



Review of Cree School Board Finances

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CSB REGIONAL GENERAL ASSEMBLY
MISTISSINI, QUEBEC

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Historical Background

The Cree School Board holds a unique position as the first and only treaty-based school board in Canada & under provincial jurisdiction

Constitutionally Guaranteed Right to Education

- Cree School Board: The First and Only Treaty-based School Board in Canada
- JBNQA Section 16 → Education (In force since 1978-79)
 - Roles & Responsibilities
 - Special Rights
 - Funding Guarantees (including culture & language)

Determination
of Funding

Treaty Recognized Provincial Jurisdiction

- Unlike other First Nation School Boards in Canada

As a unique organization created by the JBNQA and recognized under provincial jurisdiction, the Cree School Board follows distinct rules for the determination of its funding (different from other First Nations in Canada).



Early Years of Cree Education

While the JBNQA had been signed in 1975, the Cree Nation struggled for decades with the implementation of Canada and Quebec's obligations

Early Years (1975-1989)	
Cree Education	Canada & Quebec
<ul style="list-style-type: none">▪ 1975: JBNQA signed → Section 16▪ Little capacity to meet obligations and funding for facilities, administration & key programs (boarding home, post-secondary) were under/unfunded▪ Few schools in the communities & most high schools are outside▪ Inability to meet basic needs of Cree students (post-secondary students were denied or had to wait as the Board had insufficient funds to finance growing demand)▪ The CSB incurred substantial deficits	<ul style="list-style-type: none">▪ Disagreement on funding levels & budgetary framework: arbitrary budgetary rules (unilateral decisions)▪ 1987: Canada attempts to impose Non-Treaty First Nations regime with caps and limits without respect for the Cree special rights▪ 1988: Quebec attempts to impose Funding Rules on the CSB → Litigation, beginning of negotiations▪ Canada refuses to participate and cuts the funding to Quebec to Non-Treaty First Nations levels → Violation of the JBNQA

Many treaty rights could not be implemented in the early years. Underfunding of the Cree School Board and disagreements on the application of Section 16 severely impaired the progress of Cree Education.



Negotiations

Various funding agreements were negotiated throughout the 1990's to ensure the respect of obligations to the Cree School Board per the JBNQA

1990 & Later years	
Cree Education	Canada & Quebec
<ul style="list-style-type: none">▪ Secured significant resources through funding agreements▪ Design & implementation of long-term Education Plan▪ Stabilization of operations	<ul style="list-style-type: none">▪ 1990: Agreement between CSB & Quebec Ministry of Education on Funding Rules▪ Funding guarantees contested by Canada: refused payment of more than \$100 million to Quebec in relation to Cree Education costs▪ Canada and Quebec negotiated their own funding agreement without Cree involvement▪ The Cree Nation sued and won over both Canada and Quebec to uphold the right of the Crees to negotiate the Funding Rules (per JBNQA par. 16.0.23), while reconfirming the important role that the CSB must play in the preservation of the Cree Language and Culture

The Courts upheld that the Crees are entitled to negotiate on an equal basis with the governments of Canada and Quebec. These governments cannot unilaterally determine allocations for Cree Education.



Current Financial Standing

The Cree School Board is one of the best funded school boards in Canada and amongst all First Nations

Today	
Cree Education	Canada & Quebec
<ul style="list-style-type: none">▪ Financial stability▪ Strong financial position▪ One of the best funded school boards in Canada and amongst all First Nations	<ul style="list-style-type: none">▪ Rules remained largely unchanged over time▪ Renewal negotiations every five years▪ Current agreement 2014-15 to 2018-19

The Cree School Board has secured significant financial resources through funding agreements and maintained a strong financial position. Present and future generations of students can have access to quality education.



Section 16 – Funding Guarantees

Specific funding guarantees pertaining to Cree Education were set out in Section 16 of the JBNQA

Section	Funding Guarantee
16.0.23	Determination of funding and funding formula
16.0.24 16.0.25	Post-secondary and boarding home programs can be provided by CSB
16.0.9	Special Powers of the Board (subject to budgetary approval) – language, culture, teaching materials, etc.
16.0.27	Annual budget – capital facilities, funding escalation, northern costs, adult education, etc.

Determination and agreement between Canada, Quebec AND the Crees

No unilateral decisions by the governments

These funding guarantees were contested by Canada in the mid-1990s and, along with other issues, served as basis for litigation by the Crees. Ultimately, the governments of Canada and Quebec were held accountable and must respect these treaty funding guarantees.



Section 16 – Funding Considerations

The Cree School Board receives funds from the governments of Canada and Quebec and follows provincial school board standards adapted to Cree needs

Cree School Board Funding

- 75% by Canada
- 25% by Quebec
- Canada → Quebec → Cree School Board

Significance of Jurisdiction

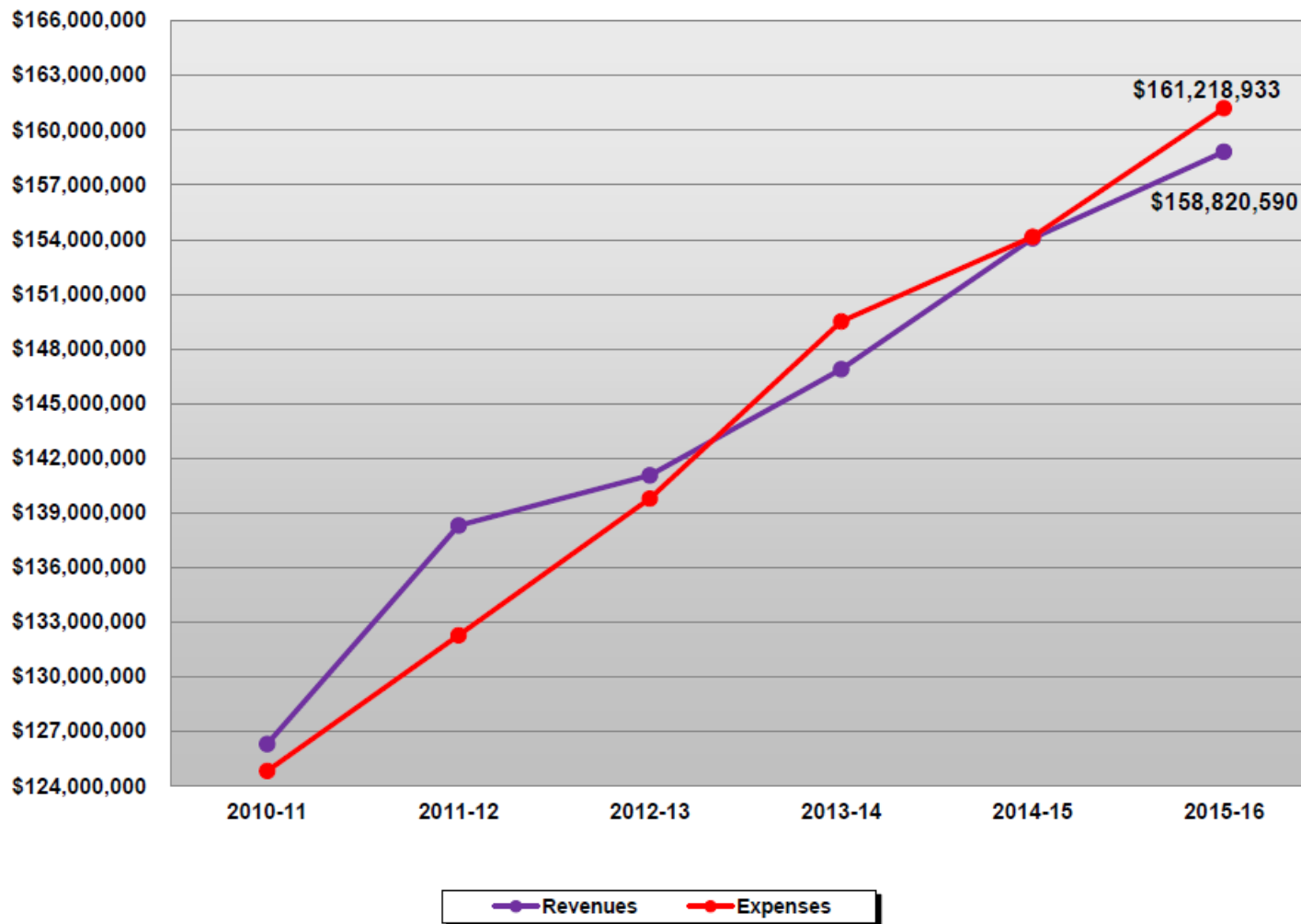
- Provincial standards (Cree School Board) > Federal standards (Most First Nations)
 - Provincial standards for Cree Education and funding for school facilities in Cree communities are greater when compared to other native communities across Canada

The rights and guarantees negotiated in the JBNQA, as well as the favorable court decisions have cemented the foundations of Cree Education and set itself apart from other First Nations in Canada.



Cree School Board Financial Review

Evolution of Total Revenues and Expenses

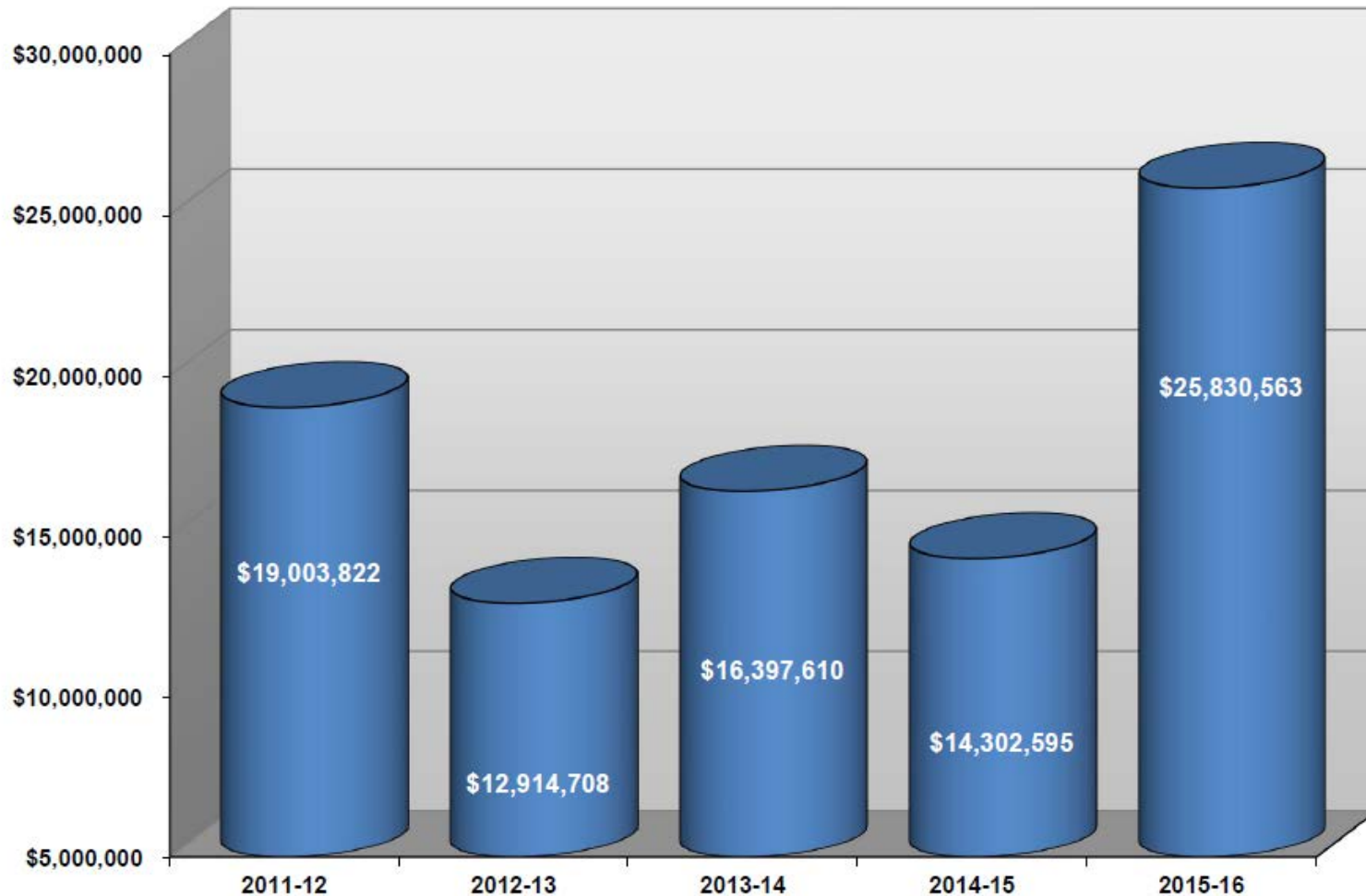


*Source: Cree School Board: Presentation of Financial Statements, Raymond Chabot Grant Thornton, June, 30, 2016.



Cree School Board Financial Review

Investments in Capital Assets

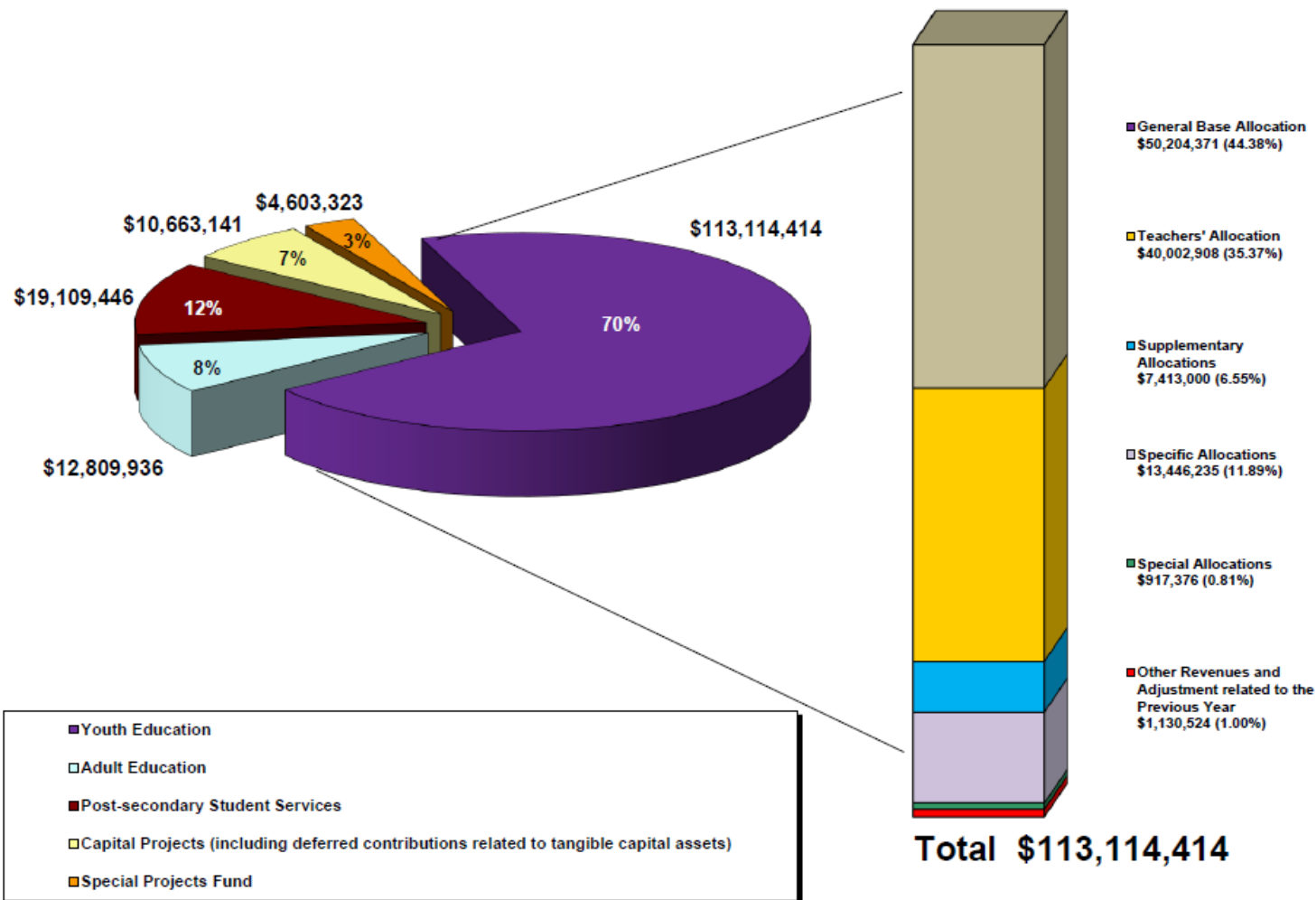


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Cree School Board Financial Review

Distribution of Revenues by Fund and Activity

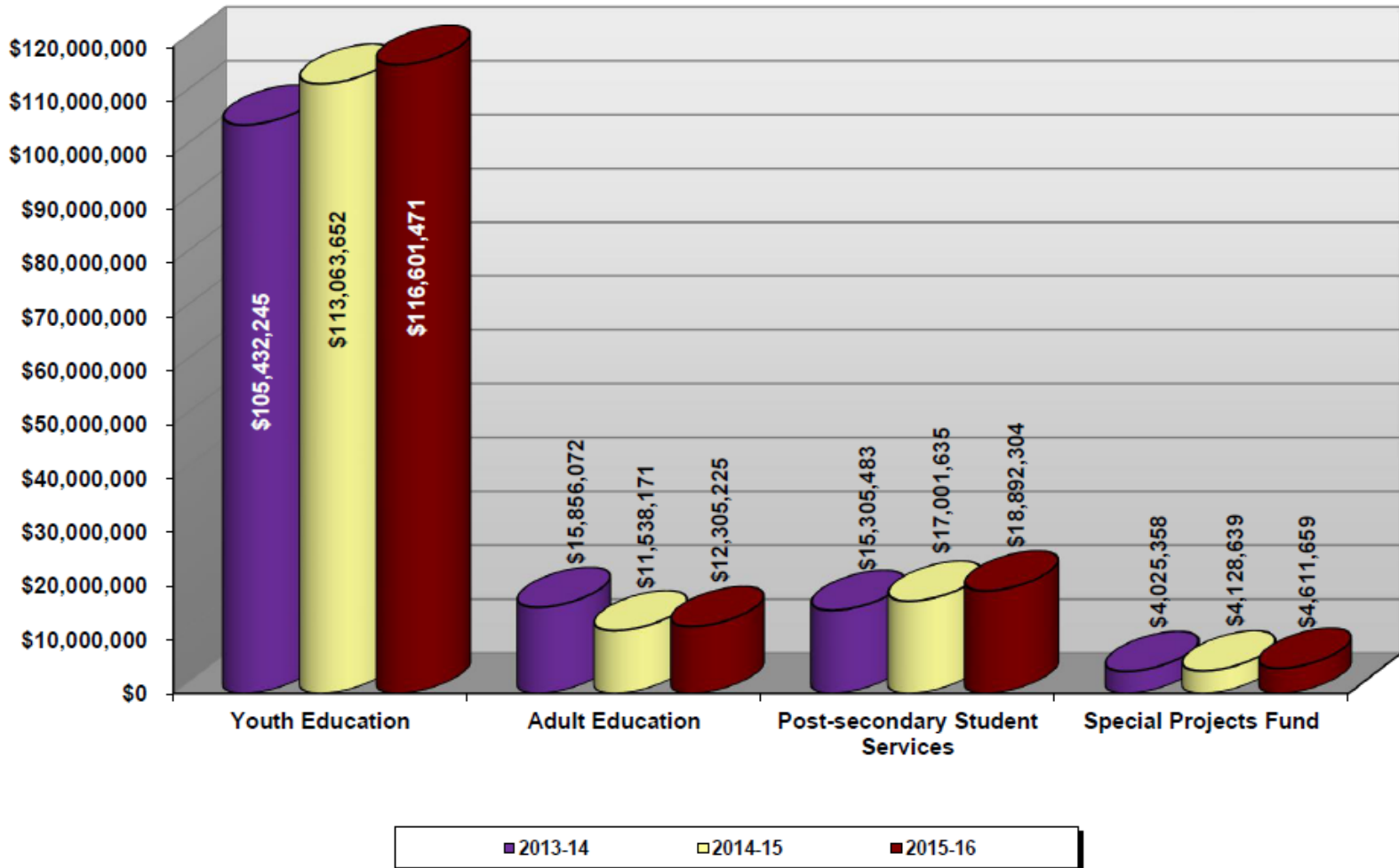


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Cree School Board Financial Review

Evolution of Expenses by Fund and Activity

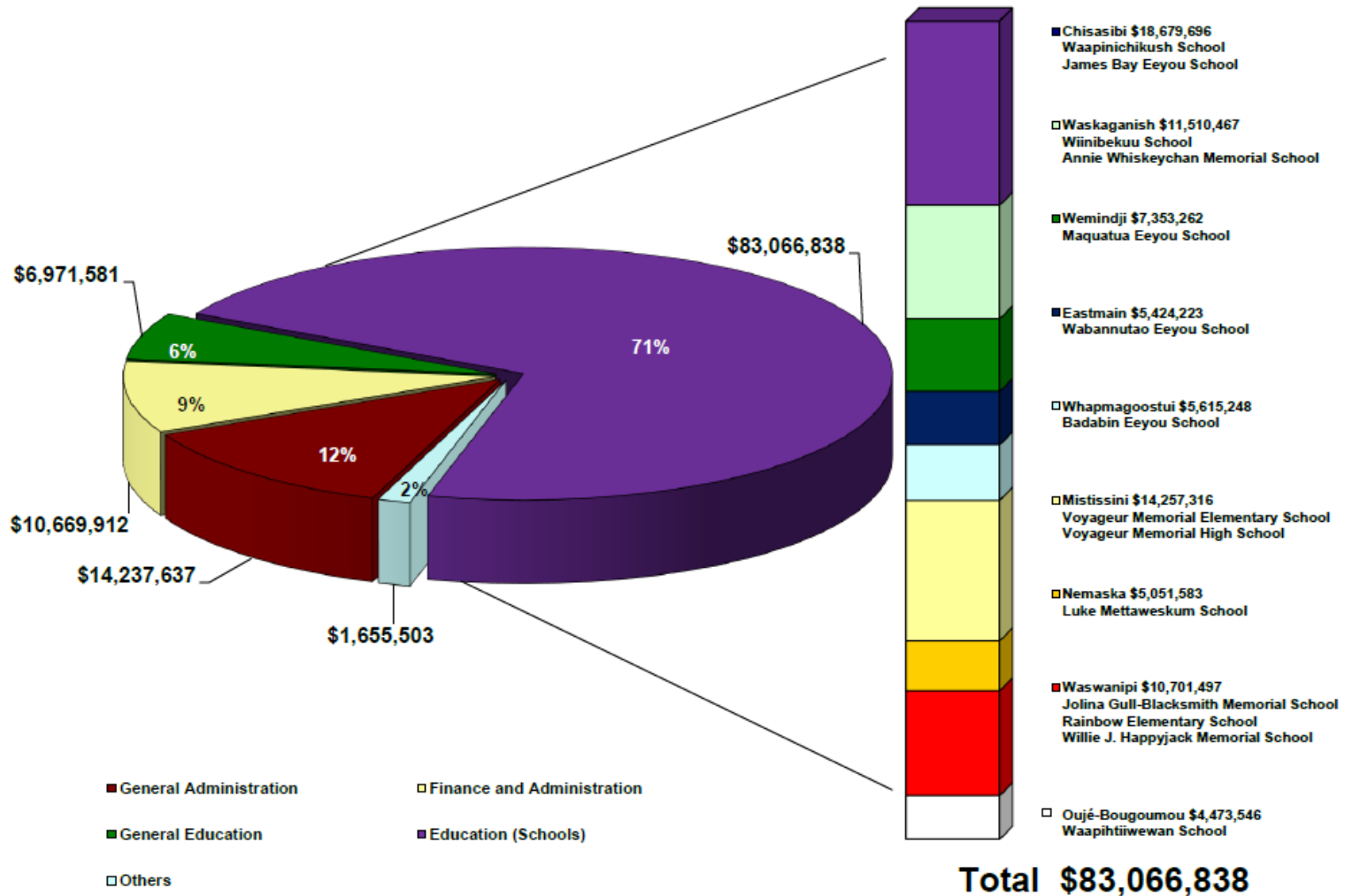


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Youth Education – Expenses by Department

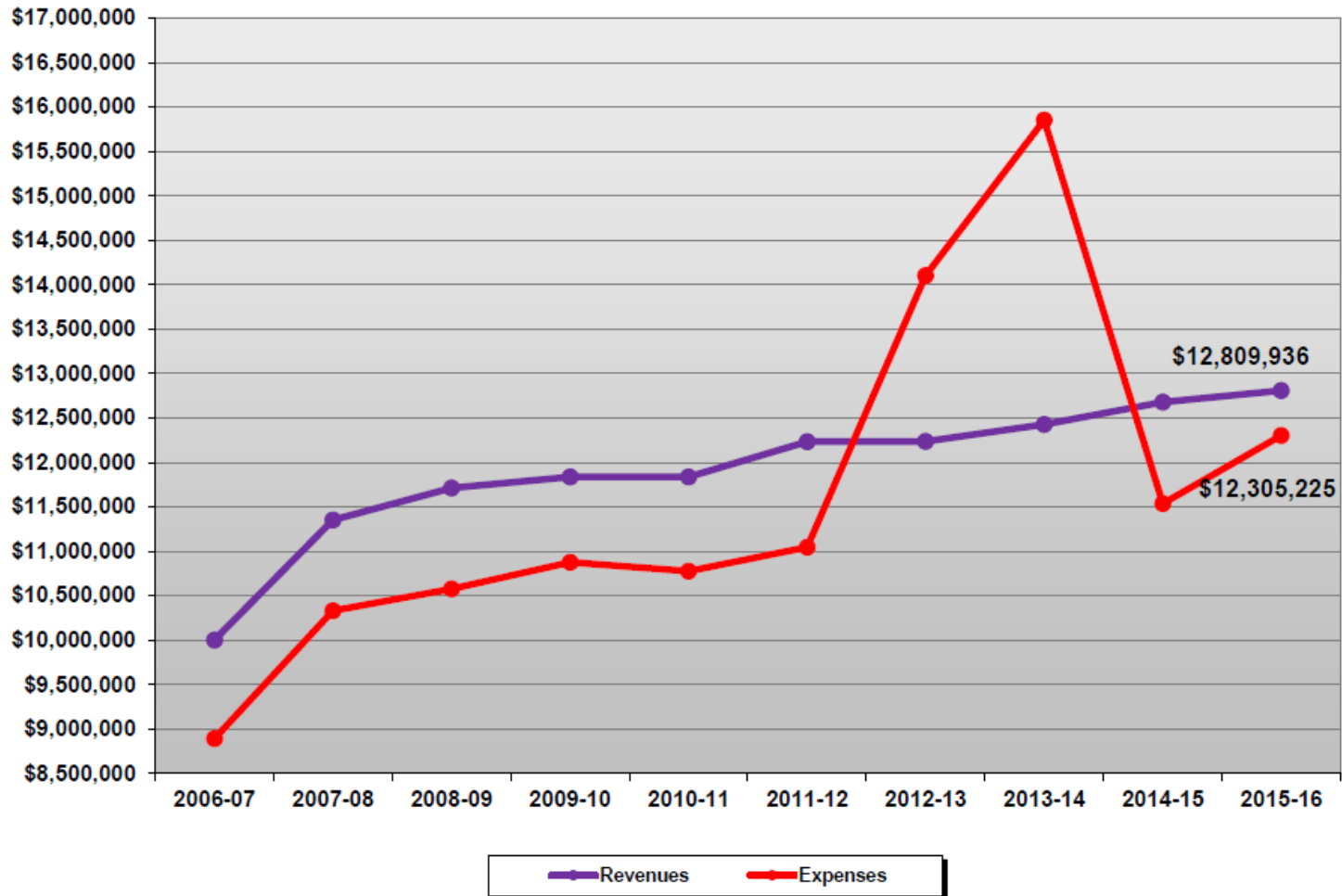


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Evolution of Adult Education Revenues and Expenses

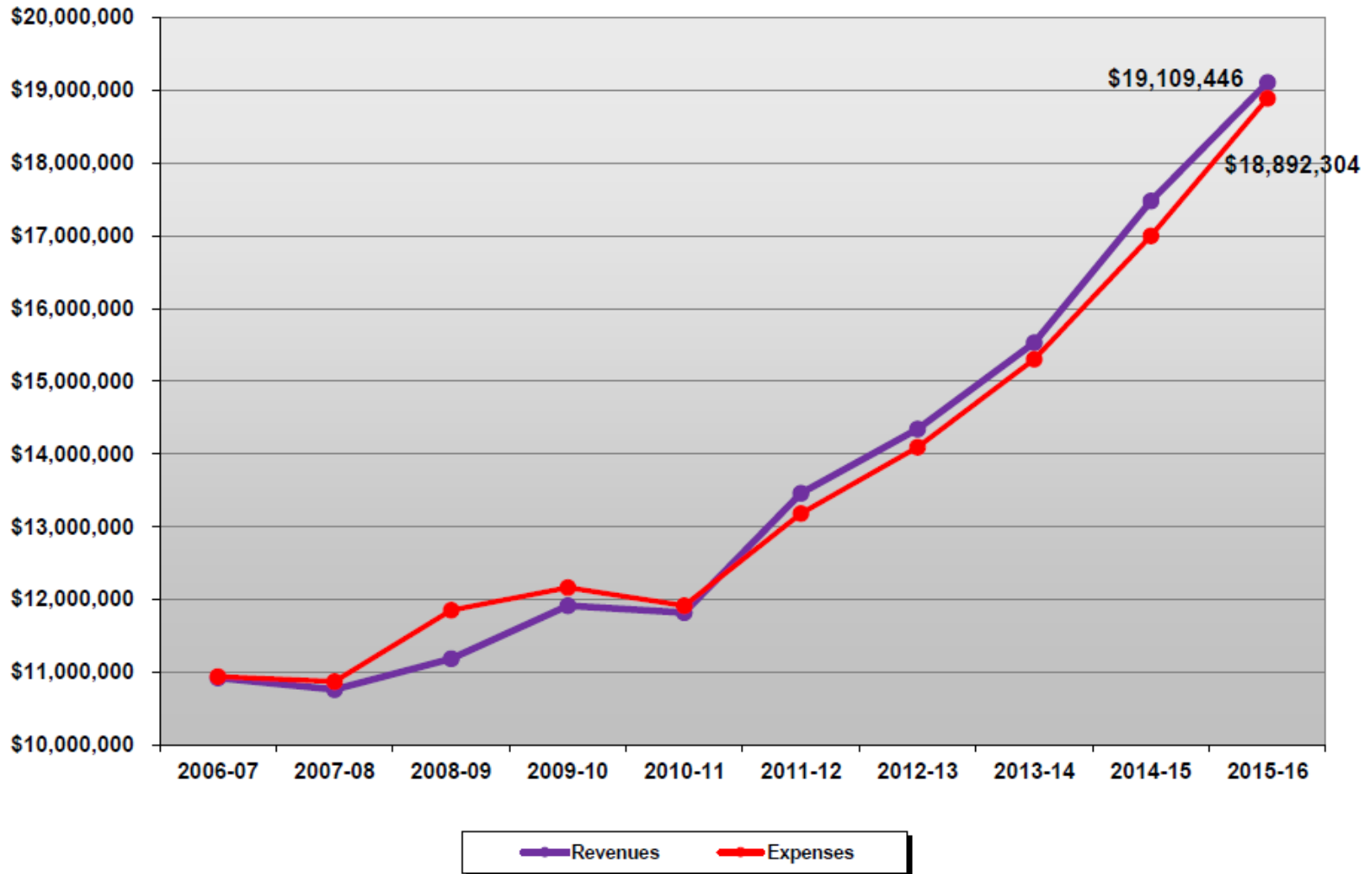


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Cree School Board Financial Review

Evolution of Post-Secondary Student Services Revenues and Expenses

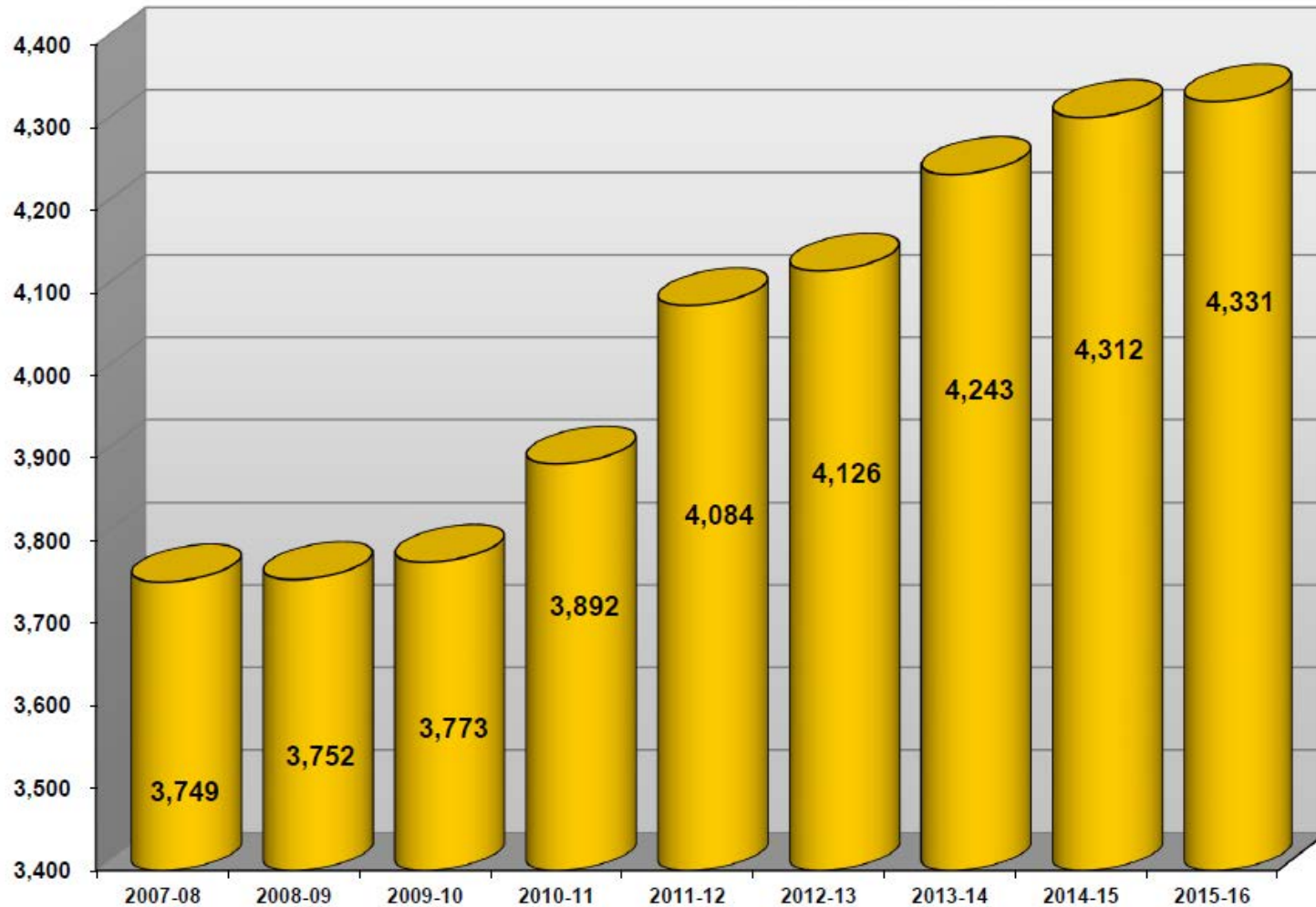


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Cree School Board Financial Review

Evolution of Student Clientele – Youth Education

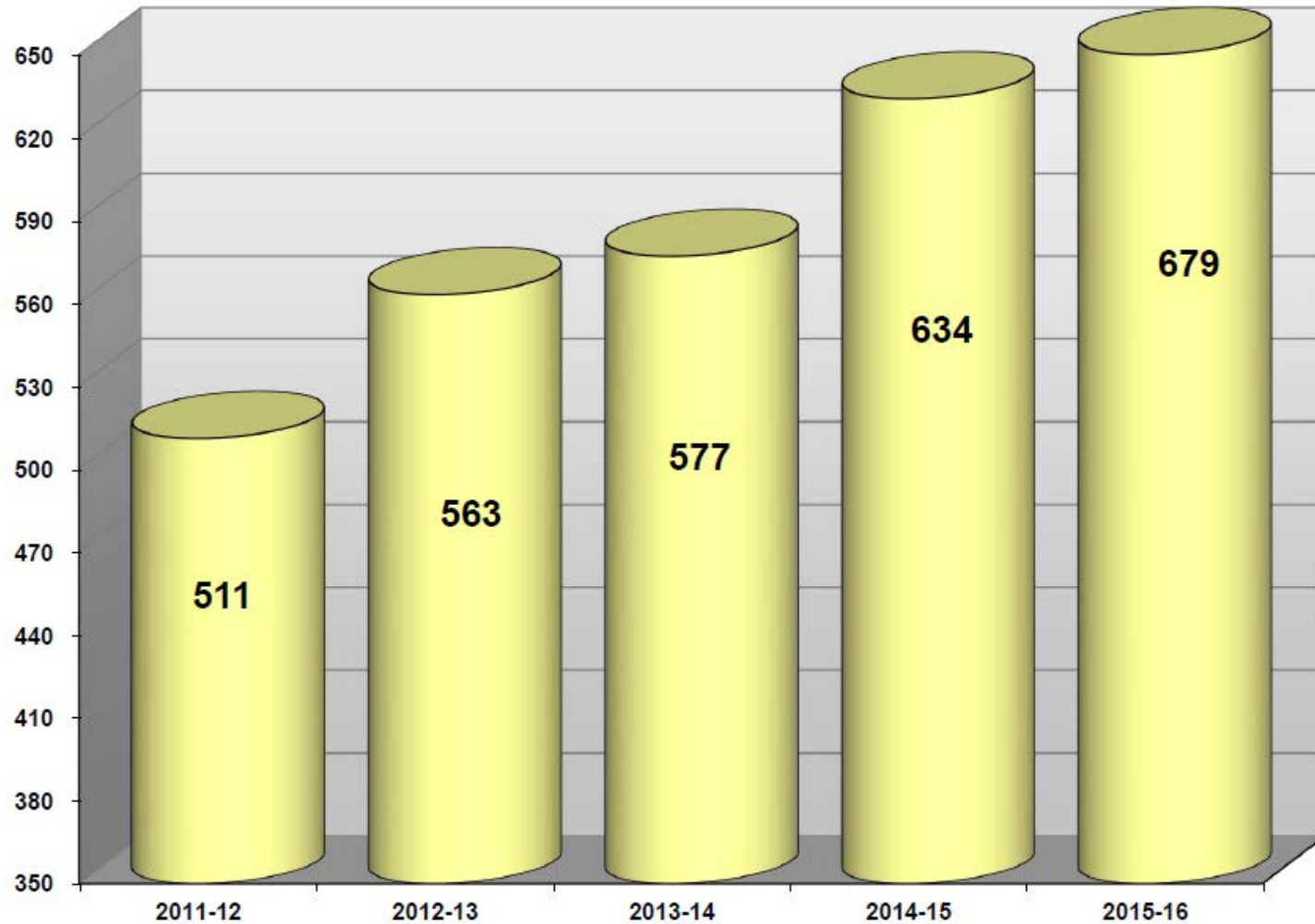


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Cree School Board Financial Review

Post-secondary Student Services – Number of Students

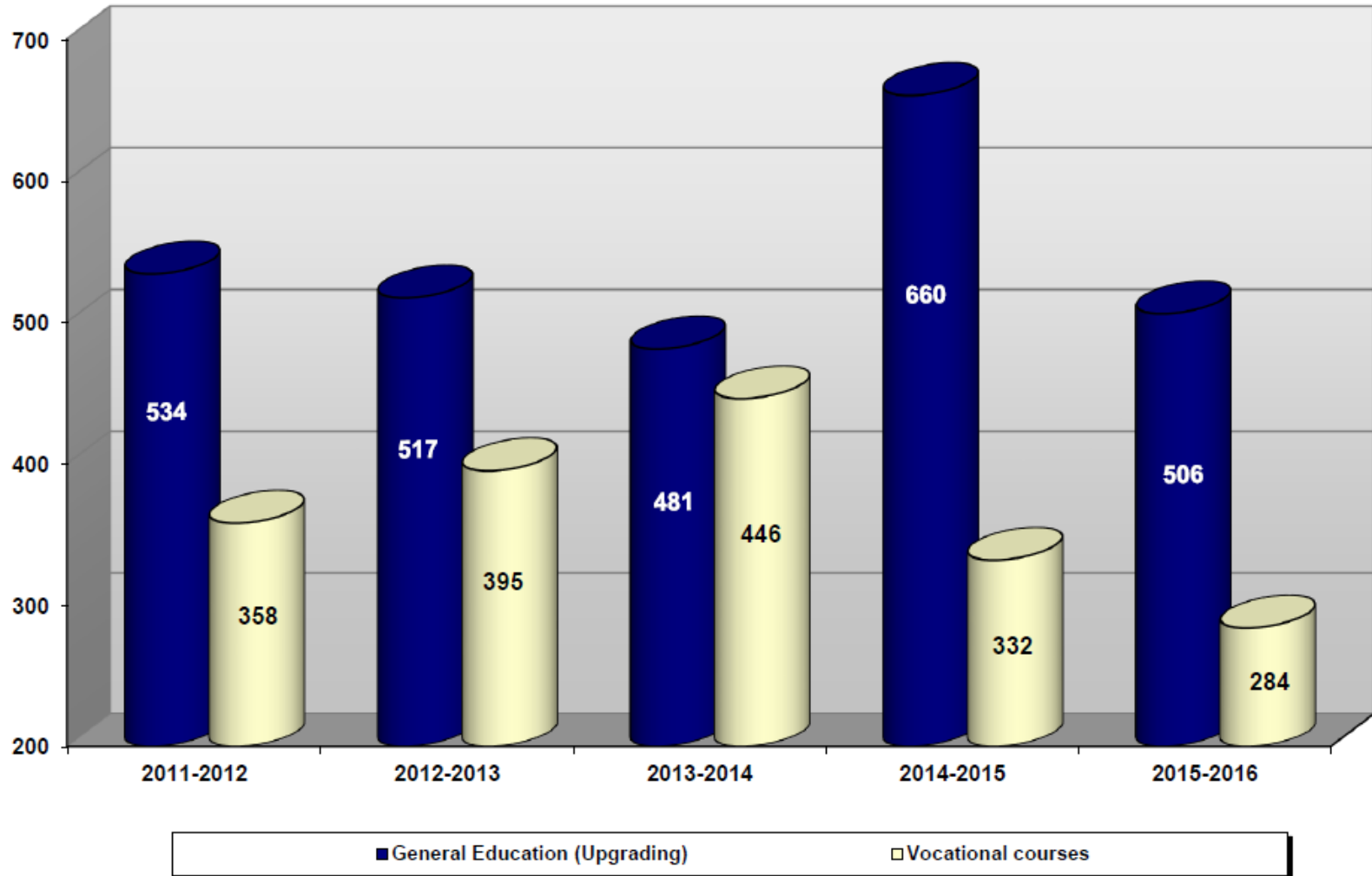


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Cree School Board Financial Review

Evolution of Student Clientele – Adult Education



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THANK YOU

