

Tripartite Framework Agreement

Jurisdiction: First Nations/INAC/BC

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Level: K-12

Theme: Government Policies

Description of Practice:

Tripartite Framework Agreement signed in July 2006 between the Government of Canada, the First Nations Education Steering Committee, and the Province of British Columbia (BC) which establishes a process of transferring authority over First Nation education to First Nation peoples.

Background:

On July 24, 2003 First Nations representatives, along with representatives of the federal and provincial governments signed a Memorandum of Understanding (MOU) outlining the elements of First Nations education jurisdiction. Over the past three years negotiations have continued and in November 2005, the negotiators initialled the respective agreements. An official signing of the package of Agreements by BC First Nations, British Columbia and Canada took place on July 5, 2006 at the Xweme'Ich'stn Estimxwawtxw School in North Vancouver.

On November 23, 2006 Bill C-34: First Nations Jurisdiction over Education in British Columbia Act was introduced in the House of Commons by the Honorable Jim Prentice, Minister of Indian Affairs and Northern Development. Since then, it has been passed by both the House of Commons and the Senate, and received Royal Assent on December 12, 2006.

Development:

Bill C-34 enables the Government of Canada to negotiate individual Canada-First Nation Education Jurisdiction Agreements with interested First Nations. Participating First Nations will control the design and delivery of education programs and services that are culturally-relevant, community-tailored and provincially-recognized. First Nations will establish education authorities, set and enforce provincially recognized standards for curricula and teacher standards, and issue graduation certificates. They must ensure comparability between provincial schools and on reserve schools to enable First Nation students to move between education systems.

Under the Agreement, the Province commits to recommend legislation enabling First Nation education jurisdiction within the Province. The two parties commit to keep each other informed of changes to education policy, standards and proposed changes in legislation relating to the operation of participating First Nations schools.

Evidence:

N/A - too new to assess

Adaptability:

As a tripartite arrangement, the First Nations Jurisdiction over Education in British Columbia Act speaks to the critical interface between on-reserve and provincial systems and the need to provide a consistent quality of education for First Nation children no matter where they go to school. While it is recognized that each province and territory has its own priorities and

unique relationships with Aboriginal peoples, the BC experience can serve as a model for other provinces and territories.

Further information:

INAC: http://www.ainc-inac.gc.ca/nr/prs/s-d2006/2-02830_e.html

FNESC: <http://www.fnesc.ca/>

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