

Why Public Schools Fail First Nation Students

Dianne F. Wilkins, PhD Candidate
University of New Brunswick

Introduction

Learning environments need to be responsible for meeting the academic needs of all students. This, however, is not the case with respect to First Nations students transitioning from their community-based schools to our public schools. Even with long-term and ongoing efforts to correct the imbalance in program delivery for First Nations students, problems have persisted over many decades. As Indigenous scholar Marie Battiste (2013) points out, alarming national statistics indicate that First Nations graduation rates from high school in 2004 were at 42 percent compared with 78 percent of the general population (p.27). Recent data released in June 2015 by the Environic Institute and published in the *International Report Card on Public Education: Key Facts on Canadian Achievement and Equity* is very concerning. Researcher Andrew Parkin reports that the academic gap is not closing between the general population and Aboriginal peoples. “The education attainment of Aboriginal peoples in Canada is increasing, but since the attainment of non-Aboriginal peoples is also increasing, the gap at the higher end of the education attainment spectrum is getting wider” (p.18). Battiste further points out that results of the Foundation Skills Assessment (comparable to The Canadian Test of Basic Skills) for Aboriginal Students in grades four, seven and ten showed significant gaps in performance compared with non-Aboriginal students (p.27). In Gatineau, Quebec at the 2012 National Assembly of First Nations Summit, participants expressed concern that population projections for Aboriginal people in Canada would continue to rise

and expected to reach 4.1% of the Canadian population by 2017. With the median age of the total Aboriginal populations at 27, thirteen years lower than the median age of this country's non-Aboriginal population, it is paramount that provincial schools ensure academic success for all native students, that graduation rates are comparable to or exceed non-native students, that drop-out rates are dramatically reduced, and that many more native students enter post-secondary institutions. We have failed to address these issues adequately as a nation and as a province.

The purpose of this article is to profile some of the key legislation and policies that have influenced First Nation education nationally and in the province of New Brunswick since Confederation in 1867. Critical theorist John Codd (1988) describes policy as having a political purpose that serves to mask or eradicate social conflict while fostering commitment to public interest (p.237). Canadian policy and legislation toward Aboriginal people has historically been designed to eradicate Aboriginal social and cultural difference particularly through the Indian Act (1857) and the residential school system (Lawrence, 2004).

Historical Context

Traditional education for First Nations children began at an early age, years before the Europeans arrived in Canada. The community was the classroom for First Nations youth: its members were the teachers, and each adult was responsible for ensuring that each child learned how to live a good life. Belief in the Great Spirit was expressed in their daily living, in relationship of one to another, in humility, in sharing, in co-operating and in relationship to nature, the land, the people (Seton & Seton, 1977). Traditionally, "our people's teachings addressed the total being, the whole community, in the context of a viable living culture" (Kirkness, in Widdowson & Howard, 1985, p.8). The colonization

of Aboriginal people, due to the occupation of the land by Europeans, resulted in legislation that addressed an education process deemed essential in order for First Nations to become worthy persons of a Eurocentric society (Fridere, 1998).

The 1857 *Civilization of Indian Tribes Act*, enacted by the British colonial government, was an Act “to encourage the gradual Civilization of the Indian Tribes in this Province.” Section 3 states that “any such Indian of the male sex, and not under twenty-one years of age, is able to speak, read and write either the English or the French language readily and well...will no longer be deemed an Indian within the meaning thereof.” This Act began the process of colonialism as the government in power used legislation and intimidation in an act of influence over Aboriginal people. Authors Schissel and Witherspoon (2003) point to the theory of “internal colonization,” which emphasized the dominance of government over schooling in curricula, educational policies and government legislations and regulations (p.25). The federal government used power and influence to develop and direct education policy and legislation affecting Aboriginal education for years to come, beginning with Confederation in 1867.

In 1867, the year of Confederation and the birth of Canada, the *British North America Act* transferred responsibility for Canada’s First Peoples to the Canadian government, which included the *Indian Act* of 1857. The 1867 *Indian Act* consolidated all existing legislation governing First Nations. From 1867 to 1945, the Government of Canada relied on missionaries and religious personnel belonging to various religious orders and organizations to provide education for First Nations children (Battiste 2013, p. 53). During the late 1800s the federal government established agreements with religious authorities to educate children in both residential boarding schools located off reservations and in day schools located on reservations. As we

now know, the overall effect of this school system led only to destructive outcomes for children and their families. Aboriginal heritage and knowledge were rejected by the education system (Battiste, p.23) and the residential school system attempted to assimilate First Nations children into a Euro-Canadian culture (Schissel & Wotherspoon, 2003,p.23).

Between 1946 and 1948 a special joint committee of the Senate and House of Commons reviewed the *Indian Act*. The committee recommended a number of policy changes key of which resulted in modifying the long-standing goal of assimilation. The elimination of the residential school system resulting from the grave dissatisfaction voiced by so many parents and leaders over the inferior education their children received was one recommendation. A new *Indian Act*, which remains in force to this day, was proclaimed in September, 1951. During the 1950s residential schools began to be phased out, and day schools located on reserves were introduced to provincial education curricula. Canada entered into cost-sharing agreements with provinces supporting the construction of numerous secondary schools across Canada to increase their capacity to accommodate transferring and integrating First Nation students from residential and reserve elementary schools to provincial secondary schools. A per-person tuition fee, established at that time, has grown considerably since then and is currently transferred to provincial Ministries of Education in order to provide educational supports to First Nation students attending provincial public schools. Unfortunately, provincial schools were not well equipped to educate First Nations students (Battiste, 2013 p. 59). The federal government hired Anthropologist H.B. Hawthorne in 1967 to conduct an inquiry into the economic, political and educational needs of Canada's native populations. *A Survey of the Contemporary Indians of Canada: Economic, Political,*

Educational Needs and Policies (Canada, Hawthorne, vol.2, 1967) raised awareness of struggles First Nation children experienced while attending federal schools but equally asserted that teachers “face considerable challenges in having Aboriginal children in their classrooms and that these teachers must continue to take refuge in the rightness of their ways and struggle onward in the task of helping children overcome their ‘Indianess’” (p.121). This report, prepared in 1967, 100 years after confederation, clearly indicates that the culture, language and heritage of First Nation children attending public school continued to be ignored, and education therefore continued to be a form of oppression.

Well-known critical theorist Michael Apple (2010) asserts that education is a “political act.” A study of education policy and programs involves acknowledging “realities of dominance and subordination and conflicts (p.151).” Critical theorist Stephen Ball (1995) similarly suggests that it is important to view policies, practices and laws within a proper historical and cultural context. The overall effects of historical atrocities bind us nationally and provincially by policies, legislations and practices. An examination of programs and policies as they relate to province-wide efforts to support First Nation students in New Brunswick is critical to understanding the overall responsibility that governments must assume to ensure native students experience academic success, graduate from high school and continue to succeed at the post-secondary level.

The New Brunswick Context

New Brunswick is home to fifteen First Nations communities. Six Maliseet (Wolastoquiyik) communities are located along the Saint John River valley and its tributaries and nine Mi'kmaq (Mikmaq) communities are located in part of the Gaspé Peninsula and eastern New Brunswick. Major changes in

education occurred in New Brunswick during the 1960s under the leadership of Premier Louis J. Robichaud. Amalgamation resulted in a reduction from 422 to just 30 school districts: funding for education became the responsibility of the central provincial power, now known as the Department of Education and Early Child Development; Equal Opportunity programs resulted in standardization of taxes and salaries and in 1964, the Department of Education was divided into two sections, one for each language group, Anglophone and Francophone. In 1969, the *Official Languages Act*, one of the final legislations during the Robichaud era, continues to have a profound effect on society and education to this day. Language proficiency in both English and French is critical to government and corporate job acquisition. Education discourse since the inception of the *Act* has focused primarily on language acquisition programs and resources. Reference at this time to the education plight of First Nations students attending public schools is not evident; however, Provincial Annual Reports and Education Plans provide better insight.

Annual Reports, prepared and published by the Department of Education at the end of each school year, provide enrolment and assessment data in addition to school district and provincial program descriptions. Annual Reports reviewed from school year 1970-1971 to 1983-1984 did not provide any information pertaining to First Nations education. The 1984-1985 Report states that 810 First Nation students attended public schools in New Brunswick (p.23). This report overviews how the Government of Canada provided a per student tuition fee to the province “for the provision of regular school services for the Indian children who reside on Reserves” and that “additional moneys are set forth in each agreement to provide a number of ancillary services to help overcome the educational problems faced by Indian children as a result of their cultural background” (p.23).

School districts, in their respective reports similarly highlighted First Nations education including the formation of partnerships between districts and some First Nation communities to include initiatives such as the introduction of native language programs, the provision of pilot classrooms for native students, the introduction of a native arts course, and the formation of native advisory teams in schools and district offices. What is evident in reviewing these reports is the lack of consistency throughout the province regarding programs and resources implemented, and no record of collaboration is evident between school districts and the department of education with regard to how initiatives were developed and implemented. In addition there is no evidence that any of these strategies resulted in academic success.

A major part of the problem may be the result of education changes brought about by consecutive changes in government over the past three decades. Since 1987, five elected Premiers and one interim Premier have led New Brunswick. Each government organized consultations with education staff and interest groups resulting in the development of education plans. Some First Nations representatives were included in the consultations. Each education plan included a statement that addressed First Nations education. Statements between education plans are neither consistent nor is there data to provide evidence that these objectives were implemented and evaluated. However, in 2008, then Minister of Education, Kelly Lamrock, negotiated a tri-partite agreement between the federal and provincial governments and the fifteen First Nations communities to transfer to districts a percentage of the federal native per-student tuition normally transferred to the Department of Education. Funds were to be used to supply resources for First Nation students attending district schools.

As (then) Director of Education and District Superintendent of (former) School District 18, (the author) chaired two committees comprised of representatives from each of two First Nations communities located within the district to implement a *Memorandum of understanding concerning education and First Nation students and communities in the Province of New Brunswick*. Qualitative data gathered in 2009 through surveys prepared by the committees and administered to native students, parents, community members, and school staff were used to develop strategic action plans for the acquisition of resources addressing First Nation students' academic, cultural, and language needs. Results from re-administered surveys in 2011 indicate that native students, parents, and community members were happy with the resources and initiatives implemented over the two-year period. School staff, however, although appreciative of the additional resources, continued to express concerns about poor attendance and poor behaviour and work habits.

Even with the dedicated effort undertaken in one school district to work with First Nation communities to ensure schools were adequately resourced for Aboriginal children, there is no evidence that districts collaborated with one another to learn from one another and to share resources and successful strategies. The province administers assessments in literacy and numeracy. Results per school district and schools are provided for French Immersion and English Prime programs. Breakout quantitative data is not provided. Implementing effective province-wide initiatives is not feasible without adequate district collaboration or data derived from measuring program and intervention effects.

Amalgamation in 2012 reduced the number of districts from 14 to 7. The "enhancement" agreements continued, but there is no evidence reported in subsequent Annual Reports or District Education Plans that strategies and processes developed

between 2009 and 2011 have continued (Wilkins, 2014). It may be that provision of quantitative data by the province in addition to a lack of consistency of resources and services in school districts that enroll First Nation students is due to Section 7 of the Education Act. Section 7 of New Brunswick's Education Act, which states: "The Minister *may* [emphasis added] prescribe or approve programs and services which respond to the unique needs of Mi'kmaq and Maliseet children in accordance with any agreement entered into under paragraph 50 (2) and (b) foster an understanding of aboriginal history and culture among all pupils (1997, p.11). *May* is a verb that provides a choice about whether to act or the promise of possibility, as distinguished from *shall*, which makes actions imperative (Legal Dictionary retrieved June, 2016). If the wording of this section of the *Act* were to change the Minister of Education would then be required to provide the leadership necessary to bring consistency and direction to Aboriginal Education in the province.

Conclusion

The education landscape in New Brunswick is complex. There is controversy with French Second Language programs; poor assessment results provincially, nationally, and internationally and high expectations to implement inclusive and safe learning environments, all of which places increased pressures throughout the education system. Policymakers must constantly take into account how policies will be interpreted and implemented in school districts and advocate for more democratic involvement in generating policy. It is time to work with native communities to develop policies that address the academic and spiritual needs of their children in public schools. This is a slow way of achieving change, but it is likely to be far more profound and longer lasting once achieved (Ball, 2013 p.37).

A comprehensive Aboriginal Education policy in New Brunswick has not been developed. Foucault advises, “as soon as one can no longer think things as one formally thought them, transformation becomes both very urgent, very difficult and quite possible (cited in Galvin, 2006, p.509). In the past twenty-five years a new government has been formed every four-to-eight years. Each government develops its own education plan, causing the cessation of consistency regarding strategies, resources and processes of accountability. Section 7 of the *Education Act* needs to identify the leadership of the Minister of Education regarding academic initiatives with our Mi’kmaq and Maliseet students in provincial schools. Consistent and persistent leadership for **all K-12** students including our native students is essential. If not, education will continue to struggle with a myriad of trends and cycles, rather than with sustained, strategic improvement (Hess, 1999 Sarason, 1996; Tyack & Cuban, 1995).

References

- Apple, M. (2010). Putting ‘critical’ back into education research. *Educational Researcher*, 39(2).
- Ball, S. (1995). Intellectuals or technicians? The urgent role of theory in educational studies. *British Journal of Educational Studies*, 43(3), 255-271.
- Battiste, M. (2013). *Decolonizing education, nourishing the learning spirit*. NYC: Purich Current.
- Civilization of Indian Tribes Act*. (1857). Retrieved March 30, 2015 from firstpeoplesofcanada.com.
- Codd, J. (1988). The construction and deconstruction of educational policy documents. *Journal of Education Policy*, 3(3), 235-247.

- Foucault, M. (1988b). Practicing criticism. In L. Kritzman (Ed.). *Politics, philosophy, and culture: Interviews and other writings, 1977-1984*. New York: Routledge.
- Government of New Brunswick. (1997). *Education Act*. Chapter E-1.12, Section 7. Fredericton, NB.
- Government of New Brunswick (1969). *Official Languages Act*. Fredericton, New Brunswick. Province of New Brunswick. Retrieved https://slmc.uottawa.ca?q=leg_official_l...
- Hamilton, W. D. (1991). *Closing the gap: the native Indian students' achievement study*. New Brunswick Department of Education. Fredericton: Department of Education, Province of New Brunswick.
- Hawthorne, H.B. (1967). *A survey of the contemporary Indians of Canada: economic, political, and educational needs*. Ottawa: Indian Affairs Branch.
- Hess, F.M. (1999). *Spinning wheels: The politics of urban school reform*. Washington, DC: Brookings Institution Press.
- Landry, Aldea & Downey, James. (1992, May). *Schools for a new century: report of the commission on excellence in education*. Department of Education. Fredericton, New Brunswick.
- Lawrence. B. (2004). *"Real" Indians and others: Mixed-blood native peoples and indigenous peoples and nationhood*. Vancouver/Toronto: UBC Press.
- Learn Canada 2020. (2008). *Joint declaration provincial and territorial Ministers of Education*. Council of Ministers of EducationCanada.
www.cmec.ca/Publications/Attachments

Legal dictionary. Retrieved June 20, 2016 from dictionary.law.com

Memorandum of understanding concerning education and First Nation students and communities in the Province of New Brunswick. Retrieved November 23, 2015 from www.aadnc-aadnc.gc.ca

Minutes of Meetings. (2008-2012). Kingsclear First Nation and (former) School District 18, New Brunswick.

Minutes of Meetings. (2008-2012). St. Mary's First Nation and (former) School District 18, New Brunswick.

New Brunswick Department of Education. (1972-1973). *Annual Report*. Fredericton, New Brunswick, NB: Province of New Brunswick.

New Brunswick Department of Education. (1977-1978). *Annual Report*. Fredericton, New Brunswick, NB: Province of New Brunswick.

New Brunswick Department of Education. (1984-1985). *Annual Report*. Fredericton, New Brunswick, NB: Province of New Brunswick.

New Brunswick Department of Education. (1989-1990). *Annual Report*. Fredericton, New Brunswick, NB: Province of New Brunswick.

New Brunswick Department of Education. (1992-1993). *Annual Report*. Fredericton, New Brunswick, NB: Province of New Brunswick.

New Brunswick Department of Education. (2002-2003). *Annual Report*. Fredericton, New Brunswick, NB: Province of New Brunswick.

- New Brunswick Department of Education. (2003). *A quality learning agenda: Policy statement on K-12: Quality schools, high results*. Fredericton, NB. Province of New Brunswick.
- New Brunswick Department of Education. (1991). *Policy Statement on Maliseet/Micmac education in New Brunswick*. Fredericton, New Brunswick. NB: Province of New Brunswick.
- New Brunswick Department of Education and Early Childhood Development. (2014, June). *Putting children first: positioning early childhood for the future*. Fredericton, New Brunswick. NB: Province of New Brunswick.
- New Brunswick Department of Education. (1999, March). *Report of the Premier's forum on education*. Fredericton, New Brunswick. NB: Province of New Brunswick.
- New Brunswick Department of Education. (1975). *Social Studies 113*. Fredericton, New Brunswick, NB: Province of New Brunswick.
- New Brunswick Department of Education. (2007, June). *When kids come first: A challenge to all New Brunswickers to build Canada's best education system*. Fredericton, New Brunswick, NB: Province of New Brunswick.
- New Brunswick Dialogue New Brunswick. (2010, June). *40 years of official Bilingualism in New Brunswick: looking at the social and economic impact of the Official Languages Act*. Canadian Institute for Research on Public Policy and Public Administration. University of Moncton. Moncton, New Brunswick.

- Parkin, Adnrew. (2015). *International report card on public education, key facts on achievement and equity*. The Environics Institute.
- Royal Commission on Aboriginal Peoples. (1996). *Report of the Royal Commission on Aboriginal Peoples*, vol.3, *Gathering Strength*. Ottawa: Minister of Supply and Services, Canada.
- Sarason, S (1996). *The culture of the school and the problem of change*. Teachers College Press.
- Schissel, B. & Wotherspoon, T. (2003). *The legacy of school for Aboriginal people*. New York: Oxford University Press, 16-65.
- Seton, E & Seton, J.M. (1977). *The Gospel of the Redman*. Winnipeg, MB. Mary Scorer Books.
- Tyack, D., & Cuban, L.(1995). *Tinkering toward utopia: A century of public school reform*. Cambridge, MA: Harvard University Press.
- Widowson, F. & Howard, A. *Approaches to Aboriginal education in Canada, searching for solutions*. Bush Education Inc. 2013.
- Wilkins, D. (2014). *Enhancing First Nations: A report on the implementation of the “Enhanced First Nations and Services Agreement” in former school district 18*. University of New Brunswick, 1-25.

Dianne F. Wilkins is a PhD student in Curriculum and Instruction at the University of New Brunswick. Her research interests include First Nations education, education administration, K-12 literacy and leadership.

Correspondence regarding this article can be addressed to dianne.wilkins@rogers.com.