Honouring Students through the Creation of a fair Post-secondary education policy:
The Lyackson First Nation

MADR 598 Master’s Project
February 2, 2015
Academic Supervisor: Thea Vakil

Prepared for:
Patricia McKinnon
Director of Operations, Lyackson First Nation

Prepared by:
Bill King
MADR Candidate
University of Victoria
TERMINOLOGY
The term Aboriginal peoples will be used throughout this paper, as it generally refers to the “...organic political and cultural entities that stem historically from the original peoples of North America. The term includes the Indian, Inuit and Metis peoples of Canada.” (Inuit Tapiriit Kanatami, 2005).

The term First Nation will also be used to refer to individuals identified as Registered Status Indians under the Indian Act, as these are the criteria for eligibility for funding through the post-secondary student support program (Aboriginal Affairs and Northern Development Canada [AANDC], 2014). First Nation(s) will also be used interchangeably with “bands”, the legal term for communities of Indians, as defined in the Indian Act.

The term Indian is used to refer only to Registered Status Indians and is used instead of First Nation in order to emphasize the paternalistic vernacular of a time during which the criteria for what constitutes a Registered Status Indian were imposed upon First Nations people.

The term Indigenous is used when in reference to common terms such as “Indigenous Knowledge” which denote elements of commonality throughout Aboriginal or Indigenous cultures. Indigenous is the term typically used internationally when referring to what Canada considers Aboriginal peoples.
EXECUTIVE SUMMARY

First Nations post-secondary education policies, termed Local Operating Policies (LOP), are the result of the devolution of post-secondary funding from Aboriginal Affairs and Northern Development Canada (AANDC) to First Nations Administrative Organizations (FNAO). These policies determine which students will be prioritized and how federal funding will be allocated to students. The need for prioritization and rationing is a result of the inadequate funding provided to FNAOs to fully fund all students.

The client for this project is the Lyackson First Nation. The Lyackson First Nation is a small Coast Salish band that traditionally resided on Valdes Island. The band is unique, as they do not have any members residing on their reserve, and have a very high student uptake rate of post-secondary funding. The Lyackson First Nation requested assistance in revising their LOP, which had been in the process of revision for the past five years. The primary challenge for the band was creating a clear and fair policy that fit the AANDC policy guidelines.

The objective of this report is to explore the challenges of revising the Lyackson LOP by engaging Lyackson students, administration, and band politicians with experience with the policy. Gathering this information will improve understanding of the challenges, potential solutions and, hopefully, increase band member satisfaction with the process of obtaining post-secondary funding from the band.

In the short term this process aims to assist the band in finalizing its LOP so that a clear and fair decision making process can be made regarding the available funding. In the long-term it provides a number of recommendations which may assist the band in exploring options for expanding support of its students. The study addresses the following research question:

What elements of the current Lyackson First Nations post-secondary education policy need to be changed to create a clear and fair post-secondary education policy, while ensuring compliance with AANDC’s policy guidelines for continued funding?

Background
Prior to European arrival First Nations had their own family based education systems that promoted their values. Settlers who arrived had a different set of values, and attempted to civilize First Nations, first, through mission schools, originally implemented by churches, and then residential schools, run by churches and the federal government, with the purpose of isolating Aboriginal peoples in order to settle their
lands. The systematic removal of children, disrupted family life and contributed to loss of languages, cultures and land bases. Widespread child abuse in the schools has been linked to inter-generational trauma.

Early federal post-secondary policy for First Nations was tied to enfranchisement and giving up Indian status. There were few entrants prior to the 1950’s and no systemic funding structure. After WWII, with the advent of international human rights law, the federal government decided to integrate students into mainstream provincial institutions. The education results were dismal with 94% of students not completing high school from 1951-62.

In 1969, the federal government, through its White Paper, attempted to eliminate Indian status, based on a platform of equality for all Canadians. The National Indian Brotherhood rejected the paper and called for more control over education and claimed education was a fiduciary obligation of the Crown based on inherent and treaty rights.

After years of negotiation and piecemeal post-secondary funding for First Nations’ students, the government implemented the Post-secondary education assistance program (PSEAP), with the aim of increasing First Nations university participation rates. The program fully covered tuition, living allowance and associated fees related to education. Student participation in post-secondary education increased from 800 in 1972 to 6500 in 1982.

In 1987 the government, citing the program’s success, undertook a review of the program, which resulted in funding caps and the beginning of competition for funding amongst First Nations students. Program changes, finalized in 1989, modified the former PSEAP to the current Post-secondary student support program (PSSSP). The number of students supported through the PSSSP peaked in 1998, with 27,000 students. The peak occurred just one year after funding was capped at a 2% annual increase and numbers of students supported remain lower in 2015.

As of 2015, Aboriginal and Northern Affairs Canada devolves funding, through its regional offices, to First Nations Administrative Organizations who set guidelines for the prioritization and rationing of student funding through Local Operating Policies. First Nations must develop their Local Operating Policies to meet a number of government guidelines including student and program eligibility, and maximum funding rates for tuition and living allowances.

FNAOs must also create the criteria through which the often inadequate funding devolved from AANDC is prioritized and rationed. Prioritization criteria are generally hierarchal, prioritizing new high school graduates and college and undergraduate
applicants. The capacity of many, particularly smaller, First Nations to create Local Operating Policies to effectively address their students’ needs are affected by the lack of capacity devolved by AANDC.

**Literature Review**
The importance of post-secondary education in improving individual’s lives is generally well recognized, yet Aboriginal peoples continue to have lower levels of success than the general population. Former commonwealth governments with significant Aboriginal populations have attempted to address these inequities by increasing Aboriginal student access through the provision of various student financial aid schemes. In Canada, the primary financial assistance method for First Nations students is the PSSSP, a targeted grant program for First Nations students.

This program is considered an essential element in increasing First Nations student access and success, particularly in light of historical inequities, however the funding appears inadequate to increase success levels to those of other Canadians. While the benefits of increasing the educational attainment of First Nations students to both First Nations and Canada are widely purported the resources needed are lacking. The problem appears to be influenced by administrative issues at the federal level relating to education jurisdiction, program accountability and oversight, and the inequitable distribution of funds. The unpopular nature of targeted funding may also be a factor.

For First Nations, control of education has been a primary focus since the Indian Control of Indian Education paper was published in 1972. In an attempt to address this concern, the federal government devolved administrative responsibility of post-secondary funding to First Nations Administrative Organizations. This resulted in a degree of local First Nation control, however the devolution of insufficient capacity to fund, administer, and create policy that effectively addressed the needs of both First Nations organizations and their students has resulted in challenges. As a result of the inadequacy of funding to fully support all students First Nations administrative organizations must decide how to prioritize and ration the available funding. The effect is some students being denied funding or put on waitlists, and others receiving only supplemental funding. Deciding how much to fund to which students can contribute to inter-community conflict in already historically disadvantaged communities. The creation of clear and fair LOPs has the potential to mitigate the negative affects related to this decision making process.

**Methodology**
This study utilizes a qualitative methodology based on key informant interviews. Key informants were selected for their experience with the policy and to provide information on policy issues and suggestions for improvement.
A purposive sampling strategy was used to engage three groups of key informants: Current and former Lyackson students, Lyackson administrators and band councilors, and non-Lyackson policy administrators and developers. A total of 12 interviews were conducted of which 10 were approved for use in the study. The two unapproved were due to administrative approval issues and were all within the group of non-Lyackson administrators and developers. These individuals were considered the least important to the research, as they were external to the band.

Interviews were based on semi-structured and open ended questions with follow up probing. As the research progressed additional targeted questions were asked to elicit opinions on specific policy elements under consideration for policy revision options. Thematic analysis was used to interpret and arrange information through the stages of reviewing, coding, and organizing themes and patterns derived from interviews. All of the information received was considered in relation to the principle question and purpose of the research.

Findings and Discussion
The findings suggest the high post-secondary participation rate of Lyackson members, inadequacy of PSSSP funding, and stagnant Own Source Revenue (OSR) result in the need for the band to prioritize and ration its funding.

Student funding has been supplemented substantially through Lyackson OSR, and the problem of funding recently became pronounced with no new OSR. PSSSP funding, which has remained capped at 2% since 1996, is unlikely to be increased in the near future, while the band’s high student uptake rate, considered a positive problem, creates a situation where the band’s desire to support students is challenged. Inadequacy of funding related negatively to student health and well-being, and resulted in lower academic standing for some students. It is within this context that the band must attempt to create clear and fair policy.

As fairness, a primary concern of this research, can be interpreted differently, member feedback was considered important and incorporated into the research through interviews. Interviewees had mixed opinions about the decision making process for revising the LOP, with some desiring more community engagement. Community engagement was linked to the benefits of increasing members’ ownership and knowledge of the policy. Student knowledge of policy and the band’s fiscal situation led to greater student satisfaction with funding.

Improvement in policy clarity, particularly as it related to student prioritization criteria, the impact of program changes, funding levels, and time limits were revealed. Interviewees were also concerned about the implications of unclear criteria, resulting in
varied policy interpretations, impacting students’ perceptions of policy fairness. Potentially prejudicial criteria, such as age based prioritization and prioritizing students based on motivation were considered problematic, and related negatively to colonial imposition. Some of these criteria resulted in fear based student motivations for accessing post-secondary education and continuing in programs.

The ability of the band to consistently apply policy was additionally impacted by confusion about which policy was being used and ineffective monitoring and tracking of students in the past. Recent improvements in monitoring and tracking were linked to the efficiency of the administrator. Findings revealed that recent improvements in administration also led to improvements in communication.

**Conclusion**

The findings suggest a number of areas that may need to be addressed in order to improve the band’s fiscal situation and to address Lyackson students’ post-secondary funding needs. Chief and Council were provided choice in addressing their policy concerns through the provision of two policy options; a flexible student support option (option A) and a prescriptive fiscal responsibility option (option B). The options were design to allow flexibility and provided the possibility of modifying the policy, on a section by section basis, to either option A or B.

As well as the policy options a number of short-term and long-term recommendations were provided to assist the band in deciding on policy options and to address fiscal concerns and student funding needs. The recommendations are:

**Short term:**

1. Provide clarity in definitions and policy statements.
2. Clarify whether student program changes affect cumulative student funding months.
3. Change student application and approval deadlines.
4. Modify the tuition funding level in the policy to reflect actual tuition levels funded.
5. Provide an additional 12 months of funding for B.Ed.
6. Increase student knowledge of the policy and band fiscal capacity.
7. Increase policy accessibility.
8. Ensure the revised Local Operating Policy is consistent with AANDC policy guidelines.
9. Shift member focus to external funding sources.

**Long-term:**

1. Create a long-term plan for addressing student needs.
2. Determine the degree of community engagement desired in the band decision making process.
3. Assess the band’s ability to increase Own Source Revenue.
4. Lobby the federal government to increase PSSSP support.
5. Assess the potential for collaboration with other bands to increase administrative efficiency.
Table of Contents

TERMINOLOGY ............................................................................................................................................. 3
EXECUTIVE SUMMARY ............................................................................................................................... 5
1 INTRODUCTION ........................................................................................................................................... 15
2 BACKGROUND ................................................................................................................................................ 19
  2.1 First Nation’s pre-contact education systems ................................................................................. 19
  2.2 The mission and residential school periods (1830-1950) ............................................................. 19
  2.3 Early Post-secondary Education Policy ......................................................................................... 20
  2.4 A shift to integrative education policies ......................................................................................... 21
  2.5 The White Paper and Indian Control of Indian Education ............................................................ 22
  2.6 The Post-secondary Education Assistance Program (PSEAP) (1975-1989)............................. 23
  2.7 The PSEAP review and the formation of the current PSSSP program ....................................... 24
  2.8 The Post-secondary Student Support Program (1989 to present) .............................................. 25
  2.9 Federal Post-secondary Education Programs for First Nations and Inuit Students .................... 25
  2.10 Federal Funding Mechanisms ........................................................................................................ 26
  2.11 Local Operating Policies ............................................................................................................... 26
  2.12 Prioritization and Rationing .......................................................................................................... 27
  2.13 The AANDC Local Operating Policy Guideline Framework ..................................................... 28
  2.14 Summary ........................................................................................................................................... 28
3 LITERATURE REVIEW ........................................................................................................................................... 29
  3.1.1 The Importance of Post-secondary Education ........................................................................ 29
  3.1.2 Why governments provide funding for post-secondary education ........................................ 29
  3.1.3 Student Financial Assistance schemes .................................................................................... 29
  3.1.4 Equity and Fairness ...................................................................................................................... 30
  3.1.5 Universal and Targeted Funding Methods ............................................................................... 31
  3.2 Funding for Aboriginal peoples in post-secondary education .................................................... 31
    3.2.2 Aboriginal post-secondary education in Canada ................................................................. 32
    3.2.3 Conflicting Views on Education ............................................................................................. 32
    3.2.4 Barriers to post-secondary access and success for Aboriginal peoples ............................ 35
    3.2.5 The effects of parental income and education ..................................................................... 35
    3.2.6 Student Aversion to Loans .................................................................................................... 35
    3.2.7 Effects of Government Student Financial Assistance Schemes on Student Access and Success .......................................................... 36
    3.2.8 Incorporating Holistic Measurement Systems ..................................................................... 36
  3.3 Contextualizing the Post-secondary student support program ...................................................... 37
    3.3.1 Funding Needs ......................................................................................................................... 37
    3.3.2 Student Perceptions ............................................................................................................... 37
  3.4 Federal oversight of the PSSSP ........................................................................................................... 38
  3.5 Devolution of Federal Administration and Local Operating Policies ........................................... 39
    3.5.1 Devolution Framework ............................................................................................................ 39
    3.5.2 The Purpose of Devolution of Administration of post-secondary funding ........................ 39
    3.5.3 Effects of Devolution .............................................................................................................. 40
3.5.4 Prioritization Frameworks ................................................................. 41
3.5.5 A Merit based approach .................................................................... 41
3.5.6 A Needs based approach ................................................................. 41
3.5.7 AANDC Influence on policy making ............................................ 42
3.5.8 Issues arising from the Prioritization of Student Funding .......... 42
3.5.9 Rationing ....................................................................................... 44
3.6 Summary ......................................................................................... 44

4 METHODOLOGY .................................................................................. 47
4.1 Sampling ............................................................................................ 47
4.2 Recruitment ........................................................................................ 47
4.3 Instrument .......................................................................................... 48
4.4 Interviews ........................................................................................... 48
4.5 Data Collection and Analysis ............................................................ 49
4.6 Limitations ......................................................................................... 50

5 FINDINGS .............................................................................................. 50
5.1 The Policy Process ............................................................................. 51
  5.1.1 The Value of Education ................................................................. 51
  5.1.2 Importance of Funding and Funding Challenges ....................... 51
  5.1.3 Entitlement and Fiduciary Obligation ........................................... 52
  5.1.4 Methods of policy revision ........................................................... 52
  5.1.5 Community Engagement ............................................................. 52
  5.1.6 The importance of dialogue and community engagement .......... 52
  5.1.7 Facilitating On-going Participation in Band Affairs .................. 52
  5.1.8 Technology ................................................................................... 53
  5.1.9 The Process of Obtaining Funding ............................................. 53
  5.1.10 Clarity, Consistency and Fairness in Application of Policy ....... 54
  5.1.11 Knowledge of Policy ................................................................. 54
  5.1.12 Policy Accessibility ................................................................. 54
  5.1.13 Methods of policy revision ........................................................ 54

5.2 Funding Issues .................................................................................. 54
  5.2.1 Potential Cost-saving measures ................................................... 55
  5.2.2 Funding - Student Concerns ......................................................... 55
  5.2.3 Accessing External Funding and Resources ............................... 55
  5.2.4 Use of Institutional Resources ...................................................... 56
  5.2.5 Disability Planning ................................................................. 56
  5.2.6 Student Loans ............................................................................. 56

5.3 Deliberation on Policy Changes ....................................................... 56
  5.3.1 Tuition ......................................................................................... 56
  5.3.2 Living Allowances ................................................................. 56
  5.3.3 Adequacy of Living Allowance for those with dependents ....... 57
  5.3.4 Spousal Influence on Funding ...................................................... 57
  5.3.5 Living at Home vs. Independent Living .................................... 57
  5.3.6 Course Load and Limiting Funding ............................................ 57
  5.3.7 Alternative Funding Prioritization methods ................................ 58
  5.3.8 Student Prioritization ................................................................. 58
  5.3.9 Continuing Students ................................................................. 58
  5.3.10 Program Changes ................................................................. 58
  5.3.11 First Time applicants ............................................................... 59
  5.3.12 Motivated and Mature Students ................................................ 60
5.3.14 Prioritization of Programs.........................................................................................................60
5.3.15 Public vs. Private Institutions ..................................................................................................61
5.3.16 UCEP .........................................................................................................................................61
5.3.17 Trades Funding ..........................................................................................................................61
5.3.18 Graduate and Professional programs ......................................................................................62
5.3.19 Summer/Spring Courses ..........................................................................................................63
5.3.20 Student Tracking and Monitoring ..........................................................................................63
5.3.21 Failed/Incomplete Courses .......................................................................................................64
5.3.22 Exceptions ................................................................................................................................64

5.4 Administration of Policy ...............................................................................................................64
5.4.1 Policy Format and Forms ...........................................................................................................64
5.4.2 Application and Payment Dates .................................................................................................65
5.4.3 Flexibility in Funding Allocation ...............................................................................................65

5.5 Summary .......................................................................................................................................65

6 DISCUSSION ......................................................................................................................................67
6.1 The Lyackson Post-secondary Context .........................................................................................67

6.2 External Factors ............................................................................................................................67
6.2.1 Financial and Capacity Based Inadequacies .............................................................................68
6.2.2 Effects of Inadequacies on Students .........................................................................................69
6.2.3 Student Perceptions of the Right to Funding ............................................................................70
6.2.4 External funding sources ............................................................................................................70
6.2.5 The effects of AANDC guidelines on First Nations choice .......................................................71

6.3 Community Level Factors ...........................................................................................................72
6.3.1 Band Decision making processes ...............................................................................................72
6.3.2 Rationing and Prioritizing Funding .........................................................................................72
6.3.3 Addressing Capacity Issues .......................................................................................................72
6.3.4 Funding Methods .......................................................................................................................73
6.3.5 Student Prioritization Criteria ..................................................................................................73
6.3.6 Fairness .....................................................................................................................................75
6.3.7 Administrative Clarity and Transparency ..................................................................................75

6.4 Summary .......................................................................................................................................76

7 RECOMMENDATIONS ......................................................................................................................79
7.1 Policy Options .................................................................................................................................79
7.2 Recommendations ..........................................................................................................................84

8 CONCLUSION ....................................................................................................................................87

9 REFERENCES ......................................................................................................................................89

APPENDICES .......................................................................................................................................98
Appendix 1 HREB Ethics Approval Certificate ..................................................................................98
1 INTRODUCTION

Education policy in Canada is influenced by Euro-centric colonial values, which assume the superiority of European beliefs and presents the values of others, including Aboriginal peoples as inferior (Battiste, 2013, pp. 6-7). This value conflict influenced early colonial policies, which aimed to segregate and then assimilate Aboriginal peoples into Canadian society, often through the use of violence. In education the most noticeable form of this violence is the residential school system, which has resulted in numerous negative effects, including intergenerational trauma (Regan, 2010, p. 5; Truth and Reconciliation Commission of Canada, 2012). Other effects of Euro-centric colonial policies can be recognized in Aboriginal rates of poverty, unemployment, incarceration and suicide, which are higher than the Canadian average.

While there has been some improvement in Aboriginal post-secondary education enrollment and graduation rates, they are still well below the non-Aboriginal population (First Nations Education Council, 2009, p. 33). According to 2006 census data only 7% of Aboriginal peoples have a University certificate, diploma or degree, compared to 26% of the non-Aboriginal population (Province of British Columbia, n.d., pp. 8-9).

Education is important as it is recognized as a primary transmitter of cultural values and has been linked to improved socio-economic conditions and increased well-being. Aboriginal groups, particularly First Nations, have focused on the importance of control of education, particularly in light of residential school abuses (National Indian Brotherhood [NIB], 1972). In spite of stated government support for First Nations control of education, some claim it has undermined efforts to create culturally appropriate education systems through persistent underfunding and the devolution of administration without the necessary capacity (Assembly of First Nations [AFN], 2012; Paquette and Fallon, 2010, p. 87-8).

While the federal government has a statutory responsibility to fund First Nations elementary and secondary education it views post-secondary funding is a matter of social policy and therefore not a statutory responsibility (Aboriginal Affairs and Northern Development Canada [AANDC], 2012, p. 2). The lack of statutory support for post-secondary education results in discretionary and volatile funding for students making it more difficult to achieve outcomes equitable to those of the general Canadian population (Paquette and Fallon, 2010, p. 125).

The federal government provides approximately $300 million a year in funding to First Nations administrative organizations to fund their students (AFN, 2012, p. 13). This funding is not adequate to fully support the number of First Nations students who are, or
wish to participate in post-secondary education. Therefore First Nations administrative organizations are forced to prioritize and ration their funding. This is a major area of contention between First Nations, who view post-secondary education as a treaty or inherent right and believe it should be fully funded, and the government of Canada (AFN, 2012, p. 10). Local Operating Policies (LOP) set out the criteria through which the available funding is administered by First Nations to their students.

This research project was initiated by the Lyackson First Nation, a small urban based First Nation who requested assistance in reviewing and completing its post-secondary educational policy (PSEP), formally referred to as a Local Operating Policy (LOP). The Lyackson are a Central Coast Salish Hul’q’umi’num community and are unique, as no members currently live on reserve. The traditional territory of the Lyackson people is Valdes Island where they have three reserves that cover approximately one-third of their traditional territory and continue to engage in traditional land-use practices on a seasonal basis (Lyackson First Nation, 2014a). The Lyackson are proud of their rates of participation and success in education and have an annual celebration to honour students who graduate at all levels, beginning with kindergarten. Students are encouraged to graduate through a small monetary incentive given at each level of graduation (Lyackson First Nation, 2014b).

The Lyackson First Nation requested assistance because their current LOP, created in 2008, is unclear and vague, resulting in difficulty determining clear and fair post-secondary student funding priorities. The LOP is important because it sets the standard by which Lyackson First Nations members obtain funding for post-secondary education. The Lyackson First Nation has been attempting to revise its policy for three years, but due to lack of capacity has been unable to complete the process. This project addresses some of the capacity gap by providing a voluntary service and creating a focal point for the policy revisions to move forward, as well as an opportunity to widen the breadth of views incorporated into the policy with the intent of increasing the legitimacy of the process. To assist the Lyackson in creating the best possible LOP this project reviews five other First Nations LOPs to provide alternative examples of policy forms, statements, and measures used by different First Nations, and to assess their applicability to the Lyackson LOP.

The challenge the Lyackson First Nations faces is to create a policy that is clear and fair and addresses the goals of the First Nation and its members while ensuring consistency with Aboriginal Affairs and Northern Development Canada’s (AANDC) policy to ensure continued funding. The question which this research seeks to answer is:
What elements of the current Lyackson First Nations post-secondary education policy need to be changed to create a clear and fair post-secondary education policy, while ensuring compliance within AANDC’s policy guidelines for continued funding?

This project is organized in the following manner: a background section, a literature review, a methodology, findings, a discussion and final policy options for the Lyackson First Nation.
2 BACKGROUND
This section provides a brief historical overview of Canadian government education policy for Aboriginal peoples and a more detailed history of the formation of post-secondary education policy. It briefly outlines federal mechanisms in place for funding First Nations and Inuit post-secondary education, and provides context in order to assist in understanding the issues First Nations face in attempting to create clear and fair Local Operating Policies.

2.1 First Nation’s pre-contact education systems
Prior to European contact First Nations peoples had their own education systems that were rooted in community and directly attached to land. These education systems were based on the transmission of knowledge necessary for survival in specific environments, and took place informally within family and community units. The teachings encouraged the development of values such as humility, honesty, courage, kindness and respect (Kirkness, 1999, n.p.). Practices of education were situated spiritually, and learning occurred experientially through observation and practice. This was the only period in existence when First Nation’s communities were the sole designers, planners, and implementers of their education systems (Standing Senate Committee on Aboriginal Peoples [SSCAP], 2011, p. 5).

2.2 The mission and residential school periods (1830-1950)
From early contact to confederation in 1867, missionaries played a major role in First Nation’s education with the primary goal of Christianizing them (SSCAP, 2011, pp. 5-6). Mission schools were understood to be the most promising method of civilizing natives and assimilating them into the immigrant society (SSCAP, 2011, p. 6). However, during this period Aboriginal peoples were tolerated, as they provided utility to European immigrants and colonial powers, initially for physical survival on the land and then for economic and military partnerships.

Aboriginal peoples’ utility, however, was vanishing in the 1820s, with a decrease in need for military assistance, a focus on creating national unity, and an increase in international stability amongst European colonial powers (Wilson, 1986, p. 66). Responsibility for Aboriginal peoples was transferred in 1830 from military to civil authorities, where education came to the forefront of Indian affairs (Wotherspoon, 1991, p. 256).

This was the advent of the residential school system, which would remain the cornerstone of federal Indian education policy until the mid-1950’s. During this time more than 150,000 First Nations, Métis and Inuit students were taken from their families
to become educated in the ways of civilization and Christianity (SSCAP, 2011, p. 6). Aggressive assimilation through segregation was the primary objective of the residential school system. The logic of the time was that removal from the influence of families and communities and full immersion in Euro-Christian values and practices, through education, would ensure a successful transition to the norms being pursued by the colonial government (SSCAP, 2011, p. 6). Isolation would also ensure natives would not impede the political and economic goals of nation builders (Wotherspoon, 1991, p. 257).

As the nation state of Canada developed it formalized oppressive and patriarchal policies towards Indigenous peoples, introducing the 1857 Act to Encourage the Gradual Civilization of the Indian Tribes of Canada (Statutes of the Province of Canada, 1857), and the Gradual Enfranchisement Act of 1869 (Government of Canada, 1869). The later of which imposed a band electoral system and granted the superintendent of Indian Affairs full control, allowing him the authority to decide who were, in fact, Indians (Government of Canada, 1869).

In 1876, the Government of Canada consolidated these acts into the Indian Act, further clarifying the government’s paternal attitude towards Indigenous peoples and creating Indians as wards of the Canadian state (Government of Canada, 1876). The Canadian government banned ceremonial practices and created a system of reserves, isolating Indigenous people from the colonial population. They formalized their control of education and removed children from their families, forcing them into the notorious residential schools. Children underwent horrific sexual, physical, and mental abuse, were forbidden to speak their language, and were removed from their lands, families, and traditional systems of education (Kirkness, 1999; Regan, 2010, p. 5; Truth and Reconciliation Commission of Canada, 2012).

During this period government policy emphasized containment of Indian peoples on reserves and isolated lands. Amidst conditions of deprivation, the state made little effort to promote education or invest in Indian labour. In the 20 years from 1921 to 1941, Indian attendance in residential schools doubled from 4,783 to 8,774 (Department of Indian Affairs, 1921, p. 27; Department of Indian Affairs, 1941, p. 165).

2.3 Early Post-secondary Education Policy
Post-secondary education was initially provided to few Aboriginal students and determined by the colonial government to be promising as a tool of assimilation. Initially, the few students deemed worthy were provided scholarships and legislated through the 1876 Indian Act (Section 86 [1]), to be enfranchised upon achieving professional degrees. Coercive enfranchisement policies forced Indians to give up their special status and prohibited them from living on reserve, with the consequence of
separation from their communities and the related loss of cultural continuity. Enfranchisement granted Indians private property and rights equal to those of Canadian citizens. There is little evidence of Indians being enfranchised for higher education in the early days (Canada, 1928), and from 1876 to 1918 only 102 Indians had enfranchised (Indian Affairs Branch. Department of Citizenship and Immigration, n.d., p.35).

Beginning in 1908, funding for higher education was provided through petitions for assistance with the goal of promoting the civilization of Indians. Statistics from the 1926-7 year show 190 Indians in high school, business college and advanced work (Department of Indian Affairs, 1926, p. 14). Until the 1950s the government provided funding to Indians, for post-secondary education, on a case-by-case basis.

2.4 A shift to integrative education policies

A number of events, including the great depression of the 1930s, the end of WWII prompted the Canadian government to reassess the structure of the Canadian state and increase provincial involvement in Indigenous affairs (Wotherspoon, 1991, p. 265). A Senate Joint Committee was convened in 1946 to hear from Aboriginal and non-Aboriginal groups regarding concerns for Indian welfare in Canada. The committee recommended educating Aboriginal students alongside non-Aboriginal students. (Indian Affairs Branch, Department of Citizenship and Immigration, n.d., p.23).

In 1951, the government revised the Indian Act to enable on-reserve Aboriginal learners to voluntarily integrate into provincially administered public or independent schools (Venne, 1981, p. 350). Integration aimed to incorporate Aboriginal peoples into the current educational and economic system, while allowing for the inclusion of specific cultural differences (Hawthorn, 1967, vol. 2, p. 29).

In 1957 the Department of Indian and Northern Affairs Canada institutionalized post-secondary policy for First Nations students by creating scholarships, ranging from $250 to $1750 for Indians to enter university to become employed as teachers, nurses, and other professionals (Department of Indian Affairs, 1958, p.60).

By the 1960s, the failure of the residential school system was evident (Hawthorn, 1967, vol. 2, pp. 30-31), and the government commissioned the Hawthorn report to compare the socioeconomic conditions of Canada’s Aboriginal peoples with other Canadians, finding extreme disparities in many areas (Hawthorn, 1966, vol. 1). This was the first socioeconomic study of Aboriginal peoples commissioned by the federal government. Poor education results were evident, including an extremely high dropout rate, resulting in almost no Indian high school graduates. In a period of twelve years, from 1951 to
1962, 8441 Indian students out of 8782 did not complete high school, a 94% rate of loss (Hawthorn, 1967, vol.2, pp. 130-31).

2.5 The White Paper and Indian Control of Indian Education

In 1969, on a platform of equal status, opportunity, and responsibility to be shared with all Canadian citizens, Indian Affairs minister Chretien and Prime minister Trudeau released a White paper that proposed to eliminate the Indian Act (Government of Canada, 1969). The repeal of the Indian Act was meant to eliminate all special legal and fiduciary relationships with First Nations peoples and was met with strong resistance from First Nations throughout Canada (Fisher and Rubenson, 2006, p. 35).

The initial response to the White paper came from the Indian Chiefs of Alberta with its Citizens plus paper in 1970, rejecting not only the content of the paper, but the lack of consultation in the process (Indian Chiefs of Alberta, 2011, p. 189). The White paper became a forum for First Nations to organize around nationally (Paquette and Fallon, 2010, p. 76; Stonechild, 2006, p.39), and gave strength to the recently created National Indian Brotherhood (NIB), who responded with their position paper, Indian Control of Indian Education (ICIE) in 1972. ICIE singled out education as the main platform for First Nations to pursue in resisting what they called the government’s termination agenda. The platform proposed parental responsibility and local control as the foundations to the maintenance of First Nations identity, and participation in modernized society (NIB/AFN, 1972, p. 3).

ICIE also stated that fiduciary responsibility for all education is the responsibility of the federal government, formalizing the basis for post-secondary responsibility and the debate over rights to post-secondary education (NIB/AFN, 1972, p. 5). While the federal government adopted ICIE as its official policy on Indian education in 1973 (SSCAP, 2011, p. 8), it did not implement legal and policy elements considered essential by the NIB (AFN, 2010, p. 4).

In 1974, a joint federal government/NIB Cabinet Committee was formed to discuss Aboriginal and treaty rights and Indian Act revisions. In terms of education policy, the NIB reiterated their expectation of full government funding for all levels of education, as well as the need for ongoing funding to bands to develop higher education suited to their needs. The NIB proposed statutory funding for adult education (post-secondary), to reconcile the fact that education funding for Indians over 16 was not included in the Indian Act (Indian Act, 1985, Section 122). The federal government rejected this claim because it did not apply to all Canadians, while the NIB criticized the responses as a denial of treaty obligations by the Government of Canada (NIB/AFN, 1972, p. 85).
2.6 The Post-secondary Education Assistance Program (PSEAP) (1975-1989)

In 1975, to address increased need for funding for post-secondary education, Indian and Northern Affairs Canada (INAC) began unilaterally drafting guidelines, known as the E-12 guidelines, which outlined how post-secondary funding would be administered to status-Indians. This was the first step in the creation of the Post-secondary Education Assistance Program, which was formalized in 1977 (Indian and Northern Affairs and Canada [INAC], p. 1, 2000).

Indian organizations protested the lack of consultation on the guidelines, which ultimately resulted in the government of Canada making some modifications. The NIB accepted the purpose of the guidelines but rejected restrictions on Indian student access (Stonechild, 2006, p. 63). The Government of Canada would not formally accept full funding of First Nations, as it was perceived as unfair to other Canadians based on its policy platform of equality of opportunity (National Indian Brotherhood, 1972/1984, p. 85), yet in 1978, PSEAP guidelines were finalized, and full funding was theoretically allocated to any status Indian who enrolled in University (Stevenson, 1991, p. 229). The original objectives of the program were to encourage participation in colleges and universities, and to fund the maximum number of students who qualified for entrance (Stonechild, 2006, p. 63).

Unfettered access to funding for status Indians to attend University led to an increase in students from approximately 800 in 1972-3 (Ward, 1988, p. 41) to 6,500 student in the 1982-3 year (Indian and Northern Affairs Canada, 1985 cited in Stonechild, 2006, p. 64), at which point a review by INAC concluded the program a success in its goals of achieving a post-secondary success rate at parity with mainstream society. While progress was noted, completion rates were still lower than the national norm, due to students’ inadequate educational preparation and difficulty integrating to the mainstream (Stonechild, 2006, p. 64).

Nineteen eighty-two was an important year for Canada and Aboriginal peoples, with Royal ascent given for changes to the Constitution Act. Section 35 (1) clarified that “The existing aboriginal and treaty rights of the aboriginal peoples of Canada are hereby recognized and affirmed” (Government of Canada, 1982). This included the Indian, Inuit and Métis peoples of. This entrenchment of rights gave more strength to Aboriginal claims to self-determination.

In the same period, due to the economic depression of the early 1980 s (Fisher and Rubenson, 2006, p. 41), the government was looking for ways to cut funding. The Nielson review in 1985 reviewed programs and advocated dropping Indian Affairs programs which deemed to duplicate provincial or municipal services, or which were
discretionary, based on social policy decisions. These two areas composed 75% of all Aboriginal funding (Weaver, 1986, p. 12). Nielson argued that funding had not met the needs of Aboriginal students and should therefore be discontinued or transferred to the provinces (Weaver, 1986, p. 14). The recommendations were in direct contradiction to statements made by the Mulroney government during constitutional talks that the government would not make changes without consulting First Nations. The government ultimately stated that all cuts would be undertaken to the Department of Indian and Northern Affairs and not affect direct services to First Nation’s (Weaver, 1986, pp. 22-28).

Also in 1985, the federal government introduced Bill C-31, reinstating the status of 50,000 women and children who had been disenfranchised and increasing the pool of potential First Nations post-secondary applicants. The federal government provided an additional $70.9 million between 1985 and 1990 to address the influx of reinstated students, and Bill C-31 students who accessed funding through the program increased over this period from 24% in 1985/86 to 55% in 1989/90 (Indian and Northern Affairs Canada, 1990, p.22). A Senate Committee Review in the same year recommended full PSE funding for all eligible and qualified First Nation’s students (Standing Committee on Aboriginal Affairs and Northern Development, 1988, p. 58).

2.7 The PSEAP review and the formation of the current PSSSP program

In 1987, the Government of Canada initiated a review of the E-12 policy, which would last approximately 2 years (Canadian House of Commons, 1989). This was a period of conflict between the government and First Nations people, as the government imposed a funding cap of $93.7 million, proposed significant reductions in eligible student funding months, imposed funding on a priority basis, and ended the possibility of appeals to the government (Paquette and Fallon, 2010, p. 149).

This marked the beginning of competition for fixed funding amongst eligible First Nations students resulting in the exclusion and delay of some students (Paquette et al., 2010, p. 149). First Nations students protested throughout this period, upset with the cuts and the lack of an adequate consultation process. In response, the government initiated numerous consultations to determine how First Nations could take more responsibility for program management, while making it cost effective and relevant to self-determination (Stonechild, 2006, pp.78-82). Greater local control of post-secondary education policy would be devolved to First Nations funders through the creation of their own operating policies (Paquette and Fallon, 2010, p. 150).

In March 1989, Minister of Indian Affairs, Pierre Cadieux, stated that costs could not continue to escalate and that some students would have to use mainstream funding mechanisms. Cadieux reasoned that the government had done its job, as over 13 years
student numbers had grown from 2500 to 15,000 (Canadian House of Commons, 1989, p. 28).

Cadieux would not accept treaty rights to post-secondary education, pointing to the fact that post-secondary education is not mentioned in the treaties and not all First Nations are treaty nations (Canadian House of Commons, 1989, p. 35). This again led to student protests resulting in eased modifications to funding provisions and the extent of assistance. A funding cap remained at $130 million with an additional $320 million earmarked over the next 5 years (Stonechild, 2006, p.85).

### 2.8 The Post-secondary Student Support Program (1989 to present)

In 1989, the PSEAP program was modified to the current Post-Secondary Student Support Program (PSSSP) (Aboriginal Affairs and Northern Development Canada [INAC], p. 1, 2000). PSSSP support has been formally capped at an annual increase of 2% since 1996 (FNEC, 2009, p.9; AFN, 2012, p. 11). The number of students funded through PSSSP reached its peak at 27,000 in 1997-98, a year after funding was capped, and declined to approximately 22,000 students in 2008-09 (Helin and Snow, 2010, p. 13).

In 2009, in response to recommendations made in an audit of the post-secondary education program, the government undertook a review of its main post-secondary funding program mechanism, the PSSSP (INAC, 2009, recommendations 2,3,5). Alternative program funding options were considered including, maintaining the current program with enhanced accountability measures, administration by regional First Nation’s education organizations, the creation of a pan-Canadian Aboriginal education foundation, continued administration by INAC, the transfer of administration to Human Resources and Social Development Canada (Usher, 2009, Part III), as well as the creation of an Aboriginal Post-secondary Students Savings Account program (Helin and Snow, 2010, p. 19).

Any major changes proposed by Usher (2009) and Helin and Snow (2010) were ultimately rejected by the federal government, amidst criticism from various First Nation’s political and education organizations. Criticisms were based on potential loss of control and lack of adequate consultation, as well as the fear changes could affect regional mechanisms already in place to address government and First Nations concerns (FNESC, 2010).

### 2.9 Federal Post-secondary Education Programs for First Nations and Inuit Students

As of 2014, the federal government provides funding to eligible students through the University and College Entrance Preparation Program (UCEP) and the Post-Secondary Student Support Program (PSSSP). Support is also provided to Indigenous Institutes of
Higher Learning and for programs with Aboriginal content in mainstream institutions through the recently renamed and refocused Post-Secondary Partnerships Program (PSPP), formerly the Indian School Support Program (ISSP).

The UCEP program provides up to 1 year of funding to eligible students for academic upgrading in preparation for entrance into either college or university courses (AANDC, 2013a). The program is necessary to assist in addressing the gaps in academic skills at the secondary level that affect the ability of First Nations and Inuit students to access post-secondary education. The Post-Secondary Partnerships Program (PSPP), which replaced the Indian School Support Program (ISSP) in 2014, provides support to eligible institutions to deliver projects and programming leading to high-demand jobs and contributing to the capacity building of Aboriginal governments (AANDC, 2013b).

While recognizing the importance of the UCEP and PSPP programs to the success of Indigenous students, this paper focuses on the PSSSP, the mechanism through which the majority of post-secondary funding is provided to eligible students. The Post-secondary student support program (PSSSP), provides grants for tuition, registration, certifications and examinations, books and supplies, travel and living allowances (INAC, 1990, p. 58), and is expected to increase the post-secondary enrolment and graduation of First Nation’s and Inuit students (AANDC, 2013a).

2.10 Federal Funding Mechanisms

Federal funding is allocated from the Treasury Board Secretariat to Aboriginal Affairs and Northern Development Canada, and then distributed to their regional offices. Funding was previously devolved from the federal government to First Nations administrative bodies through two programs, Comprehensive Funding Agreements (CFA) and 5 year DIAND/First Nations Funding Agreements (DFNFA). The DFNFA’s were formula driven and consistent nationally, while the CFA allocation model has some regional variation (AANDC, 2012, p.4).

However, as of April 2011 funding may now be transferred through three additional mechanisms; fixed funding, block funding and flexible funding (Treasury Board of Canada Secretariat, 2008, Appendix K). The Treasury Board website states that transfer payments to Aboriginal recipients are designed for flexibility and to accommodate the wide range and long-term nature of many programs, while promoting collaboration amongst government departments (Treasury Board of Canada Secretariat, 2008, 3.3c).

2.11 Local Operating Policies

The devolution of post-secondary funding administration to First Nations Administrative Organizations (FNAO) along with the funding shortfalls resulted in the initial need for First Nations to create Local Operating Policies. LOP’s clarify student
eligibility, eligible programs and funding priority criteria to band members and must meet AANDC policy guidelines. Selection priority criteria, an appeal process, and criteria for emergency funding are essential elements of LOP’s listed by AANDC (AANDC, 2013a).

2.12 Prioritization and Rationing
First Nations have had to prioritize and ration their funding since the 1996 funding caps and subsequent devolution of administration of post-secondary funding to First Nations. It is issues of prioritization and rationing which determine who receives funding for what, and to what extent, and is therefore an important policy issue. It is generally accepted that bands will have to either decrease the number of students receiving funds, or the amount of funds each receives, based on current funding levels (Usher, 2009; Snow and Helin, 2010).

How students are prioritized is set out in LOPs by individual First Nations, Tribal Councils and through other regional administrative bodies, while decisions related to the rationing of funding are rarely outlined in policies. Usher (2009, p.12), suggests that LOPs set general prioritization criteria for who gets funding, however the clarity and depth of detail varies from policy to policy. Prioritization criteria, often, while not exclusively, seem to follow a hierarchical tiered structure which prioritizes promising students. A review of five alternative LOPs confirmed the variety in depth and clarity of policies. In terms of prioritization, common elements included continuing students as the top priority in four of five policies; the one exception was a mix of program choice and student prioritization. Lower prioritization of graduate and second time students was consistent throughout the policies, while other criteria prioritized were mixed in order and included, recent high school graduates, motivated students, mature students and part-time students. One band, reviewed by McLean (2007), did not fund students upfront, but had them apply for student loans and reimbursed them upon successful completion.

The degree to which First Nations rationing of PSSSP funding is necessary is affected by the local economic conditions of the First Nations. LOP’s reviewed revealed that numerous First Nations are able to provide their own scholarships to students in addition to PSSSP funding. The range in rates of funding for tuition, living allowance, and books and supplies likely reflects the economic situation of the First Nations. Those who have substantial Own Source Revenue (OSR) from economic development, and agreements with companies and governments, are more likely to provide more money to their students and be less dependent on government funding to support their students.
2.13 The AANDC Local Operating Policy Guideline Framework

AANDC (2013a) provides some potential criteria upon which bands may prioritize their funding, based on their use by other First Nations. However, AANDC does not provide a rationale for these priorities, nor give advice on ordering the priority groups. For First Nations without the administrative capacity to consult with members, or spend the time engaging in the development of policy these criteria may be used, but do not necessarily address the needs or desires of First Nations or their students. AANDC also provides a number of additional scholarship funds in fields with are deemed to contribute to self-determination and economic self-reliance (AANDC, 2013a).

2.14 Summary

This section provided a brief historical overview of the evolution of Aboriginal peoples relations with the Government of Canada, particularly as they relate to Aboriginal education and post-secondary education policy. It follows government policy shifts from assimilation to integration to devolution of administration of post-secondary funding to bands, through Local Operating Policies. It also outlines some of the restrictions imposed by Aboriginal Affairs and Northern Development, as well as the challenges faced by First Nations in developing their own policies.
3 LITERATURE REVIEW

This literature review will frame post-secondary education policy in the context of the global economy and examine the rationale for government funding of post-secondary education. Government funding methods and mechanisms are reviewed, and distinctions between these and their implications analyzed. Equity policy and its ability to address the needs of Aboriginal peoples in post-secondary education are reviewed in light of conflicting euro-centric and traditional Aboriginal value systems. The government of Canada’s targeted funding program for Aboriginal people, the post-secondary student support program is reviewed, as are Local Operating Policies all in the context of devolution of administrative responsibility to First Nations and its implications. Finally, methods of prioritizing student funding allocation are examined in light of increased need and inadequate capacity.

3.1.1 The Importance of Post-secondary Education

Post-secondary education is recognized internationally as a key determinant in improving socio-economic conditions, including increasing personal income (OECD, 2013, p. 89), life expectancy, health and well being (OECD, 2013, pp. 91-2). The economic contributions of post-secondary education are considered particularly important in light of the increased integration of nation states into a globalized competitive economic system (Skolnik, 2006, p.55), while higher levels of education are necessary due to increasing societal complexity and technological innovation (OECD, 2012, p.26).

3.1.2 Why governments provide funding for post-secondary education

Since WWII, human capital theory has provided justification for the expansion of post-secondary education internationally and in Canada. Human capital theory positively connects individual educational attainment levels with increased private gains, and suggests that public investment in post-secondary contributes to economic growth (Kirby, 2009, p.1). A perceived labour market shortage due to retirements amongst the baby boomer generation provides an economic incentive to train replacement workers (Kirby 2009, p.4).

3.1.3 Student Financial Assistance schemes

Government investment in post-secondary education takes many forms. For the purpose of this paper the focus is on direct student funding mechanisms, termed Student Financial Assistance (SFA) schemes. Internationally, funding methods range from complete government funding for post-secondary education to complete private investment. In Canada, as in many countries, there is a mix of public and private funding. Mechanisms through which funding is directly devolved to students take the form of repayable loans, non-repayable grants, bursaries or scholarships.
In Canada, the main government program for allocating student financial assistance is the Canada Student Loans Program (CSLP). The purpose of the CSLP is to facilitate access for those unable to borrow from the private sector due to lack of assets and uncertainty of future income (Employment and Social Development Canada, 2013, Sec. 2.1.2). So long as a student meets the academic, or merit based, requirements of the post-secondary institution and demonstrates need, they are eligible for funding (Employment and Social Development Canada, 2013, Ex.). The government also provides grants to low and middle-income students through the Canada student grants program and a targeted program for First Nations and Inuit students, the Post-Secondary Student Support Program.

Vossensteyn, (2009, p. 176), posits three arguments for government funding of post-secondary education, positive externalities, capital market imperfections and equity considerations. Positive externalities are the benefits to society of the education on non-participants, while capital market imperfections address the inability of individuals to obtain private financing due to their lack of assets and the uncertainty of their employment situation post-graduation.

### 3.1.4 Equity and Fairness

While there is no universal definition of equity, for the purpose of this report equity will be separated into two broad forms, horizontal and vertical. Horizontal equity, according to Levin (2003 p.8), assumes the equal treatment of equals and has variously been phrased equality of opportunity (Levin, 2003, p. 8). In this approach access is critical while engagement by individuals is perceived as a matter of choice (Levin, 2003, p.8), however critics state that this approach does not eliminate discrimination (Wang, 2013, p. 48). Vertical equity provides a platform to address discriminatory policies, by recognizing that different people need different opportunities and involves the unequal treatment of unequals (Wang, 2013, p. 48). In this case targeted, need based funding may be used by governments to attempt to bridge the educational gap between different groups. In practical human capital terms, the inequality is addressed through the redistribution of resources in order to transfer wealth from the richest to the poorest (Vossensteyn, 2009, p. 176).

Issues that may preclude government investment in equity based funding relate to will and capacity (Levin, 2003, p.9). Public perceptions of fairness can affect the government’s will to implement targeted, need based funding policies. Targeted funding, being the unequal distribution of resources, appears unfair to the majority who prefer universal funding from which they also benefit. Yet, what universal policies fail to address are the systemic obstacles that historically oppressed groups, such as Aboriginal peoples, face in achieving the same goals as other Canadians. In order to achieve fairness it is necessary to implement remedies to address the historic injustices
that have created the inequality of opportunity in the first place (Wang, 2013, p. 48), hence the use of targeted funding mechanisms.

3.1.5 Universal and Targeted Funding Methods

Government funding mechanisms generally fall into two categories, universal and targeted. Universal methods are those available to the entire population and, in Canada, include tuition freezes and tax credits. Targeted methods, are based on either merit or need, supporting those who demonstrate academic promise through scholarships, or providing funding to individuals with low socio-economic status (LSES) and historically marginalized groups, in the form of loans, grants, bursaries and scholarships.

While universal funding mechanisms have the benefit of being popular they are not deemed effective in the goal of increasing access to post-secondary education. It is generally accepted that if governments want to increase access to post-secondary education they should reduce their emphasis on universal tax credits and provide more targeted student funding mechanisms including need based supports (Jones & Field, 2013, p. 11). Jones and Field further claim that those with the most resources do not need the benefit of universal mechanisms, as they would participate anyway, while these mechanisms provide little benefit to those from lower income groups. For instance, tax credits largely benefit those with higher incomes (Neill, 2007, p. i). Levin (2003, p.9) suggests that from an efficiency perspective, a policy targeted towards those in need will provide better value for resources invested. In spite of the perceived benefits of need based funding on post-secondary access, the government of Canada continues to increase its investment in universal funding mechanisms and decrease its emphasis on targeted need based funding (Usher and Junor, 2007, p. 34).

3.2 Funding for Aboriginal peoples in post-secondary education

There is a general trend in former British Commonwealth colonies to attempt to address the inequitable rates of access and success of Aboriginal peoples in post-secondary education. In these countries the Aboriginal population constitutes an underutilized source of capital to fill projected labour market needs in light of aging populations (Silta, 2010, p. 7). The Aboriginal populations of Canada, New Zealand, and Australia, are younger, have higher birthrates (Australian Bureau of Statistics, 2001, n.p; Australian Institute of Health and Welfare, 2011, p. viii; Mendelson, 2006, p.4; Richards, 2006, p.6), and have lower levels of education (Australian Human Rights Commission, 2008, sec. 7; Mendelson, 2006, p.10; National Equal Opportunities Network, 2014, Para. 10), and higher unemployment than national averages (Australian Human Rights Commission, 2008, sec. 8; Mendelson, 2006, p.8; National Equal Opportunities Network, 2014, Para. 3).
While trends show improvements in Aboriginal populations educational attainment levels they are still below those of the general population (Ministry of Social Development New Zealand, 2010, Table 4k.2; Pechenkina and Anderson, 2011, p.6). Studies show that the costs associated with the continued neglect of Aboriginal peoples are detrimental not only to Aboriginal peoples, but to nation states as well (Biddle, 2010, p.31; Mendelson, 2006, p.35).

Sharpe, Arsenault, Lapointe, and Cowan (2009, pp. 70-71), determined that if by 2026 Aboriginal Canadians reached the educational attainment levels of non-Aboriginal Canadians in 2001, the potential economic contributions over that time frame could be as much as $400.5 billion. The authors projected that the government could have saved $6.2 billion in 2006, derived from lower social expenditures and higher taxes if Aboriginal peoples had the same levels of education and social wellbeing as non-Aboriginal Canadians. The authors conclude that additional investment in education for Aboriginal peoples would definitely be beneficial. Mendelson (2006, p. 35) further relates that Aboriginal peoples with post-secondary education have similar results to non-Aboriginal people in most socio-economic indicators, with the exception of lower levels of employment.

3.2.2 Aboriginal post-secondary education in Canada
Aboriginal rates of post-secondary participation and success have increased since the implementation of the PSEAP program in 1977, and are similar to the rest of the population at the college and trades levels, however there are still considerable gaps, particularly in university attainment. Although the number of Aboriginal peoples with a university degree rose from 6% in 2001 to 8% in 2006, it was still lower than the non-Aboriginal rate of 23% (Statistics Canada, 2008, n.p). As well, the Aboriginal increase can largely be attributed to cultural mobility, an increasing identification amongst members of the Aboriginal population, particularly the Métis. In the period from 1996 to 2006 the population identifying as Métis in the census nearly doubled in spite of a declining fertility rate (Wilson and Battiste, 2011, n.p.). Even without accounting for cultural mobility, Aboriginal rates of success in University are increasing more slowly than the general population, resulting in a growing gap (Richards, 2008, p.7; Statistics Canada, 2008, n.p).

3.2.3 Conflicting Views on Education
Will and capacity are issues that may preclude the federal government from increasing funding or expanding its role in First Nations post-secondary education. Differences in vision and purpose of education are a potential barrier for First Nations. Discrepancies in educational visions have existed between Aboriginal peoples and European immigrants since contact (AFN, 2012, p.15). Conflicts are derived from worldviews based in different epistemological orientations. First Nations traditional education was
typically experiential, holistic, lifelong, dynamic, rooted in Aboriginal cultures and languages, spiritually oriented and communal (Canadian Council on Learning, 2009, p. 11). Battiste and Henderson (2009, p. 6) describe Aboriginal languages and heritages as the core foundations of Indigenous knowledge and note the concerted efforts of colonial systems to eliminate these through the implementation of persistent euro-centric education policies.

The necessity to reconcile Indigenous knowledge and Euro-centric education in light of the historical imposition of euro-centric education systems on Aboriginal peoples is clear from an Aboriginal perspective (Battiste and Henderson, 2009, p.8). Yet government silence and the resultant lack of support for First Nations cultural revitalization, leads to First Nations questioning the relevance of mainstream education to their vision. The AFN still views the federal governments support of full First Nations participation in Canadian society as based largely on a euro-centric worldview (AFN, 2012, p. 15). Orr (2008, p. 21-2) describes the vision of First Nations as sufficient control of their educational destiny and adequate funding to ensure all community members have access to a culturally relevant and educationally meaningful post-secondary education.

The inability of governments to provide an education that is culturally relevant for First Nations in Canada is not only an issue of government will and capacity, but also knowledge. As First Nations maintain their own distinct languages, cultures, and systems of governance it is only logical that they must teach these systems. Without adequate capacity to develop their own education systems, education is essentially an instrument of acculturation, and without a linguistically or culturally appropriate system the risk to First Nations of losing their culture increases (Hansen and Mcleod, 2004, quoted in AFN, 2012, p.17). It is these issues which frame First Nations desire to control their own education.

Adequacy of funding is another major area of contention between First Nations and government, and within government itself. The divergent perceptions of First Nations representatives and government employees of the adequacy of PSSSP funding are reflected in the views of INAC representatives and First Nations Administrative Organizations, while greater than 70% of the former viewed the PSSSP as adequate, over 90% of the later disagreed (INAC, 2005). As well, a number of government reports from various departments point to the insufficient levels of government funding to address the needs of the First Nations student population (AANDC, 2012, sec.4.3.2; AGC, 2006, sec.5.4.4; Standing Committee on Aboriginal and Northern Affairs Canada, 2007, sec.1.3.b).
Considering First Nations are starting from a point of relative disadvantage the resources needed to achieve equal participation and success rates in post-secondary education are substantial (Paquette and Fallon, 2010, pp. 111-12). Pidgeon (2009, p. 342), points out that, not only do Aboriginal peoples have to obtain the necessary human and social capital to participate in the mainstream economic system, but must also maintain the cultural capital necessary to participate in their communities and maintain their linguistic, governmental, and cultural institutions.

Most of the improvements in inclusion of Aboriginal content in post-secondary education systems have been in the form of enhancements to mainstream provincial systems (AFN, 2012, p. 15). This approach focuses on the need to help First Nations learn content from a euro-centric worldview without addressing systemic change (Ibid, p.58), and has been variously described as an add on approach with minimal benefit to students. While it enriches program and curricula, it does not effectively challenge the status quo or address decolonization or cultural integrity (Richardson and Blanchet-Cohen, 2000, p.2). Two alternative approaches which may better address the vision of First Nations are; a partnership approach, which focuses on bicultural enterprises between mainstream organizations and First Nations communities, and a First Nations control approach, described as collective individuation (Ibid, p. 3).

The rights of Indigenous peoples to establish and control their own education systems are recognized internationally in the United Nations Declaration on the Rights of Indigenous peoples (Battiste and Henderson, 2009, p.8), however sustainable government allocation of the necessary resources to establish these systems in Canada continues to be a barrier. The successful expansion of Indigenous controlled institutional programming and the implementation of legislation providing long-term funding to Indigenous controlled institutions in New Zealand has had a positive impact on access to and graduation from post-secondary education for the Maori people (Silta Associates, 2010, pp. 6-7). While in Canada, Indigenous institutions must compete on an annual contract basis for funds through the Post-secondary Education Support Program, impeding their ability to plan long-term and create curriculum (AANDC, 2014).

Due to the largely inadequate representation of Aboriginal epistemologies in mainstream post-secondary institutions students may feel post-secondary is an either or choice, between mainstream institutions and their own. Deloria (1995, quoted in Pidgeon, 2009, p. 347), advises potential students to weigh the costs and benefits of full participation in the mainstream on cultural integrity, yet other scholars recognize the potential of post-secondary institutions, particularly universities as a source of decolonization and empowerment (Battiste and Henderson, 2009, p.6; Pidgeon, 2009, p.350).
3.2.4 Barriers to post-secondary access and success for Aboriginal peoples

Barriers to post-secondary education experienced by Aboriginal peoples are systemic and derive from imposition of colonial education systems. Some systemic issues facing Aboriginal peoples include poverty, imprisonment, suicide and substance use (Wilson and McDonald, 2010, p.6). Social barriers include alienation and cultural insensitivity, mistrust of education, family and societal expectations, familial responsibilities and discrimination (Kirby, 2009, p.8). Inflexible institutional admissions criteria can also restrict First Nations access, as well as distance from institutions for those who live in isolated communities (Kirby, 2009, p. 5).

Academic preparation at the elementary and secondary levels has been identified as a particular concern affecting the ability of Aboriginal peoples to access and succeed in post-secondary education. In 2006, 34% of Aboriginal peoples were without grade 12 diplomas, compared to only 15% of the non-Aboriginal population (Statistics Canada, 2008). Mendelson (2006, p. 35) describes the failure to complete high school as the first impediment to increasing PSE attainment.

3.2.5 The effects of parental income and education

Youth from lower income backgrounds tend to have lower secondary level academic achievements, lower PSE aspirations and lower success rates when they do attend (Kirby, 2009, p.6). Drolet (2005, p. 26) points out that while parental income and education affect rates of participation of youth, parental education is the more important factor.

A lack of parental and/or community knowledge or experience with the university system and the resultant lack of role models can negatively affect Aboriginal youths access and success rates (Standing Senate Committee on Social Affairs, Science and Technology, 2011, p.23). Role models are considered particularly important for Aboriginal peoples in light of communal value systems (Canadian Millennium Scholarship Foundation, 2008, p. 46); this can be recognized through the great importance of elders.

Low family income levels in many Aboriginal families also affect their ability to assist students financially (Gunderson, 2010 cited in AFN, 2012, p.25). The links between low-income levels and lack of knowledge of available funding supports, and low income and access to technology, another information source, are also factors (Malatest and Stonechild, 2008, p.17).

3.2.6 Student Aversion to Loans

While a lack of student awareness of financing is one reason students may choose not to attend post-secondary education, debt aversion affects the willingness of many First
Nations individuals to obtain funding in the form of loans (Malatest and Stonechild, 2008, p. viii). Other cost related concerns include price-aversion, which is related to the direct and indirect costs of attending university, and uncertainty of success in academia and employment (Asplund, Abdelkarim, and Skalli, 2008, p. 263). In spite of aversion to loans potentially affecting Aboriginal access rates, 35% of Aboriginal students used the CSLP, compared to 42% of non-Aboriginal students in 2005-2006 (Malatest and Stonechild, 2008, p. 8).

3.2.7 Effects of Government Student Financial Assistance Schemes on Student Access and Success

The need for student loans is a result of inadequate funding, which is consistently cited as the main reason First Nations students do not access or successfully complete post-secondary education (AANDC, 2012, sec. 4.4; CMSF, 2005; Standing Committee on Aboriginal Affairs and Northern Development Canada, 2007, sec III.b.1). Government SFA schemes determine the levels of repayable and non-repayable funding available to students. Canada’s shift from non-repayable grants and scholarships to repayable loans has shifted more of the cost of post-secondary education to individuals and families (Vossenstyn, 2009, pp. 177-78). According to Malatest and Stonechild (2008, p. 22), this approach is inconsistent with supporting access for communities in poverty, as it does little to equal the opportunities of access and success.

As well as affecting access rates, SFA schemes can have detrimental effects on the health and well being of low socio-economic status (LSES) and Aboriginal peoples. Inadequacy of assistance, conditions of the scheme, and information control are factors, which can affect student well being (Shankar, Ip, Khalema, Couture, Tan, Zulla, and Lam, 2013, p. 3914). The problematic nature of financial supports being assessed solely on academic outputs, which do not consider life circumstances can be particularly detrimental for LSES and Aboriginal peoples who are often attempting to juggle school, work, and familial responsibilities. The supplementary nature of SFA’s and the degree of individual rather than institutional or schematic responsibility for success, have been linked to stress, migraines, fatigue, panic attacks and increased substance, among other ill effects (Shankar et al, 2013, p. 3920).

3.2.8 Incorporating Holistic Measurement Systems

The Canadian Council for Learning (2009) provides a number of alternative criteria for success, incorporating a more holistic approach to measurement, perceived as beneficial in assessing Aboriginal and LSES populations. The benefits of models which incorporate holistic measurements include building on individual’s situations and strengths, rather than focusing on their deficits, as current government measurement approaches generally do. The OECD (2013, pp. 67-8) also notes the benefits of recognizing partial outcomes and informal learning criteria as indicators, which can
rationalize cost inputs and increase the efficiency and equity of post-secondary education. The use of more holistic indicators of progress provides justification for increasing education funding, which can result in savings in other sectors.

### 3.3 Contextualizing the Post-secondary student support program

The Post-secondary Student Support Program is the major component of the Government of Canada’s SFA system targeted to First Nations students. This targeted program does provide funding specifically to First Nations and Inuit students, however the adequacy of the funding to address student need is questionable. In 2008 AANDC launched the Reforming First Nations Education Initiative with the target of having 75% of Aboriginal people achieve comparable outcomes to Canadian’s by 2028. While too early to assess progress, the AGC point out that 6 years after their original recommendation AANDC is finally starting to address the gap (AGC, 2011, sec. 4.18).

#### 3.3.1 Funding Needs

In 2008, the PSSSP supported an estimated 22,303 students (AFN, 2012, p.13) at a total cost of $290 million (AANDC, 2012, Sec. 1.2.4), down from a high of 27,000 in 1997-98 (Helin and Snow, 2010, p. 13). In spite of this spending, according to the AFN (2012, p. 38), an additional $424 million was needed for Aboriginal peoples to obtain a post-secondary success rate equal to that of non-Aboriginal students in 2008. Caps on student support have resulted in the PSSSP program becoming more of a bursary program than a comprehensive student support program (Paquette and Fallon, 2010, p. 157), and resulted in at least 10% of eligible students being denied funding and others having to seek supplementary support elsewhere (Indian and Northern Affairs Canada, 2005, p. 31).

#### 3.3.2 Student Perceptions

In spite of funding limitations, the PSSSP still seems to be the crucial enabler for First Nations post-secondary participation; with 89% of First Nations students surveyed reporting that PSSSP is vital to ensure First Nations post-secondary access (AFN, 2012, p. 23), while 77.4% said they wouldn’t have attended a post-secondary institute without it (INAC, 2005, p. 33).

Reliance on the PSSSP stems from the fact that most First Nations believe post-secondary education is an inherent or treaty right (Malatest, 2008, p. 23). This cultural attitude regarding treaty and inherent rights to post-secondary education affects students’ willingness to apply for student loans and access systems that mainstream Canadians use to finance their education (Malatest, 2008, p. 18). In a 2005 survey, 58% of First Nations individuals interviewed said government had the greatest responsibility to pay for post-secondary education (Canadian Millennium Scholarship Foundation, 2005, p.6).
3.4 Federal oversight of the PSSSP

The federal government has been criticized for its lack of a clear federal mandate (AFN, 2012, p.16), the inability to provide transparent and accountable oversight (Helin and Usher, 2009, p.11), and a variety of funding arrangements and formulas not based on equitable distribution of funds (Auditor General of Canada [AGC], 2004, sec. 5.3; Auditor General of Canada, 2011, sec. 4.15, 4.21; INAC, 2009, I; Standing Senate Committee on Aboriginal Affairs and Northern Development Canada, 2007, sec. B.1.b). As well, the conflicting roles of AANDC between fiduciary obligations to First Nations, and obligations to work on behalf of the Crown negotiating treaties affect, at least in appearance, the government’s ability to implement recommendations (AGC, 2006, Para. 3).

The federal government has not made changes to its funding formula’s since the 1980’s (AGC, 2011, sec.4.15). In 2004 AANDC agreed to a review of funding formulas but the Auditor General of Canada (2011, sec.4.2.1) found only program delivery options were reviewed, not formula’s. The current formulas result in the underfunding of some First Nations, overfunding of others, and leave some with surpluses which can be spent in areas beyond the scope of post-secondary education (Helin & Snow, 2010, p. 15; Standing Senate Committee on Aboriginal Affairs and Northern Development Canada, 2007, sec. B.1.b), thus resulting in inequitable access to funding for students (INAC, 2009, p. i).

Regional differences in funding also affect the ability of students to have their financial needs met. For instance, in 2008 the Ontario region distributed “...$1,609 per individual in the 18-34 cohort, whereas the Atlantic region only disbursed $941 per individual in the same cohort” (INAC, 2009, sec. 7.2.1). This is in spite of the fact that Atlantic Canada has some of the highest tuition fees in the country (Helin & Snow, 2010, p. 15).

The inability of the government to effectively track rates of student access and success is concerning in terms of AANDC accountability of funding to parliament and adversely affects the level of funding for First Nations. Without adequate tracking of funding distribution and outcomes AANDC claims it cannot justify increasing funding (Orr, 2008, p.24).

The ability to increase funding is also tied to the lack of a clear federal mandate, a factor directly linked to the lack of a statutory framework for post-secondary funding. Proponents claim legislation would increase accountability by creating clarity in relation to roles, responsibilities and eligibility (AGC, 2011, Para. 6), as well as funding stability. The government maintains they provide funding, but are not responsible for provision of services (AGC, 2011, Para. 14), hence the quality of services remains the
responsibility of First Nations in spite of the lack of capacity devolved by the federal government.

3.5 Devolution of Federal Administration and Local Operating Policies

The devolution of administration of post-secondary education funding allows a degree of administrative control to First Nations, yet the federal government stills maintains the power to create regulations restricting First Nations choice. This can be recognized in AANDC policy guidelines that First Nations must follow to obtain funding (AANDC, 2013a).

3.5.1 Devolution Framework

Funding is devolved from AANDC to First Nations Administration Organizations (FNAO) who are responsible for the creation and implementation of Local Operating Policies (LOP). FNAO’s can be First Nations bands, tribal councils or other secondary level organizations, or private organizations and can be imposed by the government should reporting requirements not meet standards. Through their guidelines AANDC imposes restrictions on student and institutional eligibility, and imposes maximum funding rates and timeframes. AANDC also requires FNAO’s to include selection criteria, an appeal process and criteria for emergency funding (AANDC, 2013a).

Selection criteria are important in determining the prioritization of students and a major site of contention amongst applicants as they are the basis upon which funding is approved.

3.5.2 The Purpose of Devolution of Administration of post-secondary funding

The concept of local control of Indian education, as outlined in the NIB 1972 paper, Indian Control of Indian Education, is accepted as the federal government’s justification for the devolution of administration of post-secondary funding to First Nations (Standing Senate Committee on Aboriginal Peoples, 2011, p. 8). However, the degree of actual control devolved is questionable in light of the imposition of government management and accountability frameworks which are contrary to the principles of inherent and treaty rights.

Paquette and Fallon (2010, p.89) suggest the federal government promotes First Nations control of education as a way to enhance the opportunity of First Nations peoples to become self-determining and self-governing, by entering the neo-liberal market society to liberate them from colonial constraints. However, the authors consider this problematic, as it denies Aboriginal peoples the capacity to formulate and pursue their own conceptions of person and society, by imposing the solution, a neocolonial imposition. Ultimately the power to make decisions, and hence control of resources still rests largely with the federal government, while accountability for administration is split...

3.5.3 Effects of Devolution

The division of accountability makes cohesive monitoring and information gathering difficult. The lack of infrastructure and administrative capacity devolved to First Nations is considered an additional impediment (McCue, 2004, p.4), resulting in problems for First Nations, particularly smaller ones of which there are many, in terms of capacity to develop policies that effectively meet their students needs (Usher, 2009, pp. 11-12). AANDC has been criticized for excessive reporting requirements, requiring up to 168 annual reports from some bands (AGC, 2006, p.163), and in spite of the creation of an electronic system meant to streamline reporting, First Nations reporting requirements have increased (AGC, 2011, sec.4.80 and sec.4.83).

Local control of education, when understood literally as exclusive control at the band level, is problematic, as many bands are too small and lack the capacity to create their own culturally relevant education systems. Paquette and Fallon (2010, p. 82), perceive this problem as a matter of economies of scale, suggesting this leads to First Nations fragmentation and in fighting which, rather than enhancing First Nations control through collaboration, maintains the status quo in education (Ibid, pp.89-90).

Further, because of their lack of capacity, smaller First Nations cannot afford to have impartial decision makers (even if they want to), as final decisions on approval are often made by chiefs (hereditary or elected) and elected council. This adds an element of band politics to the administration, which could lead to actual or perceived corruption (Ibid, p. 176). Student concerns about favoritism and nepotism within First Nations communities developed with the devolution of funding administration in 1987 (Helin & Snow, 2010, p. 16).

The funding caps, which resulted in the devolution of fiscal responsibility and program administration from government to First Nations, also transferred responsibility for funding related critiques including fiscal mismanagement and lack of services, to First Nations (McLean, 2007, pp. 58-9). Individual First Nations have, thus, become subject to criticism for the application of exclusionary measures by their own communities, the Canadian government and the non-Aboriginal population (McLean, 2007, p.20). The drop of student appeals for funding by AANDC and their forced implementation at the local level is one example of how student blame has been directly transferred to First Nations (McLean, 2007, p. 56).
3.5.4 Prioritization Frameworks
It is within the framework of devolution of insufficient funding that First Nations must decide which students to prioritize and how much to allocate to each student. Usher, (2009, p. 13), suggests that there are two prioritization frameworks through which direct student funding can be allocated, merit based and need based. The following section examines merit and need based approaches as they relate to First Nations creation of Local Operating Policies.

3.5.5 A Merit based approach
The typical use of student success as a criterion for funding, suggests most LOPs utilize a hierarchal, meritocratic approach to funding, although a lack of clarity in many LOPs leaves room for interpretation. This approach equates to a horizontal equity approach based on equality of opportunity, a process through which individuals are de-contextualized and dehumanized (McLean, 2007, p. 73). The use of a primarily meritocratic delivery system for student aid through the PSSSP is consistent with prioritization for student aid delivery by the provinces and Canada beginning in 1998. In 2007-2008, 60% of total student aid in Canada was merit based (Junor and Usher, 2007, p. 47).

McLean (2007, p. 80), points out the prejudicial affect this has on women, women with children, and older students, as recognized in the normal prioritization of students graduating from grade 12. Yet Mendelson (2006, p. 13), points out that Aboriginal women do better than Aboriginal men in post-secondary education, with the exception of the trades. Though the proportion of Aboriginal women aged 35 to 44 who had a university degree in 2011 was 13.6% compared to 7.6% for Aboriginal men (Statistics Canada, 2011a, n.p.), both numbers are still well below the Canadian national average of 25.9% (Statistics Canada, 2011b, n.p.).

Without adequate capacity to review and formulate policy there is the possibility that seemingly harmless prioritization criteria, which may be prejudicial, can be overlooked. Motivation, defined as willingness and/or ability of a student to pay some costs of their education or forfeit some funding, is used as one potential criterion to prioritize students (McLean, 2007, p.80). In this category, ability to pay is framed in terms of motivation potentially perpetuating inequity, as those living in intergenerational poverty are less likely able to pay. By de-contextualizing individuals situations, funding for those with the greatest need may end up a lower priority. The assumption of equality, in this example, may perpetuate inequality.

3.5.6 A Needs based approach
A summative evaluation by AANDC (2012, p.28) criticizes the current government approach to funding post-secondary students as problematic, citing lack of
accountability and funding mechanisms that don’t address student need. As Paquette and Fallon note (2010, pp. 111-12), needs based prioritization is complicated. The subjective nature of defining need, along with capacity issues constraining First Nations suggest that merit based funding may be used due to its relative ease of implementation, particularly in terms of defining hierarchal criterion for prioritization. A number of factors can be used to assess First Nations needs, these include; language teaching, mechanisms to address isolation and diseconomies of scale, high incidence of special needs and at-risk students, vocational program needs, and culturally appropriate capacity building (FNEC/DIAND Tuition Fees Committee, 2005, pp. 127-36).

As needs are inherently subjective and contextual, determination of need may range from an adequacy-based perspective to a vertical equity based perspective. Paquette and Fallon (2010, pp.111-12), describe an adequacy-based perspective, as the lower end of the scale, focusing only on the knowledge and skills required to survive in today’s market economy. Needs from a vertical equity perspective would require these needs plus education in one’s own language, culture and governance system. The vertical equity approach thus increases the focus on the fairness of distribution of resources amongst competing needs claims.

A needs based approach to funding can be more costly than a merit based approach, especially if a vertical equity approach is chosen. At both the individual and administrative level, the amount of information necessary for determination of needs can be restrictive, due to capacity issues. Without the allocation of further funding for policy development capacity it is unlikely that many, particularly smaller First Nations, will adopt formalized policies based on need, rather than merit.

3.5.7 AANDC Influence on policy making
The hierarchal, merit based policy mechanisms utilized by most First Nations are inherently influenced by the AANDC structure above them. As AANDC retain control of budgets and funding devolution, they maintain the ability to dictate conditions First Nations must meet in order to receive their funding. AANDC also influences First Nations prioritization criteria through the provision of additional scholarship funds in fields that contribute to self-determination and economic self-reliance. McLean (2007, p.81) suggests these scholarships promote student entrance into programs reflective of neo-liberal market based needs.

3.5.8 Issues arising from the Prioritization of Student Funding
The necessary prioritization and rationing of funds by First Nations has led to issues regarding fairness and clarity in choice. The following chart (Fig.1) outlines some of the concerns which students, policy developers, administrators and educators have recognized.
Table 1

**Issues with Local Operating Policies at the Community Level.**

<table>
<thead>
<tr>
<th>Prioritization</th>
<th>Fairness</th>
<th>Administrative Clarity and Transparency</th>
</tr>
</thead>
<tbody>
<tr>
<td>Older students and students with children feel passed over</td>
<td>Receipt of funding related to relationship with band leadership</td>
<td>Lack of transparency in funding allocation</td>
</tr>
<tr>
<td>Graduate or professional studies less likely to be funded than undergraduate or college programs</td>
<td>Past performance of relatives affected ability to get funding (unclear if perception based or due to misunderstanding of band funding decisions or eligibility)</td>
<td>Funding delivery not timely</td>
</tr>
<tr>
<td>Students who stop out or drop out of school less likely to get funding</td>
<td>Funding interrupted or cut in academic careers (reasons not cited)</td>
<td>Inconsistencies in band administration of funding</td>
</tr>
<tr>
<td>On-reserve students more likely to be funded than off reserve (better understanding of process and relationships with band leadership)</td>
<td>Bill C-31 Indians without band membership have more trouble accessing funding</td>
<td>Adequacy of funding varies by nation</td>
</tr>
<tr>
<td>Grade requirements and full-time standing required</td>
<td>Real or perceived favouritism results in some youth not accessing funding</td>
<td>Living away from community makes application more difficult</td>
</tr>
<tr>
<td>Undergraduate chosen over graduate studies</td>
<td>Process inconsistent varies from band to band can change annually</td>
<td>Effectiveness of administrators varied</td>
</tr>
</tbody>
</table>
### Prioritization

Preference given to full-time students, continuing students, recent high school graduates and those who have not previously left their programs

### Fairness

Nepotism

### Administrative Clarity and Transparency

Problems with timely information and communication with administrators

- Lack of capacity and training
- Excess funding being spent on other things

Compiled from Malatest and Stonechild, 2008.

#### 3.5.9 Rationing

Rationing is not addressed in the PSSSP national guidelines, nor in many LOPs, although maximum allowable expenditures are noted (AANDC, 2014; Usher, 2009, p. 13). Usher (2009, p. 13), acknowledging the anecdotal nature of the evidence, suggests that students who obtain PSSSP funding are generally given the full amount. However, a report by the AFN released in 2012 suggests students are not being funded to the greatest extent possible. In BC 55% of 792 single students living away from home received less than the maximum allowable amount, while 61% of 287 single parent students received less, and 75% of 292 married students with spouses received less (AFN, 2012, p.12).

Additional research conducted by the Grand River Post-secondary education office shows funding shortfalls for 20 First Nations students enrolled in various programs. The funding shortfalls for the students range from $274.96 to $48,906.45 (AFN, 2012, p. 12).

#### 3.6 Summary

The importance of post-secondary education in improving individual’s lives is generally well recognized, yet Aboriginal peoples continue to have lower levels of success than the general population. Former commonwealth governments with significant Aboriginal populations have attempted to address these inequities by increasing Aboriginal student
access through the provision of various student financial aid schemes. In Canada, the primary financial assistance method for First Nations students is the post-secondary student support program (PSSSP), a targeted grant program for First Nations students. This program is considered an essential element in increasing First Nations student access and success, particularly in light of historical inequities, however the funding appears inadequate to increase success levels to those of other Canadians. While the benefits of increasing the educational attainment of First Nations students to both First Nations and Canada are widely purported, the political will to increase supports seems lacking. The lack of will appears to be influenced by administrative issues at the federal level relating to education jurisdiction, program accountability and oversight and the inequitable distribution of funds. The unpopular nature of targeted funding may also be a factor.

For First Nations, control of education has been a primary focus since the Indian Control of Indian Education paper was published in 1972. In an attempt to address this concern, the federal government devolved administrative responsibility of post-secondary funding to First Nations organizations. This resulted in a degree of control at the local level, however was accompanied by insufficient capacity devolution to create policy that effectively addressed the needs of both First Nations organizations and their students. As a result of the inadequacy of funding to fully support all students First Nations administrative organizations must decide how to prioritize and ration the available funding. The effect is some students being denied funding or put on waitlists, and others receiving only supplemental funding. Deciding how much to fund to which students can contribute to inter-community conflict in already historically disadvantaged communities. The creation of clear and fair local operating policies (LOP) has the potential to mitigate the negative affects related to this decision making process.
4 METHODOLOGY
A qualitative research approach was employed for this project based on interviewing of key informants with experience with the Lyackson First Nations Local Operating Policy (LOP). Interviews with key informant groups are a commonly used strategy in qualitative research to obtain knowledge about a particular area of focus (Beiten, 2012, p. 244). Interviews were also deemed appropriate due to the localized nature and specific context of the research. Targeted interviews assisted in understanding individuals’ experiences with the policy, as well as their concerns and ideas for improvement. Ethics approval was obtained from the University of Victoria Human Research Ethics Board, as well as chief and council of the Lyackson First Nation. Five First Nations LOPs were also reviewed, to assess the relevance of alternative policy options for use in the Lyackson LOP revision.

4.1 Sampling
A purposive sampling strategy was used to identify potential participants from three key participant groups;

- Students and former students of the LFN were selected because they are directly affected by, and all had experiences with, the policy; eight of the nine interviewees were current or former LFN students. The Lyackson Director of Operations identified these interviewees.

- Lyackson administrators and councilors were selected because of their depth of knowledge on the policy, and their responsibilities in its development and implementation. The Lyackson Director of Operations identified these interviewees. One current administrator and one current band councilor were interviewed, while two others interviewed were former band councilors and one was a former administrator.

- Non-Lyackson policy administrators and developers were selected to add breadth to the general knowledge of policy administration and development and to examine similarities and differences of opinion across different First Nations. These interviewees were identified through a website search of First Nations organizations in geographical proximity to the Lyackson First Nation. Two interviews were undertaken, however neither was approved at the time of writing. The first was not approved by the organization, and the second had yet to be approved at the time of writing.

4.2 Recruitment
Originally, between 12 and 18 interviews were planned, however due to low response rates, and time and resource issues, 12 interviews were completed, of which 10 were approved for use. Lyackson students and former students were e-mailed invitations to participate in the research through the Director of Operations to maintain their
confidentiality. In this invitation they received a copy of the interview questions, the informed consent form, and the researchers contact information for response if interested. The contact information for Lyackson administrators and councilors was obtained from the Director of Operations and the researcher contacted them directly through e-mail with their interview questions and informed consent form. Non-Lyackson policy administrators and developers were sent an invitation to participate by the researcher, through publicly available e-mails. They were only sent interview questions and the informed consent form if they expressed interest through an e-mail response.

4.3 Instrument

Interviews were chosen as the primary research method due to their appropriateness for issue oriented studies and ability to yield a depth of understanding (Hesse-Biber and Levy, 2011). Different sets of questions were asked of different participant groups based on their particular knowledge and experiences with the policy. The interviews were based on semi-structured and open-ended questioned, and the researcher added additional probing questions throughout. Additional targeted questions were added as the research progressed, these were based on issues that arose in earlier interviews and were specific to the revision of the policy.

4.4 Interviews

Interviews were completed from May 15th to July 30th, 2014. Where possible the interviews took place face to face at a location convenient to the interviewee. Two of the nine interviews were conducted by phone, as the individuals lived off Vancouver Island. Interviews were audio-recorded and the researcher recorded notes in a notebook. Separate interview guides were created for each of the groups based on their area of expertise. For those with experience in multiple positions, the interview guide that solicited the most detailed information regarding the creation of the LOP was used. Former Lyackson band administrators and band councilors, who were also current or former students, used the guide developed for administrators and councilors. This assisted in eliciting their depth of knowledge on the policy.

Consent forms were signed before the beginning of the interviews and any clarifying questions answered. Clarifying and probing questions were also used during the interview process. All interviews were transcribed verbatim to a word processor and, where requested, copies were sent to participants for review. Each individual who wished to review their transcript agreed that if they were not returned with changes within two weeks they would be used in their original form. The researcher addressed concerns related to transcript content through communication with the individual
interviewee’s. The transcript review process was used as a method of member checking to ensure accuracy of interviewee representation in the research, to the greatest extent possible. Member checking is recognized as a process that can increase the validity of research (Sandelewksi, 2008, p. 139).

4.5 Data Collection and Analysis

The data analysis process was iterative and thematic. The researcher initially read through the data to obtain a general sense of its complete meaning. At the beginning of each reading interviewees were given identifiers based on their groups, S1, S2 for students or former students, or B1, B2 for band administrators and councilors. The two individuals who wished to be referred to specifically were given separate identifiers, Sha and R. Interviewees were also informed that due to the small sample size, and small close-knit nature of the Lyackson First Nation (200 members), anonymity could be compromised. Each individual agreed to participate in spite of this and signed off on their informed consent form.

After the first reading of the data, information deemed irrelevant to the purpose of the research was extracted and put aside. The next step involved coding the data by extracting key terms from transcript sentences and paragraphs and marking them in the transcript margins. Where key terms were relevant to particular section headings of the Lyackson First Nation LOP working draft (2013) they were grouped accordingly. Key terms which did not appear to fit under these headings were reread, double checked, and either integrated into the current policy headings or placed under the heading ‘Other’.

Data within the ‘Other’ category were pattern coded according to themes, while data under specific policy headings was reread, double-checked, consolidated and/or subdivided. Pattern coding is a process of pulling together large amounts of information and coding it into units more meaningful to the analysis (Miles, Huberman & Sandana, 2014, p. 86). Subcategories created within the ‘Other’ category were then checked against the policy heading categories and integrated where related, or left to stand-alone. In fairness to all interviewees, negative cases, those that were divergent from common patterns were included. This also assisted in ensuring representation of the full range of possibilities and perspectives.

During each round of analysis the researcher used a reflexive iterative process based on three questions; “What does the data say, what do I want to know, and what is the relationship between these?” (Srivastava and Hopwood (2009, p. 78). The researcher captured ideas and thoughts related to these and other questions using analytical memoing and jottings. Jottings and analytical memoing are processes through which
researchers can record their thoughts and reflections in the moment, while continuing with the process of coding and categorizing (Miles et al., 2014, p. 94).

Ongoing collaboration with the director of operations and chief and council assisted in addressing ethical issues related to control and relevance of the research. (McLean, 2007, p. 42), considers these aspects essential in ensuring ethical research with Aboriginal peoples.

4.6 Limitations
Meeting the targeted number of interviews was not possible due to low recruitment response of the Lyackson groups and the size of the Lyackson band (approximately 200 members). Ethical and time based restrictions for achieving formal permission for non-Lyackson participants resulted in all interviews from non-Lyackson members being inadmissible.

The scope of the researcher’s level of knowledge of different theoretical concepts and the potential biases resulting from the researchers interpretive lenses, are another potential limitation (Patterson, 2008, p. 635). The researcher attempted to address personal bias in interviews through active listening and the use of probing and clarifying questions, as well as audio recording and taking notes during and immediately after the interviews. Member checking allowed interviewees the opportunity to review transcripts and ensure they were representative of their intended meaning. During the data analysis stage, interview transcripts were reviewed numerous times to ensure inclusiveness of important data, while obvious patterns of data organization were challenged through the consideration of alternatives (Patton, 2002).

5 FINDINGS
The following section divides the feedback from respondents into four major sections, the policy process, funding issues, the deliberation on policy changes, and the
administration of the policy. Findings include suggestions from respondents considered in light of the research question:

What elements of the current Lyackson First Nations post-secondary education policy need to be changed to create a clear and fair post-secondary education policy, while ensuring compliance within AANDC’s policy guidelines for continued funding?

Interviewees are identified in this section based on their groups, S1, S2 for students or former students, or B1, B2 etc. for band administrators and councilors. The two individuals who wished to be referred to specifically were given separate identifiers, Sha and R. Sha, refers to Shana Manson, and R, refers to Robina Thomas.

5.1 The Policy Process

5.1.1 The Lyackson Situation
Education is considered a source of pride for the Lyackson First Nation, being one of the only programs it can offer its members (R, Sha, B2). Of the Lyackson First Nation’s approximately 200 members, 10 are pursuing post-secondary education (B2). The high rate of educational pursuit of members is perceived as an anomaly when compared to other larger bands (Sha).

5.1.2 The Value of Education
The value of education was recognized amongst participants, particularly in the long-term (S3) and for getting a job or career in the “…knowledge generation” (Sha). Education was considered a valuable facilitator for work and volunteer opportunities (B2), and considered important for those who could not participate in traditional lifestyles (Sha). The potential negative implications of not funding students were of concern (S3).

5.1.3 Importance of Funding and Funding Challenges
The importance of funding was expressed by one interviewee who said it would have been impossible to go into more debt, while raising a family with three children and attending school full-time (R). Having more students than funding was considered a huge challenge for leadership (Sha), and though problematic in terms of monetary strain on the band, the high student participation rate was considered encouraging (B2).

The sense of entitlement to funding led to stress for the leadership, who felt obligated to offer funding, while needing to balance this obligation with fiscal responsibility (Sha, B1). The current fiscal deficit, along with the band’s desire to fund everyone was considered problematic for long-term planning (S1), and influenced the determination of
priorities for funding allocation (Sha). The close-knit nature of the small First Nation was perceived as making funding denial more difficult (Sha). One participant feared a perpetual funding cycle where students could switch majors, start over, and continue through all levels of education without having to apply their knowledge to work (Sha). Another participant recognized that it was difficult to make the policy fair, as not everyone would be satisfied (S1).

5.1.4 Entitlement and Fiduciary Obligation
Problems associated with student funding derive from the perception of the Crown not fulfilling its fiduciary obligation to support First Nations students (Sha, R, B1, B2). This was explained as the Crown’s obligation to Indigenous peoples for colonization (Sha), though the level of the fiduciary obligation in terms of band payments to students was questioned (B2). There was some frustration related to the devolution of restrictions from the federal government, to the band, to students, related to the Indian Act and continuing colonization. The individual suggested “...looking outside and seeing if things could be done differently” (R).

5.1.5 Methods of policy revision
Simplifying the policy was the preference of many interviewees (S1, B1, B2). Using complex formulaic approaches to funding allocation was an approach taken by some bands and recognized by one interviewee (Sha). The perceived benefits of a flexible policy, and being positive and encouraging were contrasted with typical bureaucratic practices considered negative and discouraging by another participant (B2).

5.1.6 Community Engagement
There were complaints about a perceived shift in policy process making from full community engagement and membership decision making to chief and council decision making (S1, Sha, R). Band members felt anger (Sha), and exclusion as a result of the lack of community engagement (R). Others were fine with chief and council making decisions, as it was within their mandate (S2) and could avoid conflict (S6). A referendum process for major policy changes was proposed to increase inclusion (S1).

5.1.7 The importance of dialogue and community engagement
A pro-active dialogic approach to community engagement was suggested, rather than a re-active, complaint based responsive practice. A standard 4-year policy review period was suggested as a pro-active method to receive community feedback. Perceived benefits included increased band member participation, information sharing, providing a forum to receive constructive criticism and increased buy in from members, as well as knowledge of the process that participants could pass on to newer students (R). Getting the band on the same page (S1) and reflecting members opinions in policy were related
to increasing community ownership (R) and perceived as positive goals (S1, R). One individual questioned the need for a formal review period, suggesting the on-going feedback process was fine (B2).

5.1.8 Facilitating On-going Participation in Band Affairs
There was concern about the lack of member participation in band education meetings (S4), particularly amongst elders (S1). Attending band meetings was considered challenging in terms of time and money, and perceptions of negative band re-action to those not attending in-spite of their efforts, was a deterrent (S1). Mandatory participation for those students who received funding was suggested (Sha), though the un-voluntary nature of participation and practical restrictions, such as geography were noted as concerns (S6). The interview process was considered positive in obtaining feedback (S4), and as a possible starting point for dialogue and community participation (R).

5.1.9 Technology
The use of technology was considered for increasing member participation, particularly for those who were geographically distant (S1, R), elders, and those who were busy (S1). Specific suggestions included teleconferencing (S1) and live streaming (Sha). Some difficulty in the application of these technologies was related to the band not having a dependable location for meetings (Sha).

5.1.10 The Process of Obtaining Funding
Some students expressed gratitude to the band for the funding they received (R, S2), but some also had complaints about the process (R, S2, S5). Having living allowance dropped (S3), late band decision-making, and not receiving funding requested (S2), led to increased stress, dropping courses, needing to find work (S3), and having to scramble to cover costs (S2). Another student had to cover the difference between band tuition payments and actual tuition rates, as a result of changing rates at the university (S5). One student mentioned recent improvements and being reimbursed for lost funding (S3). More communication from the band about the funding process was suggested (S2), as was the importance of reciprocal acknowledgement (R).

Band communication was considered “pretty good” by one student (S5), while others were concerned about the tone of communication (R, S1), not being informed about policy changes (S4), the need to continuously follow up, and lack of clarity about timing (S2). A lack of student communication with the band was also of concern (B1). Others commented that the funding process was not hard (S1, S4, S6), and that they had no issues (S4). Difficulty in the process was linked to a lack of knowledge of the policy,
particularly as it related to student expectations (S1).

5.1.11 Clarity, Consistency and Fairness in Application of Policy
The interviews revealed a need for more clarity and consistency in application of band policies (Sha, S2, S6, B1). Confusion derived from working with multiple policies (B1, S2), not knowing which policy was being used (Sha) and ambiguity in interpretations of policies (S6, B1). The need to create clear guidelines and stick to them (S1, Sha, R), to create policy caveats for exceptions (Sha), and the importance of on-going tracking in ensuring consistency (R) were pointed out.

Specific concerns included better band monitoring of students (S1, R), clarity in prioritization of students (B1, R), clarity in academic expectations of students (R), and sticking to eligible months of funding (B1, B2, R). Clearer definitions, particularly continuing students (S4), what constitutes full-time status, and the impacts of program changes were considered necessary (S3, S5).

5.1.12 Policy Accessibility
Students were concerned that they had never seen a copy of the policy and did not know where to access it (S2, S6), and that it was not available online (S4). Suggestions included posting the policy online, e-mailing it to everyone (B1), sending a paper copy along with student acceptance letters (B1, B2), and incorporating any changes into the newsletter (S2).

5.1.13 Knowledge of Policy
Those who had worked for the band, sat on Chief and Council, or completed graduate school, had more knowledge of the band’s policy than others. Students interviewed said they had some knowledge of the policy (S3, S4, S5, S6), specifically as it related to the implications of academic achievement (S6), student prioritization, and limited months of funding (S4). Student understanding of the high rate of band educational participation and bands fiscal constraints led to greater satisfaction with the amount of funding received (S3), and, it was suggested, could assist students in not taking funding decisions personally (Sha).

5.2 Funding Issues
Fiscal capacity is a key issue for the band that only recently became a problem, with no new funding (Sha, B2), an increasing percentage of band members enrolled in post-secondary education (B2), and spending outpacing AANDC contributions by over 100% (B1, B2). The current deficit was considered manageable (Sha), but current spending was not considered sustainable over the long-term (B1, B2). Implications of the funding crunch include funding fewer students, using shrinking own source revenue to
supplement AANDC funding and the need for alternative funding sources (B2). Additional regional funding through AANDC was mentioned, though was often not dependable or substantial (Sha).

5.2.1 Potential Cost-saving measures
As a result of decreasing fiscal capacity it was suggested that chief and council had some hard decisions to make and may need to be more stringent in some areas (B1). A 10-year student needs assessment was suggested in order to assist with long-term planning (S1).

Other suggestions included limiting the funding ceiling to annual AANDC funding (Sha, S1), by cutting the number of students funded, or equally distributing available funding amongst all students, then directing students to external funding sources to fill their needs (S1). At current AANDC rates of funding, $75,000 per year, it was calculated that the band could fully fund approximately 5 students with no dependents. Students were estimated to cost approximately $15,000 per year including a living allowance of $7,600, for eight months of school (B1).

The potential for the band to assist students in finding the most cost-efficient program within a reasonable geographic distance from their homes, and collaborating with other First Nations on administration of post-secondary funding were other suggestions. The benefits of the later included enhanced administrative efficiency, though this option was considered unlikely (Sha).

5.2.2 Funding - Student Concerns
Student funding concerns included the ability to afford living in a bigger city (S6), inadequate tuition payments (S5), negative academic effects of having to work (S4, S5), increasing debt (S4, S5), stress (S2), the implications of program changes (S3, S5), and lack of funding for spring and summer courses (S4) and graduate school (R, S3). Most interviewee’s mentioned how other students they knew had received more funding from other bands (S1, S2, S4, R).

5.2.3 Accessing External Funding and Resources
Encouraging students to seek external funding was considered a good idea (Sha, S5, B1, B2). The benefits of viewing band funding as a secondary source of income, was also suggested (Sha9). Some thought the band could be more pro-active in sending information on alternative sources of funding to students (Sha, R, B2), as lots of funding was available, especially for people with dependents, and those of Aboriginal ancestry (B1). Another questioned the feasibility of giving additional tasks to administration considering administrative capacity issues (R). A lack of student desire to search for, or
apply to, alternate sources was considered a barrier (B1).

One participant proposed graduate and professional students target external funding sources, and suggested the need to show proof of applying externally to receive band funding (Sha). Another individual disagreed with this approach, claiming they did not want to be restrictive (B2).

5.2.4 Use of Institutional Resources
It was suggested students should use institutional resources, such as disability and emergency funding when possible (Sha). Enhancing the band’s relationship with post-secondary institutions and the province were considered beneficial in increasing access to external funding, particularly for trades (Sha), and those with disabilities (S1).

5.2.5 Disability Planning
Fairness for students with disabilities was considered important (S1, R). Fairness was regarded as equality of opportunity regardless of ability (S1) and defined as meeting individual needs, while recognizing it is different for everyone (R). Participants proposed getting official verification of disabilities, early planning with chief and council (S1), prioritizing of external funding sources (Sha) and creating a list of disability services at various institutions (R).

5.2.6 Student Loans
There was some lack of clarity as to whether band funding affects access to Canada Student Loans (B1). One student mentioned they were on a “weird cusp” where they got enough money to not get any more, but it was not enough (S2).

5.3 Deliberation on Policy Changes
5.3.1 Tuition
It was suggested that the maximum allowable tuition rate per semester be raised to $4500 from the previously proposed $2500 in order to better reflect actual tuition costs (B1, B2), and monies being paid (B1, B2).

5.3.2 Living Allowances
A number of interviewees suggested changing the category of living allowance to living subsidy to reflect what the funding actually is (B1,R, Sha, S4). The legality of this was questioned, as it was an AANDC category (Sha) and the term Living Allowance Subsidy was suggested to address this concern (B1).

Most individuals were fine with the proposed rates ($850 per student and $250 per
dependent) (S4, S5, S6, B1, B2, R), while some believed it was too much and the reason the band was in a funding crisis (S1, Sha). There was a general consensus that living allowances needed to be simplified so that there was only one rate for each student and each dependent. Areas of discussion included the adequacy of living allowances for those with dependents, spousal influence on funding, and living at home versus independent living.

5.3.3 Adequacy of Living Allowance for those with dependents
Those caring for dependents stressed the importance of the dependent funding in allowing them to succeed in school (R), and outlined the need for more funding (S1, S2). Reasons included, the challenge of being unable to work while caring for dependents and attending school full-time (S2), and no additional band childcare funding (S1). Fiscal constraints and the provision of dependent funding provided the rationale for the band not providing additional childcare funding, (B1, B2).

5.3.4 Spousal Influence on Funding
No one interviewed wanted spousal employment status to affect student funding levels. Reasons included, funding being meant for the individual (R) and wanting to encourage rather than discourage spouses from working (B1). One participant thought spouses should only be considered when they are disabled and eligible for funding as dependents (B1).

5.3.5 Living at Home vs. Independent Living
There were conflicting opinions over whether those living at home should receive less living allowance. Some respondents were unsure (S1) or could see both sides and suggested the band keep out of it (S6), while some thought students living at home should get less and/or require proof they were paying rent (Sha, S2). Others were concerned that those living at home would receive less, as they may still be required to pay rent (S6, R2). One was concerned that funding for living at home rose from $190 per month to $700, while there was little increase for dependents. The individual recognized that those living at home might have to pay rent to help parents out (S1). The bands ability to monitor spousal status and living situation was questioned (B2).

5.3.6 Course Load and Limiting Funding
There was some concern that students taking less than a 100% (5) course load each semester would result in increased costs to the band, due to increased time to graduation. Pro-rating living allowances to student course loads was proposed as a solution, whereby students taking a 4-course load would get the equivalent of 80% of the full-living allowance (S1, Sha, B1).
This idea was resisted as discouraging and difficult to administer (B2), discriminatory for those with mental health issues, learning disabilities or needing to work (S4), and perceived as being unhealthy and affecting academic quality (S3). It was suggested that providing funding for the total necessary courses to complete a program would be less discriminatory (S4).

There were conflicting opinions as to whether the band should be more restrictive in student funding months than AANDC maximums (Sha) or not (B2). Students expressed concerns about having funding cut off due to current time restrictions (S5, S6), citing little room for error within the current funding time limits (S6). It was suggested that an extra year be allocated in the policy for those doing a B.Ed., due to longer program length (B2).

5.3.7 Alternative Funding Prioritization methods
Most individuals preferred funding preferences by student priority criteria, yet others suggested funding pots could be pre-determined for different levels such as, continuing students, new students, and graduate students (S1, S4), or that some funds were set aside for higher levels (R).

5.3.8 Student Prioritization
The difficulty in determining fair student prioritization criteria was mentioned (S1), as were concerns about whether to prioritize more students with lower education levels or fewer students with higher levels (S4). One suggestion was prioritizing students who only received tuition and books (S1)

5.3.9 Continuing Students
There was a consensus that continuing students should be the top priority, however continuing student criteria were considered confusing (S4) and more clarity in definition was needed (B2). It was suggested that continuing students should only be considered continuing when at the same AANDC defined education level and not each time they move to a new level (S4, Sha, B1). It was generally accepted that students could be continuously funded for college or university transfer programs so long as it was in their education plan so that the budget could be planned (Sha, B1, S1). Another interviewee suggested that individuals who paid for their own education for a year could be considered continuing students, though this would require approval by chief and council (B2).

5.3.10 Program Changes
There were mixed opinions on whether a change of program should result in a loss of continuing student status. Most individuals did not think program changes were a
problem unless they affected the budget and timeline to graduation (S1, Sha, B1, B2), although one interviewee expressed concerns about the expectation of continued funding when students changed to an unapproved program (Sha). There was considered a need to clearly communicate that students who change programs would not receive additional funding months through the band (R, S1), and that they may need to apply for student loans to supplement band funding (S1).

One individual suggested that adding a double major should not affect continuing student status, unless there was a transfer to an unrelated program, resulting in the need for additional credits to complete the course (Sha). Another thought that students should not lose their continuing student status even if they change program, as it is not the content of the degree, but the fact they are getting the degree that is important (B2).

The lack of clarity and information on this topic created fear that students who made any changes to their programs would have to apply as new applicants jeopardizing their funding (R, S3, B2), and leading students to not inform the administration of program changes (B2). One student who switched programs was worried about being cut-off because of time limits on student funding. The student took more courses to try and catch up, resulting in lower marks and a need to cut back on courses (S5).

5.3.11 Deferrals
A few interviewees agreed that students should be able to take a year off, for a variety of reasons, in the middle of schooling and not be penalized by being moved down the priority list (S5, B1, B2). The need for clear communication on this was seen as essential (B2). Fear of losing funding could force people to enter school early (S1), or stay in school when they need time off, for various valid reasons including personal health and family issues (S1, B2, S5). One was okay with deferrals but not in the first year (Sha).

5.3.12 First Time applicants
All but one interviewee agreed that first time students should be the second priority, though there was some variation in the scope and criteria used to define first time students. One individual believed it should remain grade 12 applicants because students need more than high school to get a good job and that those on track from high school should remain priority (Sha). Others suggested an age range approach, prioritizing students up to 21 (S1), or 25 years old (B1). It was suggested that this would allow for a gap year (S1), decrease stress (B1), and allow students time to mature (S1, B1). Not rushing into school was seen as better than applying and failing, resulting in moving further down the priority list (B1).
The rest of those interviewed preferred first time students without any age restrictions. One claimed prioritizing students directly out of high school “smacks of colonization” (R), while others believed doing away with age based prioritization could take pressure off students and increase student success (S3, S4, S6). Two students mentioned the negative influence on mental health of feeling pressured to go to school (S1, S4).

One participant clarified misperceptions about the current prioritization of grade 12 graduates in the policy by explaining the category was not restricted to those who had just graduated, but included all grade 12 graduates. Encouraging students to attend post-secondary early was encouraged, but the intent of the policy was flexibility (B2).

### 5.3.13 Motivated and Mature Students

One student perceived mature students as the best second priority, as they were more likely to take school seriously and know what they want (S2). Lack of maturity for young students was considered a potential impediment to success, as their brains had not fully developed yet (S1). One student could not imagine doing well right out of school and heard that most people who took a few years off did better (S3).

One interviewee clarified there was very little separation between the categories of first time applicant, motivated students, and mature students. The individual defined motivated students as those who may have been denied band funding one year, but successfully completed a year of school on their own. It was suggested this individual maybe considered a continuing student, as they were technically continuing their education. The mature student category was defined as individuals who had not necessarily completed grade 12, but met institutional requirements for entrance to their chosen program (B2).

### 5.3.14 Prioritization of Programs

There was a consensus amongst participants interviewed that prioritizing students based on program of choice was not ideal, as it unnecessarily influenced personal choice, although one individual suggested prioritizing university over college and the trades, believing it would look better for the band (S5). Other reasons for not prioritizing programs included the potential to sway someone into a career they do not like (S3, S6, B2) and the lack of band need for particular skill sets (B1). There were some concerns about the potential the band may get sued if they influenced prioritization in a discriminatory manner (B1).
5.3.15 *Public vs. Private Institutions*

Public education was generally supported over private institutions for reasons of cost (S2, S3, S4, S6, Sha, B1, B2) and problems with transferability of credits to public institutions (S2, R). Those who were fine with private funding agreed it should be funded only if no comparable public programs were available (S6, Sha, R, B1, B2), and should not be funded any more than a comparable public institution (S2, S3, S4, S6, Sha, B1, B2).

One student who was denied entry into a private institution, but later entered a public institution, was happy for the value received for money and the wide recognition of the certification. The student spoke of friends who went to private institutions and did well by their standards, but had trouble getting jobs (S2), another interviewee noted students who have done well in fields such as hairdressing (S3). Issues with private institutions include needing to pay all the money up front and band difficulty monitoring grades and attendance (R).

One student thought private schools should be funded on a case-by-case basis, with cost analysis (S4), while others believed students should have to write a proposal to the band justifying their need (B2, R). In the past an individual had been approved and supported to the extent of a public institution for specialized computer training. It was suggested that the band be allowed to fund living allowance if they deem the course viable, but that a special request would have to be made and the student required to cover the difference in public to private tuition costs (B2).

5.3.16 *UCEP*

The band did not have a lot of experience funding UCEP and needed more clarity about its eligibility under AANDC guidelines (B1). One person thought students should be funded if they could not find a free alternative, and if going would increase their chances for success (B2). The other individual to comment on UCEP thought it should be cut due to fiscal constraints, and students should explore other widely available possibilities, such as night school or on-line learning (Sha).

5.3.17 *Trades Funding*

Most people agreed that trades should be funded (S1, S3, S4, S6, Sha, R, B1, B2). The only individual who did not think trades should be funded cited the large amount of money available from government programs and the potential to get paid while learning (S5). One member admitted being unsure how to deal with certain apprenticeship and trades programs, because of not knowing if they were paid or unpaid positions. (B2)
Reasons for funding trades included, believing trades are the future (Sha) and the potential to contribute to success, particularly for males (S2). Trades were seen positively as quicker (R, Sha), and more valuable than most degrees in terms of high employability (S3, Sha), and self-employment (Sha). Apprenticeship was also mentioned as consistent with an Indigenous worldview of experiential learning (Sha).

Currently, applicants for trades within traditional territory are directed to Coast Salish Employment and Training Society (CSETS) where there is funding available, however, there is still the need for policy planning due to uncertainty of future external funding availability (B1). Accessing external funding for trades was perceived as beneficial due to restrictions on eligibility in the AANDC policy on trades funding (B1, B2). One interviewee suggested the band could fund AANDC ineligible programs through own source revenue where necessary, and would be willing to assist where training for jobs or careers could be justified (B2).

There were concerns about the ability for the band to track attendance and grades in trades, and some concern that in the past people had just switched to the trades because they we not doing well elsewhere (R9). The legal implications of choosing not to fund specific programs that are AANDC approved were also of concern to the administration (B1).

5.3.18 Graduate and Professional programs
There was consensus amongst interviewees that graduate school was a positive aspiration, while at the same time recognizing the importance of giving everyone the opportunity for some education (S4, S6). The importance of graduate school for careers in many fields was noted (S3, S6), as was concern that lack of funding may stop momentum, and no living allowance would be restrictive (S3). One student felt disheartened that other students were not getting funded at the graduate level (S3). Another was concerned that if individuals continued from level to level of education, without taking any breaks, they would drain funding and lack work experience (S4).

The amount of external funding available for graduate school, in the form of fellowships, scholarships and bursaries was considered substantial and it was suggested students access this if possible (S5, S6, Sha). There was some concern about students accessing band funding while receiving large scholarships and the impact on other band members (Sha).

One individual proposed creating one space per year to be allocated to a graduate student, covering tuition, books and living allowance for the coursework portion of the
program (R). This idea received some support from others (S4, S5, S6). Concerns about band funding for graduate school included, on-going tuition funding when in the writing process and the potential for delays. Only paying tuition after the coursework period was proposed, as many students have the opportunity to work. Though the band was sympathetic to students, it was considered necessary for students to show the need for funding through a special request, as there was fear of on-going tuition fees (B2).

One student expressed concerns about costs, as graduate school dragged on for reasons beyond their control (a family member dying). There was hope the band would try to help, and recognition it was tough to feel respected without receiving support. One-time bursaries and offers to cover ancillary fees were suggested as tokens through which support could be shown (R).

5.3.19 Summer/Spring Courses
There was consensus that mandatory spring/summer courses should be funded, but differences on whether spring/summer courses should be a voluntary option for students. The reasons not to fund included, wanting students to get work experience and take a break from school, student choice not to take the courses needed during the year (Sha), and because of band fiscal constraints (B1). A number of individuals thought spring/summer courses should be allowed so long as they are subtracted from students total allowable funding months (R, B2), and because they could decrease total years in school (S4).

Last minute choices to take spring/summer courses were considered problematic because they were not budgeted for. If unplanned, students could make a special request for funding, but there would be no guarantee (B2). Exceptions could be made in extraordinary circumstances (i.e. illness resulting in need to catch up) (Sha, B1). One student, who received funding for summer courses necessary to transfer to university, was satisfied with being funded for tuition and books only (S6). Some potential benefits of summer studies included guest professors and the intensive format (B2).

5.3.20 Student Tracking and Monitoring
There was general agreement that total months funded should be clearly stated and updated on a semester-to-semester basis (S3, Sha, R, B1, B2). Monitoring student months in school had been difficult due to a lack of clear tracking prior to the last two years, but had been tracked since. Retroactive tracking was not considered an option (B1). Problems with students being funded in perpetuity were related to the lack of tracking (R). The importance of student accessibility to their status was also mentioned (R, S4), as well as the need for clear criteria for probation and follow through on
discipline (S1).

5.3.21 Failed/Incomplete Courses
The band policy on failed and incomplete courses was considered necessary in spite of difficulty tracking it. Further efforts to track it were not worth it from a cost-benefit perspective. The interviewee suggested most students are honest (B1). Medical or health concerns and compassionate leave could be considered valid reasons for retaking courses, with the necessary institutional documentation (B1). One student was concerned they wouldn’t get funded for a failed course, although the student was unaware of potential exceptions for valid reasons (S5).

5.3.22 Exceptions
One interviewee mentioned that if students needed more funding then they were allocated they could apply to chief and council for approval, and it may be approved if funding was available (B2). Another student expressed concerns that an exceptions section potentially opens up additional funding to everyone (R).

5.4 Administration of Policy
Many suggested that students should be provided with their total allowable funding months in their funding approval letter from the band (Sha, R, B1, B2), and annually throughout their time as a student (Sha, B2). This was considered good for tracking, budgeting, and as a reminder to students (B2). Clarity and a congratulatory and supportive tone were considered important in communications (R, B2).

A couple of students relayed issues with not receiving funding they had been approved for and the negative effects, including dropping to part-time status (S3), and having to seek alternative funding sources (S2). Another had issues receiving funding for a quarterly program with non-traditional start dates (S6).

5.4.1 Policy Format and Forms
Continuing students didn’t want to fill out the annual 2 pager (S1), have to resubmit things if they hadn’t changed courses (S3), or wanted a separate continuing students form (S3). The current continuing student form was considered confusing as it looked like the new student application (S3). Some suggested simplifying the form by having one box to check off if nothing changed (S1,R, B2).

Another interviewee stated the annual two-page document was standard across First Nations, and necessary for a paper trail and to ensure adequate information for all. Student contracts were necessary to ensure students are still in school in order for them to receive their living allowance (B1). There was some concern with whether the
education plan was helping students plan (B2), while the potential benefits of adding a budget outline sheet were suggested (new administrator in conversation).

There were concerns that it was hard to outline the whole educational journey in the education plan at the beginning of school because timelines and plans can change (S3, B2). It was suggested that the original educational plan form have more room, for up to 5 years of courses to be budgeted for (S1, B2). Other suggestions for formatting included, separate sections in the policy for undergrad/college, master’s and PhD applications (Sha), a separate form for quarterly or non-semester based programs (S1), and an appendix for trades (Sha).

5.4.2 Application and Payment Dates
The date of application for September starts was an issue for administration (B1), as well as students (S2, S4, S5). Many agreed that moving up the funding dates would be beneficial (S2, S4, B1, B2), however another requested more leniency concerned about changing tuition rates (S5). The administration suggested applications be in by either the end of February or March, in order to deal with chief and council approval and AANDC reporting requirements in mid-June (B1). Another student was concerned about courses filling up prior to registration and thought the end of February would be best (S4). There was little concern amongst the administration about winter applications, as there were generally few applicants (B1).

5.4.3 Flexibility in Funding Allocation
A total months approach could allow more flexibility in funding allocation (B1, R) and in dates for receiving living allowance (S1). One individual suggested giving students more flexibility in deciding how their funding would be allocated, so long as they were doing the minimum required to pass. Tracking student months through this method was not considered an administrative issue, as long as it was tracked in the ledgers (B1).

5.5 Summary
The issue of shrinking fiscal capacity and high post-secondary student participation rates has created a situation where the band must decide how to prioritize and allocate the inadequate funding available. The band’s desire to be more flexible and supportive of students is constrained by these issues. The difficulty creating a policy that would be fair to everyone within this context was recognized, as was the need for improvement in policy clarity and consistency of application.

While fairness can be interpreted differently by individuals, more community engagement in the policy process was considered beneficial for creating community
ownership and knowledge of the policy. Clarity was needed in determining criteria for prioritization of students for funding, funding levels, and funding time limits. There was debate amongst respondents on the potential negative impacts of further funding restrictions and discussion on the need to emphasize external funding sources.

Consistent application of the policy was hampered by confusion about which policy was being used, while ineffective tracking and monitoring of students in the past led to problems determining when students had reached their funding time limits. Measures to improve the administration of policy included, enhancing oral and written communication with students, and making student application dates earlier. The latter was to assist with administrative reporting requirements and ensure students received funding in time to sign up for courses.
6 DISCUSSION

The following section integrates the background and literature review with the findings. The first section contextualizes the Lyackson situation and reviews elements that may contribute to the band’s post-secondary success. The second section examines external factors affecting Lyackson First Nation choices including, the effects of the devolution of inadequate funding and capacity from the federal government on students and the band administration. Student willingness to access external funding opportunities is examined in light of the perceived fiduciary obligation of the Crown. The third section focuses on issues at the community level. It begins by providing background on the band policy decision making process, and then addresses community-based issues of fairness and clarity in the rationing and prioritization of funding as they relate to the creation of the Lyackson Local Operating Policy (LOP).

6.1 The Lyackson Post-secondary Context

Discrepancies in levels of educational attainment between First Nations and other Canadians, apparent at the national level, do not necessarily apply to the Lyackson First Nation, who have a high uptake percentage and highly educated band members. Though no statistical evidence was available, it is highly probable that with 10 current students, many former post-secondary graduates and a total population of 200, the Lyackson First Nation has a higher rate of post-secondary attainment than the national First Nations average.

Consistent with the literature the Lyackson First Nation appeared to have a number of elements that contribute to post-secondary access and success, these included parental and community knowledge of the university system (Standing Senate Committee on Social Affairs, Science and Technology, 2011, p.23) and a relative abundance of role models (Canadian Millennium Scholarship Foundation, 2008, p. 46).

6.2 External Factors

The ability of the Lyackson to determine its own funding prioritization schemes (need or merit based) is highly influenced by the level of funding devolved by the federal government. Inadequate funding affects the ability of First Nations to pursue self-determination and control their future (Paquette and Fallon, 2010, p.84).

The literature cites federal funding formulas through which regions receive their allocations as unfair, as the formulas are based on a number of arrangements made in the past, which do not address the needs of regional or local First Nations groups (Helin & Snow, 2010, p. 15; Standing Senate Committee on Aboriginal Affairs and Northern Development Canada, 2007, sec. B.1.b; INAC, 2009, p. i). It is within this context of
the unfair devolution of funding, that First Nations Administrative Organizations must attempt to create fair policy for their students.

While First Nations Administrative Organizations (FNAO) share the same AANDC guidelines that frame eligibility criteria for funding, they differ in many other ways. First Nations have different student uptake rates, different levels of AANDC funding, and different amounts of Own Source Revenue (OSR), each of which can determine their ability to fund their own students. In the Lyackson case financial pressures are the result of a high student uptake rate, inadequate AANDC funding and stagnant OSR. Most Lyackson students recognized that other bands were providing more funding to their students. Own Source Revenue appears to have been a critical supplement to student funding for the Lyackson First Nation and flexibility in funding is restricted as a result of its stagnation.

The three elements that make up Student Financial Assistance Schemes for First Nations students are:

- The Post-secondary student support program is government funding devolved to First Nations Administrative Organizations. This funding is the most restrictive as eligibility and funding is defined by AANDC, and may be further restricted by local LOPs.
- Own Source Revenue is band funding derived from businesses, and revenue agreements with governments and companies. This funding provides the most flexibility and FNAO control, as it is only restricted by band policies.
- External funding sources such as grants, bursaries and scholarships have a variety of criteria that students must meet. Funding through the Canada Student Loan Program is based on a combination of need and merit.

Targeted funding for First Nations students, such as the PSSSP, is considered particularly important in light of a number of factors including inter-generational poverty, which can affect the ability of First Nations families to assist students with costs (Drolet, 2005, p.5; Wilson and McDonald, 2010, p.6).

6.2.1 Financial and Capacity Based Inadequacies
The literature cites a drop of approximately 5,000 students funded through the Post-secondary Student Support Program (PSSSP) from 1997-1998 to 2007-2008 (AFN, 2012, p. 13; Helin and Snow, 2010, p. 13). While this could be a result of bands allocating the maximum allowable funding to smaller numbers of students, a number of reports found this was not the case (AFN, 2012, p.12). Other contributing factors include the 2% cap, demographic factors in the First Nations population, increasing
The perceptions of interviewees of the inadequacy of financial supports devolved from AANDC to the Lyackson First Nation were consistent with much of the literature at the national level. One exception was found, where 70% of those working for AANDC considered the funding adequate, while 90% of those working for FNAOs found it inadequate (INAC, 2005). The perceived adequacy of PSSSP funding amongst AANDC employees may influence the will of government to increase funding.

The will of government to increase targeted need based funding including the PSSSP is lacking, as funding caps have not increased since 1996. The government’s shift to merit based universal funding mechanisms (Usher and Junor, 2007, p.34), while generally more popular with the public than targeted need based funding, does not adequately address inequities (Wang, 2013, p.48). For example, tax credits are most beneficial to those with higher incomes; this is problematic for groups such as First Nations, who generally have lower income levels. Tax credits do not effectively redistribute resources from richer to poorer individuals or groups (Vossensteyn, 2009, p. 176), and are contrary to equitable practice.

6.2.2 Effects of Inadequacies on Students

Lyackson students expressed gratitude for the funding received, but also pointed out the negative effects of the inadequacy of funding. These included, the inability to afford living in a bigger city, inadequate tuition payments, negative academic effects of having to work, increasing debt, stress, and lack of funding for spring or summer courses and graduate school.

Inadequate Student Financial Assistance (SFA) schemes have been critiqued for their effect on the well-being of First Nations and Low Socio-economic status (SES) students. The supplementary nature of the schemes and emphasis on individual rather than institutional responsibility for success have been linked to ill health effects (Shankar et al., 2013). A number of students mentioned stress related issues, which occurred when funding was not available or was taken away. Difficulties juggling school, work, and family responsibilities, found in the literature (Shankar et al., 2013), were reiterated by some interviewees. Examples included, the inability to work and attend school full-time as a single parent, the difficulty in supporting a family with three children while attending school, and for those who could work, the negative impacts of work on academics.
The importance of targeted need based funding for marginalized groups, found in the literature (Jones and Field 2013, p. 11; Levin, 2003, p. 9; Neill, 2007, p. i) was reiterated by interviewees. Although PSSSP funding was inadequate to fully support students, and took on a supplementary nature, it was still considered an important element. The literature states that 89% of First Nations students reported the PSSSP as vital to ensuring First Nations post-secondary access (AFN, 2012, p. 23) and 77.4% said they would not have attended without it (INAC, 2005, p.33).

6.2.3 Student Perceptions of the Right to Funding
First Nations perceptions of their right to funding derive from inherent or treaty rights, according to the literature. In the case of the Lyackson First Nation this would be an inherent right, as no treaty has been signed. While the literature explained the right to funding as an inherent or treaty obligation (AFN, 2012, p. 10; Malatest and Stonechild, 2008, p. 23), one Lyackson interviewee distinguished the fiduciary obligation of the Crown, as derived from the colonial occupation of unceded lands, rather than a treaty or inherent right that provided the rationale for funding. The interviewee clarified inherent rights as pre-contact and derived from living off the land.

6.2.4 External funding sources
The literature explains the perceived right to funding as affecting First Nations students willingness to apply for student loans and use mainstream financial systems (Malatest and Stonechild, 2008, p. 18). Interview findings did not provide clarity as to whether this was the case for Lyackson students. Students questioned their ability to take student loans based on their situation, mentioned resistance to applying for other sources of funding, and discussed concerns with the accumulation of debt.

It is unclear if students’ unwillingness to apply for student loans is directly related to their view of funding as a right, or whether the expectation of band funding is a habitual orientation. It is logical that students want to avoid debt, particularly where grant based funding, such as the PSSSP is available. Consistent with the literature, it appeared that students interviewed, while resistant to debt, were willing to access mainstream financial systems when already enrolled in post-secondary education and other options were exhausted. In spite of perceived resistance to student loans, Malatest and Stonechild (2008, p.8) found that 35% of First Nation students used student loans compared to 42% of non-First Nations students, a relatively small disparity.

In light of the band’s fiscal constraints and in spite of beliefs in inherent rights and/or the government’s fiduciary obligation, the need to apply for external funding was recognized, specifically for the trades and at the graduate/professional level. There was a particular emphasis on external funding at the graduate level, where members believed
many scholarships, grants and bursaries were available, which could address issues related to funding gaps. There was some concern that students who obtain external sources of funding may continue to use band funding at a detriment to others.

6.2.5 The effects of AANDC guidelines on First Nations choice

Living allowances and tuition were considered the two major expenses related to post-secondary education by the band, and were of most concern. The proposed living allowance rates by the band were set at $850/month, lower than the maximum allowed by AANDC and restricted by AANDC criteria, such as the maximum allowance of $500/month for those living at home. The living at home living allowance level derives from Canda Student Loan Program rates and does not allocate any funding for rent costs (Government of Canada, 2014).

While there were varying opinions amongst interviewees as to how much students living at home should receive, it was recognized that some students have to pay rent to assist their families. This could relate to the lower socio-economic (higher rates of poverty) status of some First Nations, resulting from the intergenerational impacts of colonial government policies such as residential school. It is an example of how universal policies, prioritized by the federal government and applied to the PSSSP, do not address the needs of certain marginalized groups, potentially decreasing access for those students in most need of funding. Targeted, need based funding is generally recognized as a more effective method of increasing post-secondary access rates (Jones and Field, 2013, p. 11).

AANDC influence on First Nations policy development can also be recognized in the imposition of guidelines based on spousal status. While members of the Lyackson First Nation were unanimous in their opinion that spousal status should not affect student-funding rates, the Canada Student Loan Program guidelines impose funding formulas based on spousal status. This shows how control, a primary goal of First Nations in education (NIB/AFN, 1972, p. 3), is being restricted by the federal government.

Revisions of the PSSSP which may address governmental issues such as providing prescriptive clarity and increased accountability to parliament, make it more difficult for FNAO, particularly those who are smaller and have less capacity (Usher, 2009, pp. 11-12), to maintain LOPs which are consistent with the national guidelines. Changes at the federal level necessitate reviews at the local level that are often not practical in light of funding and capacity issues. This can leave FNAO in a process of playing constant catch-up or being unaware of changes to the policy. These changes may affect funding levels for students already enrolled in school, and provide a rationale for students to
further direct complaints at their FNAO.

As McLean (2007, pp. 58-59) notes, funding related critiques including fiscal mismanagement and lack of services were transferred to First Nations, with inadequate training and capacity by the federal government. Individual First Nations have, thus, become subject to criticism for the application of exclusionary measures by their own communities, the Canadian government and the non-Aboriginal population (McLean, 2007, p. 20).

6.3 Community Level Factors

6.3.1 Band Decision making processes
The ability of smaller First Nations to have impartial decision makers was questioned in the literature, as Chief and Council had the authority to make final decisions, adding an element of band politics to the administration (Paquette and Fallon, p. 176). Concerns were raised in the findings about a perceived shift from community engagement in the policy process to a unilateral decision making process by Chief and Council. Feelings of anger and frustration were expressed by those dissatisfied, while others were satisfied with Chief and Council decision-making, justified as part of their elected mandate.

Community engagement was considered beneficial in increasing community buy-in and ownership of policy. The interview process was considered a valuable starting point from which to engage the community and as a method of increasing community participation, though there were concerns that band members did not have a process to be included in major policy decisions. Community referendums were suggested. The interview process provided an opportunity for the exchange of information and greater understanding of the policy and bands fiscal situation. These elements were related to greater student satisfaction with their funding.

6.3.2 Rationing and Prioritizing Funding
The band’s ability to choose a more flexible and supportive needs based policy was restricted by the inadequacy of funding available. Consistent with Usher (2009, p. 13), it was generally accepted that the band would have to cut the number of students funded or ration the funding available to each student to address the band’s fiscal constraints.

6.3.3 Addressing Capacity Issues
Long–term planning was considered necessary to assess potential student funding needs and the band’s fiscal capacity. A 10-year plan was suggested. Cost-cutting measures included cutting the number of individuals funded to the amount of annual funding, limiting living allowances to reflect the level of a student’s course load (i.e. a student
with an 80% course load receives 80% of the full living allowance), and directing students to external funding opportunities. McLean (2007) discovered one band that did not fund students upfront, but had them apply for student loans and upon successful completion they were reimbursed by the band (McLean, 2007). While this could be seen as non-supportive, it could also assist in ensuring students are serious about their education prior to attending.

Other suggestions focused on building relationships with external funders and assisting students in finding alternative sources of funding. There was no mention of the potential to increase Own Source Revenue, though there was recognition of its importance in terms of policy flexibility and increasing student supports. The potential of collaborating with other bands to increase capacity and efficiency was mentioned, but considered unlikely for post-secondary funding. Perceived barriers included excess band funding being allocated to other bands, and the difficulty in bringing bands together around the issue of post-secondary funding. Other issues were considered more important. The Lyackson First Nation had previously had their post-secondary education administered by Cowichan Tribes, and currently collaborates with other First Nations in areas such as treaty negotiations, fisheries, and child and family services.

6.3.4 Funding Methods
The use of a hierarchal student prioritization scheme (Usher, 2009, p.13) was consistent with the sample review of 5 LOPs with one exception, where the FNAO prioritized program choice along with student prioritization levels. While most interviewees expressed views on prioritization criteria only within this framework, others suggested the possibility of allocating a percentage of funding to different education levels. A certain percentage could be allocated for each of college, undergraduate, graduate/professional and trades programming. This option was considered a method through which students who wished to pursue graduate and professional school could be encouraged to do so. The idea received some support, but was considered difficult to implement and potentially unfair, as those who had already received funding for lower levels may receive additional funding before first time students receive any. Interviewees emphasized the importance of clarity and fairness in the prioritization of student selection, while the difficulty of being fair to everyone was also recognized.

6.3.5 Student Prioritization Criteria
Student prioritization criteria, is one of only three necessary elements of LOPs according to AANDC guidelines. Issues of clarity and fairness were considered particularly important in this policy section, as they define who receives funding and
why. The interview findings revealed some consistent and some inconsistent student concerns regarding prioritization criteria.

Band members’ opinions were consistent with the literature where it came to prioritizing continuing students as the number one priority. As with the literature and sample LOPs, there were a variety of opinions and options presented for the following levels, though first time students variously defined by age and academic criteria were generally desired as the second priority. Age based criteria were resisted as a colonizing practice by some. While the literature noted concerns that older students and students with children were being passed over, this was not the case for the Lyackson First Nation. There was no mention of feeling prejudice as a result of having children, although the previous Lyackson policy placed mature students further down the list than grade 12 graduates, which could be viewed as a form of ageism. The purpose of this category was explained by one interviewee as delineating between those just out of high school, and those who accessed post-secondary as mature students, as defined by institutions. The interviewee mentioned that in practice there was very little difference in prioritization of recent graduates, and mature and motivated students.

While some First Nations used the categories of motivated and mature students, the definition and purpose of the motivated student category was unclear and was critiqued in the literature for being prejudicial. Linking students ability to pay to their motivation was considered problematic, in that it de-humanized and de-contextualized individuals situation and did not address issues of equity, such as intergenerational poverty (McLean, 2007, p. 80). A lack of clarity of the definition of mature students resulted in confusion and allowed for multiple interpretations, with the potential to affect student access to funding.

Consistent with the literature review, the findings reiterated a prioritization of lower level (college and undergraduate) programs (Malatest and Stonechild, 2008), as this was perceived as the fairest to everyone. Most interviewees appreciated the value of graduate studies and some were interested in putting aside some funding each year to encourage students to continue, but generally the priority was on providing some opportunity for as many students as possible at lower levels.

There was little talk of drop out and stop out amongst interviewees (Malatest and Stonechild, 2008), though allowing voluntary stop outs was considered positively by most, so long as it was communicated to the band in a timely manner. One student noted the negative effects of having dropped a course, but this student was unaware of the band’s policy on dropping courses due to family/health concerns.
6.3.6 Fairness
Consistent with the literature, funding was interrupted or cut to a number of students in the Lyackson band. Though this happened only a few times and on one occasion a member was reimbursed. Consistency in funding appears to have improved in recent years as a result of more efficient administrators. There did not appear to be concerns about favoritism, as most applicants in recent years received funding. Student concerns appeared to be individuated and focused on personal issues related to funding levels, and clarity of prioritization.

6.3.7 Administrative Clarity and Transparency
Consistent with Malatest and Stonechild (2008), inconsistencies in the band administration of the LOP were an issue (Malatest and Stonechild, 2008). Clarity within the policy, confusion as to which policy was being used and the policies inaccessibility were all mentioned as significant issues. Clarity was particularly lacking in student prioritization criteria (leading to misinterpretation) and on the impacts of program changes on student status.

Lack of clarity regarding the prioritization of grade 12 graduates and confusion regarding the impacts of program changes contributed to fear and mental health issues amongst students. Students who felt pressure to apply for post-secondary directly after grade 12 mentioned the resulting mental health issues, while lack of clarity regarding the impacts of program changes on student status resulted in fear of changing programs. Beyond the negative impacts on student health and well-being these issues could result in wasted band funding. Allowing students to defer, and clarifying prioritization criteria and the effects of specific program changes on student status could cut costs and increase feelings of student well-being.

Inadequacy of funding, addressed as a primary issue in the literature, did not appear to be a restrictive issue for the Lyackson band prior to the stagnation of their Own Source Revenue. However, consistent with the literature, PSSSP funding was deemed inadequate. While on one occasion the band had received substantial funding redistributed from the regional offices, it was inconsistent and often not substantial. The assertion that the effectiveness of administrators varies (Malatest and Stonechild, 2008) appears consistent with the Lyackson experience. The benefits of recently improved administration can be recognized in improved tracking and monitoring of students, contacting the University of Victoria for assistance with the revision of the LOP, and in increased consistency of funding for students.

Consistent with the findings of Malatest and Stonechild (2008), some students expressed
concerns about timely information and communication with the band, primarily as it related to receiving funding or notification of acceptance in time to register or pay for classes. Some of the negative effects of this included, having to search for other sources of funding and not getting into necessary classes. One interviewee stressed the importance of tone of communication for band relations.

Lack of capacity (Malatest and Stonechild, 2008) was an issue for the band. While some large FNAOs have education departments or co-coordinators, the Lyackson First Nation did not. The result was the Director of Operations having to administer the program, amongst many other duties and responsibilities. While PSSSP guidelines allow for 10% of funding to be allocated to administration the full funding was always allocated to students, therefore the band had to seek external funding as a supplement. Concerns that excess band funds were being spent elsewhere (Malatest and Stonechild, 2008) did not apply to the Lyackson band that had no excess funds.

Monitoring and tracking of student months of funding was of particular concern, as lack of knowledge of students time in school could lead to perpetual funding and inconsistency with AANDC guidelines. This could negatively impact the bands ability to obtain further PSSSP funding. Over the past two years a system had been implemented to monitor and track student’s, while retroactive tracking was not seen as practical by the Lyackson band administration. Monitoring and tracking can also provide reliable information to AANDC to determine if student needs are being met. The provision of empirical evidence may be useful for policy analysts to justify increased funding for PSSSP, as lack of information was cited by AANDC as a reason for not increasing funding (Orr, 2008, p. 24).

### 6.4 Summary
Several factors including the inadequacy of PSSSP funding, stagnant Own Source Revenue and the high level of student uptake frame the ability of the Lyackson First Nation to adequately fund their post-secondary students. With no plans at the federal level to increase PSSSP funding levels students are forced to access external sources, in spite of students’ belief of the right to funding. The Lyackson First Nation had previously supplemented PSSSP funding with their OSR, however with no new OSR, the band is forced to further ration and prioritize available funding. High student uptake rates and no viable reserve land base for OSR, are primary influences on the ability of the Lyackson First Nation to adequately fund their students. Inadequate funding was related to negative health and well-being and lower academic standing for some Lyackson First Nation students.
At the community level the band is forced to further ration and prioritize its student selection, as a result of inadequate funding. There were mixed opinions within the community about the band decision making process for the post-secondary education policy. Some students desired more community engagement and influence on the final decision, while others were fine with Chief and Council making the final decision. It was recognized that the interview process associated with this study provided some community feedback to Chief and Council for consideration in the revision of the policy.

External issues affect the bands desire to be as flexible and supportive of students as possible. Some suggestions for dealing fairly with the funding situation included, long-term financial planning to assess student needs and band capacity, clarifying and revising student prioritization criteria, implementing a number of cost-cutting measures and supporting students in accessing external funding opportunities to meet their needs. There was no mention of the potential to increase OSR.

In determining student prioritization, student concerns related to clarity of criteria and potentially prejudicial criteria. Lack of clarity, resulting in varied policy interpretations, affected student perceptions of the fairness of the policy. Major areas of concern included, prioritization of students based on age, the potential prejudice of prioritizing students defined as motivated, and the impact of program changes on student status. Some of the effects of policy concerns were linked to negative student motivations to access post-secondary and continue in programs they did not desire. Policy accessibility and consistency in application were also of concern and related to confusion as to which policy was being used.

Student knowledge of the policy, sometimes lacking, along with an understanding of the bands fiscal situation, related positively to student satisfaction with funding. Most concerns about the process of obtaining funding had improved and were linked to the efficiency of the administrator. With improvements in administration, there were also improvements in essential elements such as communication, student monitoring and tracking, and addressing issues of clarity and fairness in the policy through community feedback.
7 RECOMMENDATIONS
Recommendations are divided into two sections. The first section, policy options, provides Chief and Council with options on various policy elements determined to be important in the research. The next section, recommendations, includes longer-term solutions and suggestions that may assist Chief and Council in determining the policy options they find most practical and desirable.

7.1 Policy Options
Policy options were provided in order to allow Chief and Council control in deciding how to proceed with the policy revision. Options for policy revisions were divided into two groupings; the first, termed flexible student support (Option A) and the second, prescriptive fiscal responsibility (Option B). The flexible student support option is meant to primarily address the needs of students, while the prescriptive fiscal responsibility option primarily addresses band fiscal concerns.

The two options were provided to allow flexibility in decision making, so that Chief and Council could decide on a section by section basis which option to approve. Therefore the final decision on the policy is not restricted to an either or option of policy A or B, and may include elements of either. For example, if band needs were identified as cutting costs to a certain level, this could be done by modifying certain policy sections to the prescriptive fiscal responsibility option, while maintaining the possibility of having other sections be more flexible and supportive of students.

It is possible that some policy options, designed to be more flexible and supportive could also benefit the band in terms of fiscal capacity. The option for students to defer, could allow the band to spread funding over longer periods of time, with the added benefit of increasing levels of student satisfaction and success. Table 2 below summarizes the policy areas to be decided upon.
<table>
<thead>
<tr>
<th>Section</th>
<th>Option A (Flexible Student Support)</th>
<th>Option B (Prescriptive Fiscal Responsibility)</th>
</tr>
</thead>
<tbody>
<tr>
<td>Introduction</td>
<td>On-going policy review, no set date.</td>
<td>Set policy review date, every 4 years.</td>
</tr>
<tr>
<td>3.4 Continuing Student Criteria.</td>
<td>Students may apply to chief and council for funding if they need more funds than maximum months allow.</td>
<td>Students must not exceed maximum allowable months.</td>
</tr>
<tr>
<td>3.6 Summer Studies</td>
<td>Possible if outlined in student education plan/annual plan update. Need to request from band.</td>
<td>Only if required by program (mandatory)</td>
</tr>
<tr>
<td>4 Student Selection (See policy comparison for details)</td>
<td>Less restrictive and defined, more flexible.</td>
<td>More defined and restrictive, less flexible.</td>
</tr>
<tr>
<td>6.3 Monthly Living Allowance Subsidy</td>
<td>$850 (student living independently) $500 (student living at home). No modifications.</td>
<td>$850 and $500, with modifications based on student course load.</td>
</tr>
<tr>
<td>6.3 Grad student support</td>
<td>No specific restrictions on living allowance funding.</td>
<td>Restrictions on living allowance funding after coursework completed.</td>
</tr>
<tr>
<td>6.8 Travel</td>
<td>The band can assist with up to $200 per semester.</td>
<td>Due to funding restrictions there is no money available for travel.</td>
</tr>
<tr>
<td>Section</td>
<td>Option A (Flexible Student Support)</td>
<td>Option B (Prescriptive Fiscal Responsibility)</td>
</tr>
<tr>
<td>----------------------------------------------</td>
<td>--------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------------</td>
<td>-------------------------------------------------------------------------------------------------------------------------------</td>
</tr>
<tr>
<td>6.10 Student Temporary Withdrawals</td>
<td>Allows for personal leave of up to 1 year (deferral) for reasons other than pregnancy, medical or compassionate leave with no loss to continuing student status. Requires student write letter to administration to request time off.</td>
<td>Breaks only for verifiable medical, pregnancy, or compassionate leave. Need institutional documentation.</td>
</tr>
<tr>
<td>7.1 Support Limits - Time Limits</td>
<td>Maximum time limits reflect AANDC restrictions. For example, 40 months for a B.A. (5 years of 8 months). The additional year of funding for levels 1 and 2 must be approved by the institution, and for levels 3 and 4 for medical or personal reasons. Possibility for extended funding; need to write chief and council (at this point justification to AANDC as funding through OSR)</td>
<td>Maximum time limits for programs reflect the minimum amount of full-time attendance needed to complete. For example, 32 months for a B.A. (4 years of 8 months).</td>
</tr>
<tr>
<td>Section</td>
<td>Option A (Flexible Student Support)</td>
<td>Option B (Prescriptive Fiscal Responsibility)</td>
</tr>
<tr>
<td>---------</td>
<td>------------------------------------</td>
<td>---------------------------------------------</td>
</tr>
<tr>
<td>7.2 Change of Study Area</td>
<td>All changes must be communicated to the band administration as soon as possible. Will not affect continuing student status as long as the program is at the same level. The student will be guaranteed their total funding months so long as they maintain acceptable academic standing. Possible extension of time limits upon request (to chief and council) and based on availability of funding.</td>
<td>Minor changes to an area of study such as switching to a related program within the same faculty, switching a minor or adding a double major or switching schools but staying in the same program, will not affect students status as continuing students. Major changes such as switching faculties, majors or programs that affect the planned graduation date may result in loss of continuing student status. No additional time allowed if student changes study area.</td>
</tr>
</tbody>
</table>

Major policy option considerations include: deciding whether to formalize a period for policy review, whether to provide options for additional funding beyond AANDC criteria (funded through Own Source Revenue), whether to fund summer studies not mandatory to the program, how to prioritize student selection, whether to base living allowance rates on student course loads, whether to restrict living allowances for graduate school, whether to provide money to students for travel, whether to restrict student time limits for funding beyond the AANDC criteria, how to determine the impacts of program changes on student funding priority levels, and whether to allow students the choice to defer, without medical/health/compassionate reasons.
**7.2 Recommendations**

The following recommendations are meant to assist the band in increasing community satisfaction with the policy process, increase the band’s ability to support students in the short and long-term, and/or assist students in obtaining the support they need elsewhere.

**Short-term**

1) **Provide clarity in definitions and policy statements.** Definitions, particularly as they relate to student selection prioritization criteria, eligibility and funding levels should be clarified. Particular areas of concern include, the definition of continuing student status and the effects of program changes on funding prioritization.

2) **Clarify whether program changes affect cumulative student funding months.** This will improve clarity of policy application and, through greater student understanding, potentially lead to greater student satisfaction with funding decisions.

3) **Change student application and approval deadline dates.** This was considered important in allowing the administration the time to meet its AANDC reporting requirements, and to assist students in ensuring they can meet tuition deadlines and enroll in required courses before they are full.

4) **Modify the tuition funding level in the policy to reflect actual tuition levels funded.** The band currently provides some students more funding than is stated in policy. Changing this will improve clarity and consistency of the policy.

5) **Provide an additional 12 months of funding for B.Ed.** There was no mention of this in the policy, however it is recommended as it takes an extra year to complete the B.Ed program.

6) **Increase student knowledge of the policy and band fiscal capacity.** Greater satisfaction was found amongst students who had a better understanding of the policy and the bands fiscal capacity. Increasing band communication with students could assist in this matter.

7) **Increase policy accessibility.** It is recommended that the band post the policy online, e-mail it to students, provide updates on modifications through the newsletter and mail a copy to all students approved for funding with their initial approval letter.

8) **Ensure policy revisions are consistent with AANDC guidelines.**
9) **Shift member focus to external funding sources.** The research showed this was considered particularly relevant for trades and graduate applicants. For trades training it was a matter of restrictive AANDC policy on eligibility criteria, while for graduate students it could address issues of lower prioritization for band funding. Any assistance the band can provide individuals in accessing these sources could be beneficial not only for student finances but also for enhancing relationships between the band and students.

**Long-term**

1) **Create a long-term plan for addressing student needs.** Determining the potential needs of students over the next 10 years and comparing this to expected funding levels can assist the band in determining unmet need and more effectively allocating available funding.

**Enhancing monitoring and tracking of students.** According to research findings tracking and monitoring of students was implemented over the past two years leading to more efficient administration. It is recommended that the band continues this monitoring and tracking and further improves its communication with students about the status of their available months of funding. Providing students with an annual update of their available months of funding has the benefit of increasing student awareness, which may assist in financial planning.

2) **Determine the degree of community engagement desired in the band decision making process.** This recommendation follows from the concerns of some members about a shift from a previous community based approval process for major policy changes to a Chief and Council decision making process. Clarifying the process may also assist band member knowledge and allow for feedback on desirable and undesirable elements of the process.

3) **Assess the band’s ability to increase Own Source Revenue (OSR).** As the recent stagnation of OSR has affected the ability of the band to fund its students, assessment of additional OSR opportunities may be helpful.

4) **Lobby the federal government to increase PSSSP support.** This could happen on an individual basis, but may also be more effective through collaboration with other bands and by supporting higher level organizations such as the First Nations Education Steering Committee.
5) **Assess the potential for collaboration with other bands to increase administrative efficiency.** The Lyackson First Nation already collaborates with a number of other First Nations in areas such as treaty negotiations and child and family services. Collaboration with other First Nations has the potential to increase administrative efficiency, as well as enhance relationships between First Nations.
8 CONCLUSION

This report was completed for the Lyackson First Nation in order to assist in the revision of the band’s post-secondary education policy, particularly focusing on increasing the fairness and clarity of the policy. In order to achieve this a review of the literature and interviews with band members were undertaken.

The research revealed the need to revise the Local Operating Policy as a result of the inability of the Lyackson First Nation to fully fund their student population and to provide clarity and fairness in the decision making process. Stagnant Lyackson own source revenue, inadequate federal funding through the Post-secondary student support program and high student uptake framed the challenges. At the local level there were concerns about the level of community engagement and the band decision making process, long term planning and student monitoring, clarity and fairness of the policy, accessibility of the policy, and how to best prioritize students and ration available funding.

Short-term solutions to the problem include revising the policy to be more fiscally responsible and directing students to external funding sources wherever possible, particularly for graduate/professional school and trades programming. Elements within the policy in particular need of clarification include, definitions, student prioritization criteria and living allowance rates. These are considered particularly important in increase the consistency of policy application and decrease interpretive misconceptions. Posting the revised policy on-line and informing band members of the new policy revisions could assist in the short term in increasing band member satisfaction.

Long-term recommendations include, undertaking a 10 year needs assessment, assessing the opportunities for the band to increase its own source revenue and collaboration with other First Nations, to either lobby the government for more funding, or to share administrative burdens.
9 REFERENCES


Department of Indian Affairs. (1926). *Annual report of the department of Indian Affairs, 1925-26*. Ottawa: King’s Printer.

Department of Indian Affairs. (1941). *Annual report of the department of Indian Affairs, 1940-41*. Ottawa: King’s Printer.

Department of Indian Affairs. (1958). *Annual report of the department of Indian Affairs, 1957-58*. Ottawa: King’s Printer.


Standing Committee on Aboriginal Affairs and Northern Development Canada. (1988). *C-31: Fifth report of the standing committee on Aboriginal Affairs and Northern Development on consideration of the implementation of the Act to amend the Indian Act as passed by the House of Commons on June, 12, 1985, Issue No. 46.* Ottawa: Standing Committee on Aboriginal Affairs and Northern Development Canada.


APPENDICES

Appendix 1 HREB Ethics Approval Certificate