/attestation information and the Student Enrolment Lists provided by First Nations) and copies of the written notice for each student for the current and the previous two school years for auditing purposes.

For a student wishing to attend a school of a school board:

Provided that the eligibility requirements are demonstrated in the written notice, described above, the school board will be required to register the student as an "other pupil" in accordance with the enrolment policies set out in the [2023-24 Enrolment Register Instructions for Elementary and Secondary Schools](#).

- Please note that once complete written notice is provided, which demonstrates that the student is eligible to attend a school of a school board under the REA, the school board must register the student.

- Schools will be required to retain the documentation supporting enrolment and copies of the written notice for each student to support the invoicing process with the First Nation entity.
- In the case where a student is currently registered as an “other pupil” at the school of a school board prior to delivering the written notice, there is no further action required by the school board in terms of registration (refer to Section 2, Part C – *Payment and Fees Charged to the First Nation Entities for Students*). The student may begin attending the school of the school board where the written notice was delivered.

### *Ontario Student Record (OSR)*

The written notice form submitted to a school of a school board includes key information and obligations in Section 1 to support the complete registration and transfer of a student, including:

- the student’s OEN number, if available, and
- a commitment to, or a request from, the First Nation entity to transfer the student’s Ontario Student Record.

It is not necessary to use the written notice form in order to request transfer of a student’s OSR. Any written request that sets out the information needed as outlined in the OSR guideline, should be acted upon.

If a student will be attending a school of a school board, the board is encouraged to contact the First Nation entity to confirm if an OSR exists for the student in question and request the First Nation entity transfer the record if it exists.

If it has been ascertained that an OSR does not exist or is not available, then the board should create an OSR for the student for its own records (student will be attending a school of the school board) or create and prioritize the transfer of the new OSR to the First Nation entity that operates the school the student intends to attend.

As detailed in the Ontario Student Record (OSR) Guideline, First Nation-operated and federally-operated schools may, but are not required to, establish and maintain an OSR for their students.

### *Ontario Education Number (OEN)*

In the case where an OEN was not provided in the Written Notice Form, it is recommended that the board contact the respective First Nation school to confirm if an OEN exists for the student in question. If not, the board should search the OEN

Registry to verify that an OEN was never assigned to the student by another school. If it has been ascertained, from both sources, that an OEN was not previously provided, then the board should assign an OEN to the student. The new OEN should then be shared with the First Nation entity that operates the school the student intends to attend.

School boards are encouraged to take the steps above for both students transferring from within the school board's jurisdiction, and those transferring from outside the school board's jurisdiction (i.e. First Nation- or federally-operated schools), respectively.

### **C. Payment and Fees Charged to First Nation Entities for Students**

This section outlines how funding and fees charged to First Nation entities operating a First Nation school will be calculated and processed.

This section includes:

- ✓ School board obligations
- ✓ Calculation of the elementary and secondary base fees
- ✓ Payment processes
- ✓ School board administrative processes
- ✓ Student Enrolment List
- ✓ Submission of the Student Enrolment List
- ✓ Determining FTE status
- ✓ Summary of school board reporting and payment schedule
- ✓ Summary of payment cycle descriptions
- ✓ Audits

#### *School Board Obligations*

Under the REA, provided eligibility requirements are met and complete written notice has been received, a school board is required to provide base fee funding for each student attending an eligible First Nation school, or admit, and charge the elementary or secondary base fee for, each student attending a school of a school board to the First Nation entity. The ministry will provide base fee funding to school boards to support the base fee payments to First Nation entities.

#### *Calculation of the Elementary and Secondary Base Fees*

The "base fee" is the amount that a school board is required to pay a First Nation entity that operates the First Nation school an elementary or secondary student is attending under REA, and is the same amount that the school board is required to charge the First Nation entity for a First Nation elementary or secondary student who ordinarily resides on reserve attending a school of a school board.

The elementary and secondary base fees, unique to each school board, are per pupil amounts updated annually and set out in regulation. There is one base fee for elementary students and one base fee for secondary students in each school board. Base fees are determined using a standardized calculation that is based on the Grants for Student Needs (GSN) funding formula, which is the provincial operating funding provided to school boards. The GSN funding formula is based on several factors and is intended to provide equitable levels of funding for students across the province. The base fees are based on the same principles as the GSN and, where applicable, the same funding formulas.

For further details, see section 4 of the O. Reg. 261/19 (Reciprocal Education Approach), the annual Fees regulation and the base fee calculations set out in the Enrolment section of the annual Education Funding Technical Paper.

A list of each school board's elementary and secondary base fees, based on estimates for the given school year, will be posted on the ministry's website in advance of each school year. School boards will also have access to their base fee calculations through the Education Financial Information System (EFIS).

Please see Appendix A for details on the GSN allocations that are included, partially included or excluded from the 2023-24 elementary and secondary REA base fee calculations.

Note: Where a student is attending, or wishes to attend a First Nation school, an agreement may be negotiated for the provision of additional services and supports in which funding may be provided in addition to the base fee. Where a student is attending or wishes to attend a school of a school board, O. Reg. 261/19 (Reciprocal Education Approach) specifies the additional services and supports for which a board may charge a First Nation entity, in addition to the base fee. Refer to Section 3: *Information for All* for more information.

### *Payment Processes*

To help ensure a transparent process for all parties, the ministry has established a standardized payment process for flowing funds and charging fees to First Nation entities. This includes specific documentation requirements and submission timelines which apply to school boards and First Nation entities and/or schools.

To support the flowing of funds and charging of fees to First Nation entities, students attending First Nation schools and schools of school boards will be identified on an ongoing basis each year. This will help initiate the payment process and will be based on enrolment on two dates in each school year, referred to as "count dates".

**Important Note:** Funding will be provided only for students and schools with documented eligibility requirements in place. Refer to Section 2, Part A: *Ensuring*

*Eligibility* for further details regarding eligibility and refer to Table 3: *Summary of School Board Reporting and Payment Schedules* and Table 4: *Summary of Payment Cycle* for timelines impacting payments.

### *School Board Administrative Processes*

School boards must establish administrative processes to ensure accurate, up-to-date information is reported to the ministry in accordance with the established deadlines. This will require:

- Regular collection of REA student registration information from schools for consolidated ministry reporting (i.e., written notice forms and related data to complete ministry reporting);
  - Schools will be required to retain copies of the written notice forms, student registration information and Student Enrolment Lists in accordance with ministry auditing guidelines as outlined in the [Enrolment Register Instructions for Elementary and Secondary Schools](#) for funding purposes and to support fees charged to First Nation entities under the REA.
- Collection and reconciliation of student enrolment information from First Nation entities (and/or schools) following each count date (this must be reconciled against student registration information from schools);
  - The ministry has set deadlines for reporting by First Nation entities and school boards under the REA.
  - School boards will be required to prepare a Student Enrolment List which lists the students attending a school of a school board under the REA which must be submitted to each First Nation entity.
  - Further details on the requirements of the Student Enrolment List that First Nation entities (and/or schools) and school boards must prepare are provided below.
- School boards will be required to submit a Student Information Report to the ministry, documenting pupils of the board who are attending First Nation schools. To complete the report, school boards will refer to the written notice for each student (provided by schools of the school board) and the Student Enrolment List (provided by the First Nation entities and/or schools).
  - This Student Information Report will serve as the register for pupils of the board attending a First Nation school for the 2023-24 school year<sup>20</sup>.
  - This Student Information Report must be submitted to the ministry up to four times per school year through the Ontario School Information System (OnSIS).
    - E-mail: [ONSIS\\_SISON@ontario.ca](mailto:ONSIS_SISON@ontario.ca) should you require support or detailed instructions for submitting the Student Information Report

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<sup>20</sup> Note: Do not include First Nation students attending a school of a school board under section 188 of the *Education Act* (i.e., the REA or existing ESA) on the Student Information Report. These students will continue to be recorded as "Other Pupils" on the enrolment register. Refer to the *2023-24 Enrolment Register Instructions for Elementary and Secondary Schools* for further details.

through OnSIS.

- The ministry will review the submission and provide funding for the base fee to the school board for the eligible students attending a First Nation school under the REA, in accordance with the amount generated under the annual Fees regulation. School boards will then make payments to the First Nation entity.
- Late submissions will be processed as part of the subsequent payment cycle;
  - If the submission is late by more than one year, the school board should contact the [Finance Officer](#) (FO) assigned to the board and submit the prior year information separately from the current year submission.
- Monitoring and tracking payments to First Nation entities based on student reporting (e.g., payments must be made to the First Nation entity named on each student's written notice form); and,
- School boards must retain copies of the documentation received from the First Nation entity for auditing purposes.

### *Student Enrolment List*

First Nation entities (and/or schools) and school boards will be required to provide a **complete** list of students attending their respective schools under the REA as documentation that students are active as of the count dates and showing each student's Full-Time Equivalency (FTE) status.

This Student Enrolment List must include the following information:

- Ontario Education Number (OEN);
- The student's surname and first name;
- Date of birth;
- Grade level;
- The name of the school the student is attending;
- School semester type; and,
- FTE status based on calculation set out in section 4 of O. Reg. 261/19 (Reciprocal Education Approach).

The Student Enrolment List must meet the following requirements specified below.

Where a student is attending a First Nation school:

The First Nation school (or First Nation entity operating that school) must provide the list to each school board, so that the list aligns with the students on each school board's Student Information Report, which is prepared based on students for whom written notice has been received and/or existing RESAs are in place.

- Many First Nation schools will have students from multiple school boards. First Nation entities are asked to identify their REA students by their “home” school board and the OEN number assigned to that student.
- If a school board receives a list with students who are not on the Student Information Report, notify the First Nation entity as quickly as possible to allow for updates.

The Student Enrolment List must be provided to the school board based on the timelines specified in Section 1, *Table 3: Summary of Documentation Requirements and Payment Timelines*. Late submissions will be processed as part of the subsequent payment cycle.

- The Student Enrolment List must include an attestation from the First Nation entity confirming that the list accurately reflects the active students at the time of the count date.
- Upon receipt of the Student Enrolment List, school boards must confirm that payment information has been included. If additional information is required to provide timely payments, the school board should connect with the First Nation entity directly.

Where a student is attending a school of a school board:

- The school board must provide a consolidated Student Enrolment List which lists the students for whom a First Nation entity has provided written notice to each First Nation entity.
- The list must be provided within 30 days following the two provincial count dates (last school days in October and March) in each school year.
- The list must include an attestation from the Director of Education confirming that the list accurately reflects the active students at the time of the count date.

Where a student is attending a school of a school board under the REA, the school board may provide other documentation (e.g., copy of the written notice form, confirmation of student’s status), to the First Nation entity as requested, and in accordance with the school board’s policies and its obligations under relevant legislation, including the *Education Act* and the *Municipal Freedom of Information and Protection of Privacy Act*.

First Nation entities and school boards are also encouraged to provide student timetables as part of the verification process for funding purposes.

A Student Enrolment List template is provided as Appendix D for reference. School boards and First Nation entities may submit information in another format as long as the fields identified in the template are included.

### *Submission of the Student Enrolment List*

Where a student is attending a First Nation school:

- First Nation entities (and/or schools) have been directed to address the



Student Enrolment List to the attention of both the Supervisory Officer responsible for Indigenous Education and the Business Supervisory Officer at the school board office and may submit the List by electronic mail or by post mail.

- The Student Enrolment List should include payment information with the submission so that school boards will be able to make payments per the payment schedule timeline. Where this information is missing or incomplete, the school board should reach out to the First Nation entity for the information.

Where a student is attending a school of a school board:

- School boards must send the Student Enrolment List to the First Nation entity named on the written notice submitted for each student to the attention of the contact named on the written notice.
- The Student Enrolment List must include payment information with the submission so that First Nation entities will be able to arrange payment accordingly.
- To make alternative arrangements for the submission of documentation or payment, First Nation entities are asked to work directly with the school boards.

Table 2: Determining Full Time Equivalent (FTE) Status

<p><b>Where a student is attending a First Nation School</b></p> <p>Following the provincial guidelines, as outlined in the <a href="#">2023-24 Enrolment Register Instructions for Elementary and Secondary Schools</a> generally if the number of minutes of instruction for which the student is enrolled is equal to or greater than an average of 210 minutes per day, the FTE status of that student is deemed to be a full-time student for that count date (i.e. the ratio equals 1 on the last school days in October or March of a given school year).</p> <p>If the number of minutes of instruction for which the student is enrolled is less than an average of 210 minutes per day, the FTE status is determined by taking the number of minutes for which the student is enrolled in a day school program in a First Nation school on the last school days in October or March of each school year and dividing that figure by 300 (which is the minimum number of instructional minutes that school boards are required to provide to their students).</p> <p>The student’s FTE status is the cumulative average of the FTE status determined on both the October and March count dates of a given school year.</p>
<p><b>Where a student is attending a school of a school board</b></p>

Following the provincial guidelines, as outlined in the annual Calculation of Average Daily Enrolment (ADE) part of the GSN regulation, generally, if the number of minutes of instruction for which the student is enrolled is equal to or greater than an average of 210 minutes per day<sup>21</sup>, the FTE status for that student is deemed to be a full-time student (i.e. the FTE status equals 1). If a student is a supervised alternative learning pupil, then the student is only required to be enrolled in classroom instruction for an average of 70 minutes or more per day to be considered a full-time student.

If the number of minutes of instruction for which the student is enrolled is less than an average of 210 minutes per day, the FTE status is determined by taking the number of minutes for which the student is enrolled in a day school program in a provincially funded school in a cycle, divided by the product of 300 minutes multiplied by the number of days in the cycle<sup>22</sup> on the last school day of October or March of each school year.

For students who are participating in remote learning, a timetable must be available to reflect student schedules as if students were to return to in-class instruction for the 2023-24 school year.

### *Summary of School Board Reporting and Payment Schedule*

The table below provides a summary of timelines and reporting dates impacting school boards, and associated documentation requirements. School board reports to the ministry will be dependent on school-level information – school boards are expected to set deadlines and manage school-level reporting internally.

Table 3: Summary of School Board Reporting and Payment

<b>Payment<sup>23</sup></b>	<b>Due Date to School Boards</b>	<b>School Board Documentation Requirements</b>	<b>Due Date to Ministry</b>	<b>Payment to School Boards<sup>24</sup></b>	<b>Payment to First Nation Entities</b>
Preliminary payment (‘September REA’ data submission)	<b>September 30</b>	Student Information Report – <b>Section A &amp; B</b>	<b>10th business day in October</b>	Third week of November	

<sup>21</sup> If a student is a supervised alternative learning pupil, then the student is only required to be enrolled in classroom instruction for an average of 70 minutes or more per day to be considered a full-time student.

<sup>22</sup> Cycle means the number of school days for which a schedule of classes in a school continues before the schedule is repeated.

<sup>23</sup> This payment schedule reflects the schedule of payments school boards are required to make to First Nation entities based on documentation available at the time of processing. School boards may provide earlier or more frequent payments at their discretion, work with First Nation Entities directly to arrange adjustments to the schedule.

<sup>24</sup> The ministry will only flow one lump sum to the school board for each payment cycle. It is the school board’s responsibility to flow payments to each First Nation entity accordingly.

Second Payment (‘October REA’ data submission)	<b>Last business day in November</b>	Student Information Report – <b>Section A, B and C</b>	<b>Last business day in December</b>	Third week of February	Within 10 business days of receipt of ministry payment
Third Payment (‘March REA’ data submission)	<b>Last business day in April</b>	Student Information Report – <b>Section A, B, C and D</b>	<b>Last business day in May</b>	Third week of July	
Fourth Payment (‘June REA’ data submission)  (Not required for schools which adopted a conventional model and submitted for third payment)	<b>Last business day in July</b>	Student Information Report – <b>Section A, B, C and D*</b>	<b>Last business day in August</b>	Third week of October	

Table 4: Summary of Payment Cycle

	Covering period	Conventional model	Quadmester/Octomester model
Preliminary Payment	Payment for students will be provided covering the period of September 1 to November 30.	Based on <b>estimated</b> registration of eligible students at each eligible First Nation school.	Based on <b>estimated</b> registration of eligible students at each eligible First Nation school.
Second Payment	Payment for students will be provided covering the period of December 1 to March 31.  A reconciliation of preliminary payment will be made.	Based on total <b>actual</b> FTE of <b>active students</b> at each First Nation school at the <b>October</b> count date.	Based on total <b>estimated</b> FTE of <b>active students</b> at each First Nation school at the <b>October</b> count date.
Third Payment	Payment for students will be provided covering the period of April 1 to June 30.	Based on total <b>actual</b> FTE of <b>active students</b> at each First Nation school at the <b>March</b> count date.	Based on total <b>actual</b> FTE of <b>active students</b> at each First Nation school at the October 31 count date and total <b>estimated</b> FTE of <b>active students</b> at each

	A reconciliation of second payment will be made.		First Nation school at the <b>March</b> count date.
Fourth Payment <i>(Not required for schools which adopted a conventional model and submitted for third payment)</i>	Payment for students will be provided covering the period of April 1 to June 30.  A reconciliation of second/third payment will be made.	Based on total <b>actual</b> FTE of <i>active students</i> at each First Nation school at the <b>March</b> count date.	The payment is based on total <b>actual</b> FTE of <i>active students</i> at each First Nation school at the <b>March</b> count date.

An agreement may be negotiated for specific additional services, Refer to Section 3: *Information for All* for more information.

### *Audits*

The ministry requires that, for audit purposes, pupil enrolment records and various related documents be retained for the *current school year and the previous two school years*. Retention beyond that minimum period is to be carried out in accordance with the school board's record management program, as specified in paragraph 38 of subsection 171(1) of the *Education Act*.

First Nation schools and school boards will be required to provide records such as student timetables or pupil eligibility attestation form as part of the verification process for funding purposes.

## SECTION 3: INFORMATION FOR ALL

### A. Negotiation of additional services and supports

This section outlines the additional services and supports for which funding may be provided in addition to the base fee where a student is attending a First Nation school or a school of a school board under the REA.

This section includes:

1. Additional services and supports
  - o Overview of additional special education staffing
  - o Overview of special education equipment costs
  - o Transportation amounts
  - o Indigenous languages and First Nations, Métis and Inuit studies courses
2. Late payment and arrears
3. Existing agreements
4. Dispute resolution
5. First Nation trustees

#### *Additional Services and Supports*

School boards and First Nation entities may negotiate additional services and supports for which funding may be provided in addition to the base fee. These additional funds may be provided only if the school board and the First Nation entity enter into an agreement that sets out the additional funds to be paid. The categories of items that can be negotiated are not limited to special education amounts (e.g., transportation).

When a student is attending a school of a school board under the REA, school boards may only negotiate additional services and supports for which funding may be provided, and charge First Nation entities, for the following additional services and supports:

- Special education staffing (support for health and safety of the student)
- Special education equipment costs;
- Transportation; and
- Indigenous languages and First Nations, Métis and Inuit studies courses, if that course is not already being offered at the school the student would be attending.

Under the REA, agreements for additional services and supports must include the following:

- The additional services and supports, and the amounts payable in respect of these services and supports

- If a school board or First Nation entity agrees to pay an additional amount for additional special education staffing, a term that indicates that the amount for such staffing per student, per school year, is the amount agreed upon under the agreement shall not exceed \$30,530.
- If a school board or First Nation agrees to pay an amount for special education equipment costs and a deductible is agreed upon, a term that indicates the deductible that was agreed upon. The deductible shall not exceed \$800 per student, per school year. This may include multiple pieces of equipment for a student in a single school year.

### ***Overview of Additional Special Education Staffing***

Additional special education staffing supports may be negotiated between the First Nation entity and the school board to support students attending a school of a school board or a First Nation school under the REA who have extraordinarily high needs and require additional staff to address their health and/or safety needs.

- The level of staff support will be determined between the parties.
- For students attending First Nation schools under the REA, First Nation entities operating these schools will need to submit the required documentation specified in Table 1: *Summary of Required Documentation for Special Education Staffing*, below, to the school board where the student is registered under REA and negotiate and enter into an agreement with the school board.
- For students attending a school of a school board under the REA, the school board will need to submit the required documentation specified in Table 1, as noted above, to the First Nation entity from which they received written notice and negotiate and enter into an agreement with the First Nation entity.

### ***Processes and Required Documentation for Negotiating Additional Special Education Staffing***

Where a student is attending a First Nation school, First Nation entities are responsible for providing the below documentation to the school board where the student is registered. Similarly, where a student is attending a school of a school board, school boards are responsible for providing the below documentation to the First Nation entity from which written notice was received.

- An agreement must be negotiated for these special education staffing costs. The responsibilities of First Nations and school boards are outlined below.

- The following is the required documentation for special education staffing costs:

**Table 1: Summary of Required Documentation for Additional Special Education Staffing**

Documentation	Requirements/Description
Individual Education Plan (IEP)	<ul style="list-style-type: none"> <li>• An IEP is a written plan describing the special education program and/or services required by a student, based on a thorough assessment of the student's strengths and needs that affect the student's ability to learn and demonstrate learning.               <ul style="list-style-type: none"> <li>• It is developed and signed by the school principal or equivalent position, usually with input from the parent(s), guardian(s) and from the student if they are 16 years of age or older.</li> </ul> </li> <li>• Where a student is attending a First Nation school under REA, the First Nation entity that operates the school and/or the school's officials are responsible for preparing the IEP.</li> <li>• Where a student is attending a school of a school board under REA, the school's officials are responsible for preparing the IEP.</li> </ul>
Summary of Needs	<ul style="list-style-type: none"> <li>• The Summary of Needs is a written description of the health and/or safety needs of the student, and how assigned staff work with the student to support the student's health and/or safety needs during a typical school day.</li> <li>• Where a student is attending a First Nation school under REA, the First Nation entity that operates the school and/or the school's officials are responsible for preparing a Summary of Needs.</li> <li>• Where a student is attending a school of a school board under REA, the school's officials are responsible for preparing the Summary of Needs.</li> <li>• Where a student is attending a First Nation school under REA, school boards should be flexible in assessing the Summary of Needs document. The Summary of Needs provided by the First Nation entity may look different from a school board's summary, reflecting the First Nation's delivery model.</li> </ul>

<p>Staff Support Information</p>	<ul style="list-style-type: none"> <li>• This document describes staff supporting the student throughout the school day, at the level of support agreed to by both parties, thus triggering the additional fee.</li> <li>• The parties can determine the form and content of the document to be utilized to demonstrate staff support information. This document is intended to provide evidence of the level of staff support agreed to, which will generate additional funds.</li> <li>• Where a student is attending a First Nation school under REA, the First Nation entity that operates the school and/or the school's officials are responsible for preparing the Staff Support Information.</li> <li>• Where a student is attending a school of a school board under REA, the school's officials are responsible for preparing the Staff Support Information.</li> </ul>
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***Responsibilities of school boards and First Nation entities where students are attending a First Nation school***

- The First Nation entity is responsible for assessing whether a student requires additional special education staffing, and for informing the school board of these needs.
- Where students are attending a First Nation school, the First Nation entity that operates the school is responsible for delivering the documentation in Table 1: *Summary of Required Documentation for Additional Special Education Staffing* to the school board where the student is registered.
- Upon receipt of the above documentation, school boards will determine the review process and conduct a review of documents for an additional special education staffing fee. School boards are responsible for developing their own internal policies and procedures for reviewing applications for additional services and supports.
  - The ministry is available to support the process and answer questions that may help with additional special education staffing fees under REA.
- It is important to note that the maximum amount the First Nation may receive annually under this additional fee is \$30,530 for the 2023-24 school year.
- To facilitate the reimbursement request that school boards may submit to the Ministry of Education, school boards should ensure that documentation supporting an additional special education staffing fee paid to a First Nation is consistent or aligns with [Special Education Funding Guidelines: Special Incidence Portion \(SIP\)](#) and [Special Equipment Amount \(SEA\)](#).



### ***Responsibilities of school boards and First Nations where students are attending a school of a school board***

- School boards are responsible for assessing whether a student requires additional special education staffing, and for informing the First Nation entity where they received written notice.
- Where students are attending a school of a school board, the school board is responsible for delivering the documentation in Table 1: *Summary of Required Documentation for Additional Special Education Staffing* to the First Nation entity that provided written notice.
- The First Nation is responsible for verifying the documentation received to ensure the student qualifies for additional special education staffing
  - The ministry is available to answer questions about additional special education staffing under REA.
- It is important to note that the maximum amount the school board may receive annually must not exceed \$30,530 for the 2023-24 school year.

### ***School Board Processes for Reimbursement of Costs Associated with Special Education Staffing***

- The school board can request the funds paid to First Nation entities for additional special education staffing be reimbursed by the ministry. To be eligible for reimbursement, school boards must:
  - Have an agreement in place with the First Nation entity for the special education staffing.
  - Ensure that students meet the criteria set out in the *Special Education Funding Guidelines*.  
However, note that only the above-listed documentation is required to demonstrate student need for special education staffing in the REA context.
  - For clarity, the ministry will consider flexibility in documentation requirements for reimbursement claims, provided the criteria in the *Special Education Funding Guidelines* are met. The ministry will consider alternative documentation to the SIP Timetable as proof of staff support ratios if the criteria in the SIP Guidelines are being met.
  - Ensure the amount claimed for reimbursement is not greater than \$30,530 for the 2023-24 school year.
- Applications for reimbursement must be made in writing to the Director of Field Services Branch at the ministry, and must include, at minimum, the student's IEP, Summary of Needs and Staff Support Information.
- School boards must maintain all documentation submitted for special education staff supports and the related agreements for the current school year and the previous

two school years. All documentation used in support of a reimbursement claim for special education staff supports is subject to review and audit by the ministry.

### ***Overview of Special Equipment Costs***

Special education equipment costs may be negotiated between the First Nation entity and the school board, where the need for specific equipment is recommended by a qualified professional.

Special education equipment must be utilized to accommodate students and is directly required for the student to access education.

### ***Processes and Required Documentation for Negotiating Special Education Equipment Costs***

Additional special education equipment costs may be negotiated between the First Nation entity and a school board to support students with extraordinarily high needs.

Where a student is attending a First Nation school, First Nation entities are responsible for providing the below documentation to the school board where the student is registered. Similarly, where a student is attending a school of a school board, school boards are responsible for providing the below documentation to the First Nation entity from which written notice was received.

- An agreement must be negotiated for special education equipment costs. The responsibilities of First Nations and school boards are outlined below.
- Eligible expenses include all costs associated with purchasing and/or leasing equipment to meet students' special education needs as well as the related costs including service contracts, shipping and training that are required to make equipment operational and that are not already available at the school the student is attending.
- It is best practice the special education equipment moves with the student. When the student transfers to another school (First Nation school or school of a school board) the equipment should, in most instances, move with the student. Where special circumstances exist, such as the high cost of moving equipment, First Nation entities and school boards should negotiate what will happen with the equipment.

The following is the required documentation for special education equipment costs:

**Table 2: Summary of Required Documentation for Special Education Equipment Costs**

Documentation	Requirements/Description
Individual Education Plan (IEP)	<ul style="list-style-type: none"> <li>• Where a student is attending a First Nation school under REA, the First Nation entity that operates the school and/or the school's officials are responsible for preparing the IEP.</li> <li>• Where a student is attending a school of a school board under REA, the school's officials are responsible for preparing the IEP.</li> <li>• An IEP is a written plan describing the special education program and/or services required by a student, based on a thorough assessment of the student's strengths and needs that affect the student's ability to learn and demonstrate learning.               <ul style="list-style-type: none"> <li>○ Developed and signed by the school principal or equivalent position, usually with input from the parent(s), guardian(s) and from the student if he or she is 16 years of age or older.</li> </ul> </li> </ul>
Professional Assessment for required equipment	<ul style="list-style-type: none"> <li>• This document provides a description of the needs the equipment is meant to address and functional recommendation regarding the specific types of equipment the student requires to address their strengths and needs.               <ul style="list-style-type: none"> <li>○ Where a student is attending a First Nation school under REA, this may be completed by a qualified professional or by the school principal.</li> </ul> </li> <li>• Where a student is attending a school of a school board under REA, this must be completed by a qualified professional.</li> </ul>
Proof of Purchase	<ul style="list-style-type: none"> <li>• First Nation entity/school board to provide to other party.</li> <li>• This document is a copy of a paid invoice for the special equipment.</li> </ul>

***Responsibilities of school boards and First Nation entities where students are attending a First Nation school***

- The First Nation entity is responsible for assessing whether a student requires

- special education equipment, and for informing the school board of these needs.
- The First Nation entity is responsible for providing the school board with the total estimated equipment cost prior to purchase.
- Where students are attending a First Nation school, the First Nation entity that operates the school is responsible for providing the documentation in *Table 2: Summary of Required Documentation for Special Education Equipment Costs* to the school board where the student is registered. The First Nation entity is responsible for providing the school board with the total estimated equipment cost prior to purchase.
- School boards must develop their own internal policy and procedures for reviewing requests for additional services and supports in addition to the base fee. The process to review claim documents for special education equipment is at the discretion of the school board.
  - The ministry is available to support the process and answer questions that may help with additional special education equipment costs under REA.
- Ensuring documentation supporting an additional special education equipment claim paid to a First Nation meets or aligns with Special Equipment Amount Guidelines would facilitate the reimbursement request that school boards may submit to the Ministry of Education.
- The First Nation entity is responsible for providing the school board with the final invoice, after the submission of the required documentation is complete, an agreement is in place, and the equipment is purchased.
- It is important to note that if a school board or First Nation, agrees to pay an amount for special education equipment, and a deductible is agreed upon, the deductible shall not exceed \$800 per student per school year.

***Responsibilities of school boards and First Nations where students are attending a school of a school board***

- School boards are responsible for assessing whether a student requires special education equipment, and for informing the First Nation entity from which they received written notice of these needs.
- School boards must provide the First Nation entity with the total estimated equipment cost prior to purchase.
- School boards will be responsible for providing the documentation, including invoices, set out in *Table 2: Summary of Required Documentation for Special Education Equipment Costs* to the First Nation entity.
- Upon receipt of the documentation, the First Nation is responsible for verifying the documentation to ensure the student qualifies for additional special education equipment costs
  - The ministry is available to support the process and answer questions that may help with additional special education equipment costs under REA.
- School boards must provide the First Nation entity with the final invoice, after the

submission of the required documentation is complete, an agreement is in place, and the equipment is purchased.

- It is important to note that if a school board or First Nation, agrees to pay an amount for special education equipment, and a deductible is agreed upon, the deductible shall not exceed \$800 per school year.

### ***School Board Processes for Reimbursement of Costs Associated with Special Education Equipment***

- The school board can request reimbursement from the ministry for funds paid to First Nation entities for additional special education equipment costs. To be eligible for reimbursement, school boards must:
  - Have an agreement in place with the First Nation entity for the special education equipment costs.
  - Ensure students meet the criteria set out in the *Special Education Funding Guidelines: Special Equipment Amount (SEA)* for that school year. However, note that only the above-listed documentation is required to demonstrate student need for special education equipment costs in the REA context.
  - Ensure that any deductible the First Nation entity would pay does not exceed \$800. This deductible applies per student, per school year. This may include multiple pieces of equipment for a student in a single school year.
- Applications for reimbursement must be made in writing to the Director of Field Services Branch at the ministry, and must include, at minimum, the student's IEP, Professional Assessment for required equipment and Proof of Purchase (i.e., a copy of a paid invoice).
- The ministry may consider flexibility in documentation requirements for reimbursement claims, provided the criteria in the *Special Education Funding Guidelines: Special Equipment Amount (SEA)* for that school year are met.
- School boards must maintain all documentation submitted for special education equipment costs and the related agreements for the current school year and the previous two school years. All documentation used in support of a claim for special education equipment is subject to review and audit by the ministry.

### ***Transportation Amounts***

- Amounts related to transportation are excluded from the base fee calculations. Additional amounts may be negotiated between First Nation entities and school boards in addition to the base fee.

### ***Indigenous Languages and First Nations, Métis and Inuit Studies Courses***

- Allocations related to Indigenous languages and First Nations, Métis and Inuit studies courses are included in the base fee calculations. However, where a course is not offered at the school board, additional funding may be negotiated between First Nation entities and school boards.

## **B. Late Payments and Arrears**

This section provides information for First Nation entities that operate First Nation schools and school boards in the case of arrears.

This sub-section includes:

- ✓ School board obligations
- ✓ Steps for First Nation entities to take in the event of late payment
- ✓ Overview of regulatory conditions regarding arrears

### ***School Board Obligations***

For students attending a First Nation school under the REA, school boards are required to flow base fee funding for each student to the First Nation entity when eligibility criteria and other requirements are met (e.g., complete written notice has been received).

In addition, processes have been established to ensure consistent and transparent timelines for all parties. The reporting schedule and payment timelines have been outlined in Section 2, Table 3: *Summary of School Board Reporting and Payment Schedules*.

School boards must meet the payment timelines outlined in the table noted above, provided the necessary documentation is received from First Nation entities.

School boards are expected to communicate with First Nation entities to notify them of any issues with documentation received as soon as possible.

School boards are expected to be familiar with the reporting and payment schedule and maintain detailed records of documentation and payments related to REA students.

### ***Steps for First Nation Entities to Take in the Event of Late Payment***

If scheduled payment has not been received within one week of the payment schedule timelines outlined in Section 2, Table 3: *Summary of School Board Reporting and Payment Schedule - Conventional model (semester or non-semester)* or Table 4: *Summary of School Board Reporting and Payment Schedule - Quadmester or Octomester model*, First Nation entities are encouraged to contact the school board to confirm the status of the payment.

School boards may also contact First Nation entities during their reconciliation process to verify documentation requirements (i.e. names of eligible schools, written notice submissions).

The entity operating the First Nation school may also contact the Indigenous Education

Office of the ministry if there are payment issues that require ministry clarification.

### **Overview of Regulatory Conditions Regarding Arrears**

Under the REA, school boards must admit all eligible students to a school of the board, where complete written notice has been received by the board. For First Nation students that ordinarily reside on reserve and are admitted by a board under the REA, the school board must charge the First Nation entity the elementary or secondary base fee for each student. If the First Nation entity is in arrears, school boards may not deny admission to eligible students.

Where a student is attending a First Nation school, school boards should not be in a position of arrears with the First Nation entity.

O. Reg. 261/19 (Reciprocal Education Approach) specifies one option that a school board may consider if a First Nation entity is in arrears. In these situations, the school board may reduce the amount it pays to a First Nation entity for students attending the First Nation school operated by that entity by the amount that is owed by the *same* entity to the school board for First Nation students attending a school of that board.

In calculating the amount related to arrears that the school board may deduct from the amount paid to the First Nation entity, boards are required to comply with the following parameters:

- The amount will be limited to overdue/outstanding base fee amounts and would not apply to any fees owed in relation to additional negotiated services and supports;
- The amount will be limited to base fee amounts owed after September 1, 2019 (i.e., any fees charged or owed prior to September 1, 2019 could not be deducted from the amount paid to the First Nation entity); and
- A school board may not apply interest to the amount owed by the First Nation entity.

In the case where there is a disagreement regarding arrears, parties could also follow a dispute resolution process (refer to Section 3, Part D: *Dispute Resolution* for further information).

### **C. Existing Agreements**

This section outlines the impact of the REA on existing agreements (ESAs and RESAs).

This section includes:

- ✓ Conditions around the continuation of existing agreements
- ✓ Transitions of current agreements to the REA

## **Conditions Around Continuation of Existing Agreements**

- Existing Agreements<sup>25</sup> may remain in effect until the agreement expires or the agreement is terminated.
- Any existing RESAs will be subject to the condition that the elementary or secondary base fee that is paid to the First Nation entity must be at least the elementary or secondary base fee set out in regulation.
- Any existing ESAs will be subject to the condition that the fee in the annual Fees regulation applies (e.g. the fee set out in section 3 of O. Reg. 397/22 (Calculation of Fees for Pupils for the 2022-2023 School Board Fiscal Year)).
- Processes for identifying enrolment and payments outlined in Section 1, Part C and Section 2, Part C: *Payment and Fees to First Nation Entities for Students*, as well as Section 1, Table 5: *Summary of Documentation Requirements and Payment Timelines - Conventional model (semester or non-semester)* and Table 6: *Summary of Documentation Requirements and Payment Timelines - Quadmester or Octomester model* and Section 2, Table 3: *Summary of School Board Reporting and Payment Schedule - Conventional model (semester or non-semester)* and Table 4: *Summary of School Board Reporting and Payment Schedule - Quadmester or Octomester model* should be followed, even if there is an Existing Agreement in place.
- First Nation entities and/or schools will be expected to report the current RESAs in the Student Enrolment List submitted to school boards and school boards will be expected to report the current ESAs in the Student Enrolment List submitted to First Nation entities to support the invoicing process.
  - School boards will be required to include the RESAs reported by the First Nation entity or school in the Student Information Report that is submitted to the ministry for funding purposes.

## **Transitions of Current Agreements to the REA**

- Where an existing agreement expires or is terminated, First Nations and parents, guardians, students or Another Authorized Person must follow the steps regarding delivery of the written notice form to the school board (refer to Section 1, Part B and Section 2, Part B: *Admission of Students Under the REA*). If the student is already registered at the school of the school board, the student does not need to re-register at the school.

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<sup>25</sup> Existing agreements are those Education Services Agreements or Reverse Education Services Agreements that were entered into prior to September 1, 2019 and have not expired or been terminated (Existing Agreement).



## D. Dispute Resolution

This section outlines possible approaches to resolving disputes that may arise under the REA.

This section includes:

- ✓ Approaches for resolving disputes under the REA
- ✓ Resources for resolving disputes under the REA
  - Human Rights and Equity Advisors

### ***Resolving Disputes under the REA***

Parties are encouraged to use mechanisms to resolve disputes that are mutually agreed upon and appropriate for their situation.

Parties may also consider using the resources noted below.

### ***Resources for Resolving Disputes***

#### *Human Rights and Equity Advisors*

Human Rights and Equity Advisors (HREAs) are available for the 2023-24 school year for First Nation entities and school boards to help support dispute resolution.

HREAs that are funded by the ministry work in several school boards across Ontario. They are employees of school boards. The HREA acts in an impartial and neutral capacity to protect and advance human rights as they are articulated in the Ontario Human Rights Code and school board policies.

On an as-needed basis, and where feasible, the HREAs can support the resolution of disputes concerning additional fees for services and supports students receive under the REA. Working in a neutral capacity, HREAs could, for example:

- Help support the development or negotiation of an agreement for additional services and supports by encouraging dialogue between the First Nation entity and the school board;
- Help facilitate discussions about the level of special education supports provided to students with special education needs by arranging, or being part of, mediation or other forms of dispute resolution; and
- Can arrange for a fact-finding or investigation process (e.g. establishing an independent fact-finding team) if a dispute over facts cannot be resolved. After an investigation, the fact-finder/investigator can generate a report that identifies whether the provisions of the relevant legislation, regulation or policy have been appropriately observed. The report could assist with further decision-making by

the parties.

**Note:** Any dispute resolution costs, other than HREA, are the responsibility of the First Nation and the school board.

A school board without an HREA may use the services of one employed at another school board, as long as permission is obtained from the board.

Where disputes are time-consuming or very complex, an HREA may suspend their support and the parties may be asked to engage the assistance of an outside arbitrator or other resource.

## **E. First Nation Trustees**

Under the *Education Act*, and as outlined in O. Reg. 462/97 (First Nations Representation on Boards), students attending schools of a school board may be entitled to representation by a First Nation trustee.

The regulation has been amended to apply to students attending under an Education Services Agreement, or under the REA.

The thresholds for First Nation trustee appointments, outlined in O. Reg. 462/97, remain unchanged where the number of First Nation students attending schools of a school board under an ESA or the REA is as follows:

<b>Enrolment</b>	<b>Number of First Nation Trustees</b>
Fewer than the lesser of 100 and 10 percent of the average daily enrolment (ADE) in the schools of the school board	The First Nation entity (or entities) may name one person and the school board has discretion to appoint them to be a member of the board.
100 or 10 percent of the ADE in the schools of the school board	The First Nation entity (or entities) may name one person and the school board shall appoint them to be a member of the board.
Exceeds 25 percent of the ADE in the schools of the school board	The First Nation entity (or entities) may name two persons and the school board shall appoint them to be members of the board.

For more information, school boards and First Nations should refer to the regulation noted above.

# GLOSSARY OF TERMS

## Another Authorized Person

- a person who is authorized by the parent, guardian, as defined in the *Education Act* or, in some instances, the student, to provide the notice; or
- a person who facilitates the pupil or person's access to education; or
- a person from the pupil or person's extended family, as defined in the *Child, Youth and Family Services Act, 2017* as follows:
  - *“extended family” means persons to whom a child is related, including through a spousal relationship or adoption and, in the case of a First Nations, Inuk or Métis child, includes any member of,*
    - *a band of which the child is a member,*
    - *a band with which the child identifies*
    - *a First Nations, Inuit or Métis community of which the child is a member, and*
    - *a First Nations, Inuit or Métis community with which the child identifies.*

## Conventional delivery model

Delivery of student instruction and timetables based on an annual (non-semestered) or semestered program running from September to June.

## Education Services Agreement (ESA)

An agreement between a First Nation entity and a school board which was required, prior to the introduction of the REA, for First Nation students living on reserve to attend a school of a school board.

Under the REA, ESAs entered into before September 1, 2019 may remain in effect until the agreement expires or is terminated. Any such ESA will be subject to the condition that the fee as set out in the annual Fees regulation applies.

## Eligible school

Eligible school refers to a school which is listed in Table 1 of section 3 of O. Reg. 261/19 or has provided documentation to the ministry that demonstrates that it is:

- operated by a First Nation entity (definition below); and
- does not charge tuition to students or their parents or guardians for elements of a classroom education that are required by, and generally common to, all students.

The ministry will be managing an active list of eligible schools [here](#).

Eligible schools may be operated by First Nations or the federal government and may

be located on or off-reserve.

### **First Nation Entity (or Eligible Entity)**

The *Education Act* specifies the entities that:

- operate schools which may participate in the REA (i.e. an “eligible school”), and
- must provide written notice to initiate the REA process (for a student to attend a First Nation school or a school of a school board).

These entities are:

- bands
- councils of bands
- the Crown in right of Canada
- education authorities that are authorized by a band or a council of a band or by the Crown in right of Canada to provide elementary or secondary education

### **First Nation School**

In the context of this document, First Nation school refers to First Nation-operated and/or federally-operated schools.

### **Grants for Student Needs (GSN)**

The ministry provides most of the operating funding to Ontario’s school boards through the annual GSN, also known as “the funding formula.”

The GSN is a collection of allocations described in detail in an annual regulation made under the *Education Act*. Funding entitlements for school boards can be generated on a per-pupil, per-school, or per-board basis depending on the structure of each allocation within the GSN regulation.

GSN funding is based on various indicators to address cost drivers; that is, school boards receive funding based on what they need to serve all students at comparable levels across Ontario. Because cost structures will vary from school board to school board, the average funding per student varies across school boards.

### **“Home” School Board**

Refers to the school board in which the student is currently registered, for the purposes of attending a First Nation school under the REA. Refer to the term “School Boards” in this glossary for a definition of a school board.

### **Octomester delivery model**

Where delivery of student courses and timetables is divided into terms which are each equivalent to one eighth of an annual school year (September to June), typically only secondary school programs

## Other Pupil

A student known as an “other pupil” does not generate funding for the school board through the GSN.

Under the Calculation of Average Daily Enrolment part of the GSN regulation, an “**other pupil**” is generally described as:

- A student who is registered under the *Indian Act* and who resides on reserve;
- An international student (e.g., in Canada on a study permit and is required to pay fees); or
- A student whose parent or guardian resides outside of Ontario (e.g., in other provinces such as Quebec or internationally) and the pupil was either not counted as a pupil of a board in the previous school year or is attending a school solely through online or remote learning.

## Pupil of the Board

Under the GSN, a pupil of the board is a pupil who is eligible to be enrolled in a school of a school board and generates funding through the GSN.

## Quadmester delivery model

Where delivery of student courses and timetables is divided into terms which are each equivalent to one quarter of an annual school year (September to June), typically only secondary school programs.

## Reciprocal Education Approach (REA)

The REA is a framework supported by the *Education Act* and regulations made under the Act. It is intended to improve access to education for First Nation students by eliminating the need for school boards and First Nation entities to enter into and negotiate Education Service Agreements or Reverse Education Service Agreements. In accordance with requirements set out in the legislation, eligible students would be admitted to a school of a school board. Similarly, in the reverse context, school boards would be required to support eligible students to attend an eligible First Nation school, subject to the First Nation school’s admission policies.

The REA sets out reciprocal elementary and secondary base fees which school boards will be required to pay or charge First Nation entities. Additionally, specific processes are set out in policy with respect to the negotiation of additional services and supports under the REA.

## Reverse Education Services Agreement (RESA)

An agreement between a First Nation entity and a school board which was required, prior to the introduction of the REA, for students who reside off-reserve to attend a First Nation-operated or federally-operated school and receive tuition funding from a school board.

Under the REA, RESAs entered into before September 1, 2019, may remain in effect

until the agreement expires or is terminated. Any existing RESAs will be subject to the condition that the fee that is to be paid to the First Nation entity must be at least the elementary or secondary base fee.

### **School Boards**

Ontario's 72 district school boards operate the vast majority of the province's publicly-funded schools. The school boards administer the funding they receive from the province for their schools.

School boards are responsible for various aspects of education, including:

- determining the number, size and location of schools;
- building, equipping and furnishing schools;
- providing education programs that meet the needs of the school community, including needs for special education;
- managing funds allocated by the province to support all board activities, including education programs for elementary and secondary school students, and the building and maintenance of schools;
- enforcing the student attendance provisions of the *Education Act*; and
- ensuring schools comply with the *Education Act*, its regulations and any policies made under the Act.

### **School of a School Board**

One or more physical school facility/facilities operated by the school board and located on a single campus, or a remote learning school.

A school is identified as:

- an elementary school when it consists of only elementary school facilities;
- a secondary school when it consists of only secondary school facilities;
- a combined elementary/secondary school when a school consists of both elementary and secondary school facilities (for example, Grades 7 and 8 with Grades 9 to 12).

### **Student Enrolment List**

This is a list of students that both school boards and First Nation entities will prepare as documentation showing that the students for whom written notice were received continue to be active students on the enrolment count dates.

### **Student Information Report**

A reporting template which documents pupils of the board attending First Nation schools and is submitted to the ministry by school boards through the OnSIS application.

### **Special Incidence Portion (SIP) Allocation**

The SIP Allocation provides funding intended to support students with extraordinarily high needs who require more than two full-time staff to address their health and/or safety needs.

### **Special Equipment Amount (SEA) Allocation**

This funding from the ministry supports the purchase of equipment that may be required by students with special education needs. There are two components to this allocation:

- A per-pupil amount that allows the school board to purchase computers, software, robotics, computing-related devices and required supporting furniture, as well as all SEA training and technician costs, maintenance and repairs. This allocation consists of a base amount for each school board plus a per-pupil amount reflecting the school board's average daily enrolment of all students.
- A claims-based process that supports the purchase by the school board of other, non-computer-based equipment required by students with special education needs. This may include hearing and/or vision support equipment, personal care support equipment and/or physical assists support equipment.

### **Written Notice**

Written notice is the required documentation to initiate the REA process. Receipt by the school board of complete written notice initiates the school board's obligation to either admit the student to a school of the board or provide for the admission of the student to an eligible First Nation school. Written notice must be provided by:

- A First nation entity, i.e. a band; a council of a band; the Crown in right of Canada; or an education authority authorised by a band, council of a band, or the Crown in right of Canada, and
- The student's parent, guardian, where the student is an adult (18 years of age or older) or has withdrawn from parental control, by the student themselves, or by Another Authorized Person, as described in Sections 1 and 2 of these Instructions.

# APPENDIX A: GRANTS/ALLOCATIONS INCLUDED IN THE ELEMENTARY AND SECONDARY BASE FEES

The following table provides an overview of the base fees for elementary and secondary day school students under REA, based on the 2023-24 Grants for Student Needs (GSN) funding.

For more details, refer to the Base Fee Calculations table in the Enrolment section of the [2023-24 GSN Technical Paper](#).

GSN Grant/Allocation*	Included** in the Elementary and/or Secondary Day School Base Fee under REA?
Pupil Foundation Grant <ul style="list-style-type: none"> <li>• Kindergarten (JK/SK) Pupil Foundation Allocation</li> <li>• Primary (Grades 1 to 3) Pupil Foundation Allocation</li> <li>• Junior and Intermediate (Grades 4 to 8) Pupil Foundation Allocation</li> <li>• Intermediate (Grades 7 and 8) Supplementary Pupil Foundation Allocation</li> <li>• Secondary (Grades 9 to 12) Pupil Foundation Allocation</li> </ul>	Yes
School Foundation Grant <ul style="list-style-type: none"> <li>• In-School Administration and Leadership Allocation</li> <li>• Remote Learning Administration Allocation</li> <li>• Library Staff Allocation</li> <li>• Parent Engagement Allocation</li> </ul>	Yes
Special Education Grant <ul style="list-style-type: none"> <li>• Special Education Per-Pupil Amount (SEPPA) Allocation</li> <li>• Differentiated Special Education Needs Amount (DSENA) Allocation</li> <li>• Special Equipment Amount (SEA) Allocation</li> <li>• Special Incidence Portion (SIP) Allocation</li> <li>• Education and Community Partnership Program (ECP) Allocation</li> <li>• Behaviour Expertise Amount (BEA)</li> </ul>	Yes, except: <ul style="list-style-type: none"> <li>• DSENA Allocation Measures of Variability (MOV) Northern Adjustment</li> <li>• SIP Allocation and SEA Allocations claims-based amounts (may be negotiated outside the base fee)</li> <li>• ECPP Allocation</li> </ul>



Allocation	
<p>Language Grant</p> <p>English-language school boards:</p> <ul style="list-style-type: none"> <li>• English as a Second Language/English Literacy Development (ESL/ELD) Allocation</li> <li>• ESL/ELD Recent Immigrant component of the Recent Immigrant Supplement</li> <li>• French as a Second Language Allocation</li> </ul> <p>French-language school boards:</p> <ul style="list-style-type: none"> <li>• Programme d'appui aux nouveaux arrivants (PANA) Allocation</li> <li>• PANA Recent Immigrant component of the Recent Immigrant Supplement</li> <li>• French as a First Language (FFL) Allocation</li> <li>• Actualisation linguistique en français (ALF) Allocation</li> </ul>	<p>Yes, except:</p> <ul style="list-style-type: none"> <li>• School start-up component of the FFL Allocation for French-language school boards</li> </ul>
<p>Indigenous Education Grant</p> <ul style="list-style-type: none"> <li>• Indigenous Languages Allocation</li> <li>• First Nations, Métis, and Inuit Studies Allocation</li> <li>• Board Action Plans (BAP) Allocation</li> </ul>	<p>Yes</p> <ul style="list-style-type: none"> <li>• Additional funding may be negotiated separately (e.g., for additional Indigenous languages or First Nations, Métis, and Inuit studies courses)</li> </ul>
<p>Geographic Circumstances Grant</p> <ul style="list-style-type: none"> <li>• Remote and Rural Allocation</li> <li>• Supported Schools Allocation</li> <li>• Rural and Northern Education Fund Allocation</li> <li>• Additional Educational Software Licensing Top-Up Allocation</li> <li>• Student Technological Devices Top-Up</li> <li>• Broadband Continuous Improvement Top-Up Allocation</li> </ul>	<ul style="list-style-type: none"> <li>• Yes</li> </ul>
<p>Learning Opportunities Grant</p> <ul style="list-style-type: none"> <li>• Demographic Allocation</li> <li>• Targeted Student Supports (TSS) Envelope, including: <ul style="list-style-type: none"> <li>○ Literacy and Math Outside the School Day Allocation</li> <li>○ Student Success, Grade 7 to 12 Allocation</li> </ul> </li> </ul>	<p>Yes, except:</p> <ul style="list-style-type: none"> <li>• TSS Envelope: <ul style="list-style-type: none"> <li>○ Literacy and Math Outside the Day School Allocation</li> <li>○ Transportation component of the Student Success, Grade</li> </ul> </li> </ul>

<ul style="list-style-type: none"> <li>o Grade 7 and 8 Student Success and Literacy and Numeracy Teacher Allocation</li> <li>o Tutoring Allocation</li> <li>o Summer Learning Program Allocation</li> <li>• Experiential Learning (EL) Envelope, including: <ul style="list-style-type: none"> <li>o Specialist High Skills Major (SHSM) Allocation</li> <li>o EL Allocation</li> <li>o Outdoor Education Allocation</li> </ul> </li> <li>• Safe and Clean Schools Supplement</li> </ul>	<ul style="list-style-type: none"> <li>7 to 12 Allocation</li> <li>o Summer Learning Program Allocation</li> <li>• EL Envelope: <ul style="list-style-type: none"> <li>o Transportation component of the Experiential Learning Allocation</li> </ul> </li> </ul>
<p>Mental Health and Well-being Grant</p> <ul style="list-style-type: none"> <li>• Mental Health Workers Allocation</li> <li>• Supporting Student Mental Health Allocation</li> <li>• Student Mental Well-Being Allocation</li> <li>• Well-Being and Positive School Climates Allocation</li> <li>• Safe and Accepting Schools Allocation</li> <li>• Urban and Priority High Schools (UPHS) Allocation</li> </ul>	<p>Yes</p>
<p>Continuing Education and Other Programs Grant</p> <ul style="list-style-type: none"> <li>• Adult Day School Allocation</li> <li>• High-Credit Day School Allocation</li> <li>• Summer School Allocation</li> <li>• Continuing Education Allocation</li> <li>• Adult Day School/Continuing Education Supplement</li> <li>• Prior Learning Assessment and Recognition (PLAR) Allocation</li> <li>• International and Indigenous Languages, Elementary (IILE) Allocation</li> <li>• International Student Recovery Amount</li> </ul>	<p>No</p>
<p>Cost Adjustment and Teacher Qualification and Experience (Q&amp;E) Grant</p> <ul style="list-style-type: none"> <li>• Cost Adjustment Allocation</li> <li>• Teacher Q&amp;E Allocation</li> <li>• Early Childhood Educator Q&amp;E Allocation</li> <li>• New Teacher Induction Program (NTIP) Allocation</li> <li>• Teacher Learning and Innovation Allocation</li> </ul>	<p>Yes</p>

<ul style="list-style-type: none"> <li>• Retirement Gratuities</li> <li>• Benefits Trusts Allocation</li> </ul>	
Supports for Students Fund	Yes
<p>Program Leadership Grant</p> <ul style="list-style-type: none"> <li>• Salary &amp; Benefits and Travel &amp; Professional Development components for the following positions: <ul style="list-style-type: none"> <li>o Early Years Leads</li> <li>o Indigenous Education Leads</li> <li>o Mental Health Leaders</li> <li>o School Effectiveness Leads</li> <li>o Student Success Leads</li> <li>o Technology Enabled Learning and Teaching (TELT) Contact Leads</li> </ul> </li> </ul>	Yes
Student Transportation Grant	No
<p>Declining Enrolment Adjustment</p> <ul style="list-style-type: none"> <li>• First-Year component</li> <li>• Second-Year component</li> </ul>	Yes
<p>School Board Administration and Governance Grant</p> <ul style="list-style-type: none"> <li>• Trustees Allocation</li> <li>• Reporting Entity Project Allocation</li> <li>• Internal Audit Allocation</li> <li>• External Audit Allocation</li> <li>• Board Administration Allocation</li> <li>• Executive Compensation Allocation for 2017–18 Increases</li> <li>• Curriculum and Assessment Implementation Allocation (Including Indigenous-Focused Curriculum)</li> <li>• Central Employer Bargaining Agency Fees Allocation</li> <li>• School Authorities Amalgamation Adjustment</li> <li>• Managing Information for Student Achievement (MISA) Local Capacity Building Allocation</li> <li>• Demographic Data Gathering Allocation</li> </ul>	<p>Yes, except:</p> <ul style="list-style-type: none"> <li>• Reporting Entity Project Allocation</li> <li>• Internal Audit Allocation</li> <li>• External Audit Allocation</li> <li>• Central Employer Bargaining Agent Fees Allocation</li> </ul>
<p>School Facility Operations and Renewal Grant</p> <ul style="list-style-type: none"> <li>• School Operations Allocation</li> <li>• School Renewal Allocation</li> </ul>	<p>Yes, except:</p> <ul style="list-style-type: none"> <li>• The following amounts within the School Operations Allocation: <ul style="list-style-type: none"> <li>o Amounts related to</li> </ul> </li> </ul>

	<ul style="list-style-type: none"> <li>o continuing education and summer school</li> <li>o Community Use of Schools Allocation</li> <li>o Capital Lease Amount on School Authority Amalgamation</li> <li>o ECPP Operations Amount</li> <li>o Licensing and Related Fees for Approved Asset Management Software</li> <li>• School Renewal Allocation</li> </ul>
One-Time Realignment Mitigation Fund	Yes
Debt Service Support	No
Capital Funding	No

\*The grants and allocations specified within the table are based on the 2023-24 GSN and are subject to change based on year-over-year changes to the GSN.

\*\*The base fee for isolate boards is calculated based on the School Authorities Allocation and is not broken down into the components set out above but is generally reflective of how the base fee is calculated for district school boards.



# APPENDIX B: WRITTEN NOTICE TEMPLATES

## Reciprocal Education Approach Written Notice for Eligible Students to Attend an Eligible First Nation School

This form may be used by entities and parents, guardians, students or Another Authorized Person (specified in section 3 of the form) to provide notice to a school board as required under section 185 of the *Education Act* to initiate the process for a student to attend a First Nation school under the Reciprocal Education Approach.

Fields marked with an asterisk (\*) are mandatory for entities and parents, guardians, students or Another Authorized Person.

### 1. Notice of the Entity

#### Information about the Entity

This notice is being initiated by \*

- A band       A council of a band       An education authority that is authorized by a band or council of a band  
 The Crown in right of Canada       An education authority that is authorized by the Crown in Right of Canada

Legal Name of Entity \*

#### Contact Person's Details

Last Name \*

First Name \*

Title \*

#### Address

Unit Number

Street Number \*

Street Name \*

PO Box

City/Town \*

Province \*

Postal Code \*

Telephone Number \*

ext.

Fax Number

Email Address

#### Information about the Student

Last Name \*

First Name \*

Date of Birth (yyyy/mm/dd) \*

Provincial OEN # (if available)

Name of First Nation school student intends to attend \*

Intended admission date (yyyy/mm/dd) \*

Student's credit count or most recent grade completed \_\_\_\_\_

#### Address of school student intends to attend

Unit Number

Street Number \*

Street Name \*

PO Box

City/Town \*

Province \*

Postal Code \*

#### Special Education Supports Needed \*

- Behaviour       Intellectual       Communication       Physical       Multiple

Other  Not Applicable

Does the student have an IEP (Individual Education Plan)? \*

Yes  No

Is this student receiving special education programs and/or service? \*

Yes  No

## Ontario Student Record

The entity providing this notice requests that the school board transfer the student's attendance record to the school the student intends to attend.

The entity providing this notice requests that the school board transfer the student's Ontario Student Record (OSR) to the school the student intends to attend.

The OSR is a permanent record for each student who enrolls in school in Ontario and accompanies the student if the student moves to another school in the province. Transfer of the OSR is important in order for the receiving school to track the student's educational progress and other relevant documentation required for the successful educational progress of the student. The OSR may also contain important educational accommodation, modification and/or health and custody-related information conducive to the student's learning.

Additional Notes

## 2. Signature

Name of Official of Entity \*

Date (yyyy/mm/dd) \*

Signature of Official (I have authority to bind the above entity) \*

## 3. Notice of the Parent, Guardian, Student or Another Authorized Person

Student's Last Name \*

Student's First Name \*

This notice is being initiated by \*

Parent of the student  Guardian of the student<sup>26</sup>  The student if they are at least 18 years of age

The student, if 16 or 17 years of age and has withdrawn from parental control  An authorized proxy<sup>27</sup>

A person who facilitates the student's access to education<sup>28</sup>  A person from the student's extended family<sup>29</sup>

Name of parent, guardian, student or Another Authorized Person

### Address of student

Unit Number

Street Number \*

Street Name \*

PO Box

City/Town \*

Province \*

Postal Code \*

<sup>26</sup> Guardian means a person defined in section 18 of the *Education Act*. This is either a legal guardian (other than a parent), or anyone who has received into their care or residence, a person of compulsory school age.

<sup>27</sup> An adult who is authorized to provide notice by a parent, guardian or a student who is 16 or 17 and has withdrawn from parental control or at least 18 years of age.

<sup>28</sup> An adult which may include, but is not limited to, a school principal, education director or manager and First Nation school staff.

<sup>29</sup> An adult from the pupil or person's extended family, as defined in the *Child, Youth and Family Services Act, 2017*.

**Address of parent, guardian or another authorized person**

Same as address of student

Unit Number	Street Number *	Street Name *	PO Box
City/Town *		Province *	Postal Code *

Phone number of parent, guardian, student or Another Authorized Person *	Email address of parent, guardian, student or Another Authorized Person
Name of First Nation school student intends to attend *	Intended admission date (yyyy/mm/dd) *

**4. Consent and Notice of Collection of Personal Information**

By signing below, you are providing consent to the \_\_\_\_\_  
Insert the name of school board \*  
for the indirect collection of personal information from



Insert the name of the: band; council of a band; education authority that is authorized by a band or council of a band; education authority that is authorized by the Crown in Right of Canada; or the Crown in Right of Canada \*

The school board collects the information in this form directly from you and will indirectly collect the personal information identified in the Written Notice for Eligible Students Attending a School of a School Board form or the Written Notice for Eligible Students Attending an Eligible School form, as the case may be, from the entity named above. This includes:

- Student’s name, date of birth, and Ontario Education Number
- Student’s address and contact information
- Parent, guardian, or another authorized person’s name, address, and contact information
- Student’s intended admission date and school
- Student’s eligibility for the Reciprocal Education Approach (i.e. under sections 185 and 188 of the *Education Act*)
- Student’s credit count or grade
- Student’s special education supports needed, if applicable, including exceptionalities and Individual Education Plan
- Student’s attendance records and Ontario Student Record

This personal information is being collected in accordance with subsection 28(2) of the *Municipal Freedom of Information and Protection of Privacy Act* and pursuant to sections 185 and 188 of the *Education Act*.

The school board will use this personal information for the purposes of administering the Reciprocal Education Approach, including:

- Determining eligibility to attend a First Nation school or school of a school board under sections 185 or 188 of the *Education Act*, as the case may be.
- Providing funding to an entity that operates a First Nation school.
- Determining the fees that would be charged to an entity that provides written notice in respect of a First Nation student attending a school of the school board.
- Processing payments to be paid to an entity operating a First Nation school or for payments to be charged to an entity that provides written notice in respect of a First Nation student attending a school of the school board.

The school board may also disclose this personal information to the Ministry of Education, as required under paragraph 27.1 of subsection 8(1) or subsection 8.1(5) of the *Education Act*.

**To be completed by the school board:**

Officer or Employee of the school board who can answer the individual’s questions about the collection

Title

**Business address**

Unit Number	Street Number	Street Name	PO Box
City/Town		Province	Postal Code
Business Telephone Number	Fax Number	Email Address	

**5. Signature**

I have read and understood all parts of this written notice, including the Consent and Notice of Collection of Personal Information section, above, and my signature attests to my consent to the indirect collection, use and disclosure of the pupil or student’s personal information and that the information in this notice is complete and true.

Signature of Parent/Guardian/ Student/Another Authorized Person<sup>3</sup> \*

Date (yyyy/mm/dd) \*

Signature of Student<sup>30\*</sup>

Date (yyyy/mm/dd) \*

---

<sup>30</sup> If the student is 16 or 17 years of age, the consent of both the parent/guardian and the student is required for the school board's indirect collection of personal information. If the student is 16 or 17 years of age and has withdrawn from parental control, or if the student is 18 years of age or older, the consent of the student is required for the school board's indirect collection of the student's personal information.

# Reciprocal Education Approach Written Notice for Eligible Students to Attend a School of a School Board

This form may be used by entities and parents, guardians, students or Another Authorized Person (specified in section 3 of this form) to provide notice to a school board as required under section 188 of the *Education Act* to initiate the process for a student to attend a school of a school board under the Reciprocal Education Approach.

Fields marked with an asterisk (\*) are mandatory for entities and parents, guardians, students or Another Authorized Person.

## 1. Notice of the Entity

### Information about the Entity

This notice is being initiated by \*

- A band     
  A council of a band     
  An education authority that is authorized by a band or council of a band  
 The Crown in right of Canada     
  An education authority that is authorized by the Crown in Right of Canada

Legal Name of Entity \*

### Contact Person's Details

Last Name \*

First Name \*

Title \*

### Address

Unit Number

Street Number \*

Street Name \*

PO Box

City/Town \*

Province \*

Postal Code \*

Telephone Number \*

ext.

Fax Number

Email Address

### Information about the Student

Last Name \*

First Name \*

Date of Birth (yyyy/mm/dd) \*

Provincial OEN # (if available)

### Student Eligibility \*

- The above-named pupil is eligible to receive funding from the Crown in right of Canada, or a band, a council of a band, an education authority that is authorized by a band or a council of a band or by the Crown in right of Canada.  
 The above-named pupil ordinarily resides on a reserve within the meaning of the *Indian Act* (Canada).

Name of school of a school board student intends to attend \*

Intended admission date of student (yyyy/mm/dd) \*

Student's credit count or most recent grade completed \_\_\_\_\_

## Special Education Supports Needed \*

Behaviour       Intellectual       Communication       Physical       Multiple

Other       Not Applicable

Does the student have an IEP (Individual Education Plan)? \*

Yes     No

Is this student receiving special education programs and/or service? \*

Yes     No

## Ontario Student Record

The entity providing this notice agrees to transfer the student's attendance record to the school the student intends to attend..

The entity providing this notice agrees to transfer the student's Ontario Student Record (OSR) to the school the student intends to attend.

The OSR is a permanent record for each student who enrolls in school in Ontario and accompanies the student if the student moves to another school in the province. Transfer of the OSR is important in order for the receiving school to track the student's educational progress and other relevant documentation required for the successful educational progress of the student. The OSR may also contain important educational accommodation, modification and/or health and custody-related information conducive to the student's learning.

## 2. Signature

Name of Official of Entity \*

Date (yyyy/mm/dd) \*

Signature of Official (I have authority to bind the above entity) \*

## 3. Notice of the Parent, Guardian, Student or Another Authorized Person

Student's Last Name \*

Student's First Name \*

This notice is being initiated by \*

Parent of the student     Guardian<sup>31</sup> of the student     The student if they are at least 18 years of age

The student, if 16 or 17 years of age and has withdrawn from parental control     An authorized proxy<sup>32</sup>

A person who facilitates the student's access to education<sup>33</sup>     A person from the pupil or person's extended family<sup>34</sup>

Name of parent, guardian, Another Authorized Person or student

## Address of student

Unit Number

Street Number \*

Street Name \*

PO Box

City/Town/Reserve Name \*

Province \*

Postal Code \*

## Address of parent, guardian or Another Authorized Person

<sup>31</sup> Guardian means a person defined in section 18 of the *Education Act*. This is either a legal guardian (other than a parent), or anyone who has received into their care or residence, a person of compulsory school age.

<sup>32</sup> An adult who is authorized to provide notice by a person who is authorized to provide notice by a parent, guardian or a student who is 16 or 17 and has withdrawn from parental control or at least 18 years of age.

<sup>33</sup> An adult which may include, but is not limited to, a school principal, education director or manager and First Nation school staff.

<sup>34</sup> An adult from the pupil or person's extended family, as defined in the Child, Youth and Family Services Act, 2017.

<input type="checkbox"/> Same as address of student			
Unit Number	Street Number *	Street Name *	PO Box
City/Town/Reserve Name *		Province *	Postal Code *
Phone number of parent, guardian, student or Another Authorized Person *		Email address of parent, guardian, student or Another Authorized Person	
Name of school of the student intends to attend *		Intended admission date (yyyy/mm/dd) *	

## 4. Consent and Notice of Collection of Personal Information

By signing below, you are providing consent to the \_\_\_\_\_  
 Insert the name of school board \*

for the indirect collection of personal information from

\_\_\_\_\_

Insert the name of the: band; council of a band; education authority that is authorized by a band or council of a band; education authority that is authorized by the Crown in Right of Canada; or the Crown in Right of Canada \*

The school board collects the information in this form directly from you and will indirectly collect the personal information identified in the Written Notice for Eligible Students Attending a School of a School Board form or the Written Notice for Eligible Students Attending an Eligible School form, as the case may be, from the entity named above. This includes:

- Student's name, date of birth, and Ontario Education Number
- Student's address and contact information
- Parent, guardian or Another Authorized Person's name, address, and contact information
- Student's intended admission date and school
- Student's eligibility for the Reciprocal Education Approach (i.e. under sections 185 and 188 of the *Education Act*)
- Student's credit count or grade
- Student's special education supports needed, if applicable, including exceptionalities and Individual Education Plan
- Student's attendance records and Ontario Student Record

This personal information is being collected in accordance with subsection 28(2) of the *Municipal Freedom of Information and Protection of Privacy Act* and pursuant to sections 185 and 188 of the *Education Act*.

The school board will use this personal information for the purposes of administering the Reciprocal Education Approach, including:

- Determining eligibility to attend a First Nation school or school of a school board under sections 185 or 188 of the *Education Act*, as the case may be.
- Providing funding to an entity that operates a First Nation school.
- Determining the fees that would be charged to an entity that provides written notice in respect of a First Nation student attending a school of the school board.
- Processing payments to be paid to an entity operating a First Nation school or for payments to be charged to an entity that provides written notice in respect of a First Nation student attending a school of the school board.

The school board may also disclose this personal information to the Ministry of Education, as required under paragraph 27.1 of subsection 8(1) or subsection 8.1(5) of the *Education Act*.

To be completed by the school board:

Officer or Employee of the school board who can answer the individual's questions about the collection

\_\_\_\_\_  
 Title

## Business address

Unit Number	Street Number	Street Name	PO Box
City/Town		Province	Postal Code
Business Telephone Number	Fax Number	Email Address	

## 5. Signature

I have read and understood all parts of this written notice, including the Consent and Notice of Collection of Personal Information section, above, and my signature attests to my consent to the indirect collection, use and disclosure of my or my child's/the student's personal information and that the information in this notice is complete and true.

Signature of Parent/Guardian/ Student/Another Authorized Person <sup>3</sup> *	Date (yyyy/mm/dd) *
Signature of Student <sup>35*</sup>	Date (yyyy/mm/dd) *

<sup>35</sup> If the student is 16 or 17 years of age, the consent of both the parent/guardian and the student is required for the school board's indirect collection of personal information. If the student is 16 or 17 years of age and has withdrawn from parental control, or if the student is 18 years of age or older, the consent of the student is required for the school board's indirect collection of the student's personal information.

## APPENDIX C: RECIPROCAL EDUCATION APPROACH (REA) – STUDENT INFORMATION REPORT

Section A: Student Information					Section B: Other Information (as indicated on Written Notice Form or in RESA)							Section C: Student Status at Each Payment Cycle				Section D: Agreements for Additional Services							
#	A1	A2	A3	A4	B1	B2	B3	B4	B5	B6	B7	October 31, 2023 count date		March 31, 2024 count date		D1	D2	D3	D4	D5	E1		
#	OEN (xxxxxxx xx) no dashes	Last Name (Upper case)	First Name (Upper case)	Date of Birth (YYYY/M M/DD)	Grade Level (Elementary/ Secondary)	Name of First Nation School (Upper case)	School Semester Type (Semestered / Non- semestered <b>OR</b> Quadmestered / Octomestered)	Name of Eligible Entity (Upper case)	Include the <b>later</b> of: <b>Date</b> that student intends to attend eligible school <b>OR Date</b> First Nation school confirms to admit student (YYYY/MM/DD)	Board confirmation that: (a) completed and valid Written Notice (WN) received; (b) Incomplete or Missing WN received <b>OR</b> (c) Effective RESA in place (1. <b>WN-</b> <b>received, 2.</b> <b>WN-</b> <b>incomplete/</b> <b>missing, 3.</b> <b>RESA)</b>	Board confirms student eligibility and registration as a Pupil of the Board (Y/N)	October Active/ Inactive (Active/ Inactive)	October Full- time equivalency (1.0 or lower)	March Active/ Inactive (Active/ Inactive)	March Full- time equival- ency (1.0 or lower)	Effective Date of Agreement (YYYY/MM/ DD)	SIP Claim Eligible (Y/N)	Special Education Staffing Support - <b>Amount Paid</b> (CAD) (####.##)	SEA Claim Eligible (Y/N)	Special Education Equipment Amount - <b>Amount Paid</b> (CAD) (####.##)	Comments		
1																							
2																							
3																							
4																							
5																							

# APPENDIX D - RECIPROCAL EDUCATION APPROACH (REA) – STUDENT ENROLMENT LIST

## 1. INSTRUCTIONS

There are 4 sections in this template:

- **Section A - Contact Information for Receiving Organization (Sheet 1)**
  - Please provide relevant contact information for the First Nation entity or school board receiving the student list.
- **Section B - Payee Contact and Payment Information (Sheet 1)**
  - Please provide relevant contact and payment information for the First Nation entity or school board providing the student list.
- **Section C – Attestation (Sheet 1)**
  - Attestation by the First Nation entity or school board confirming that the information provided accurately reflects that students are active pupils as at the count date (October 31 or March 31).
- **Section D - Student List (Sheet 2)**
  - This section includes required fields for individual student information as outlined in the REA Instructions for First Nations and school boards.

Section A: Contact Information for Receiving Organization	
This information is being provided to	<i>Insert Name of Receiving Organization - First Nation entity or School Board</i>
Contact Name	
Contact Position	
Contact Email	
Contact Phone	

Section B: Payee Contact and Payment information	
Name of Organization (First Nation Entity or School Board)	
<b>Contact Information</b>	
Contact Name	
Contact Position	
Contact Email	
Contact Phone	
<b>Payment Information</b>	
Name of Payee	
Account Number	
Name of Bank	
Bank/Branch Address	

Section C: Attestation
<b>Attention: Data must be entered in Section D: Student List (sheet 2) prior to attesting</b>
<input type="checkbox"/> By checking off this box, _____ [insert name and title of signatory] _____ confirms that the student information contained in this form is a true and accurate representation of students' active status as at the count date (October 31 or March 31).



