



## Collaboration Protocol

Between the

First Nations Education Steering Committee  
known as "FNESC"

And

The Office of the Representative for Children and Youth, for British Columbia  
known as "RCY"

### WHEREAS

- A. The Parties acknowledge and recognize First Nations' inherent rights of self-determination and self-government, as recognized and affirmed under section 35 of the *Constitution Act, 1982* and as affirmed in the *United Nations Declaration on the Rights of Indigenous People* (UN Declaration). This includes the right to control the design, delivery and administration of education and child welfare for their children and youth.
- B. FNESC is a policy and advocacy organization that represents and works on behalf of First Nations in British Columbia, with a mandate to advance First Nations education in British Columbia by disseminating information, undertaking research, working with the First Nations School Association (FNSA) to administer programs and services, and advocating and negotiating with the provincial and federal governments and other key stakeholders at the direction of First Nations.
- C. The RCY's role and jurisdiction is pursuant to the *Representative for Children and Youth Act*. The RCY has a statutory mandate to advocate on behalf of children and youth, to monitor programs and services, and to review and investigate critical injuries and deaths.
- D. The Parties acknowledge that the number of First Nations children in British Columbia involved with child welfare services is a matter of provincial and national concern that requires immediate, systemic and remedial attention. The Parties agree that educational success for First Nations children in BC is vital for their future as contributing members to their respective community, First Nation, and the provincial and national community. They further agree that the successes and strengths of First

Nations children and their families and communities must be recognized and celebrated.

- E. The Parties seek a cooperative and effective working relationship, bringing together the strengths of their respective mandates, on matters of shared interest and concern in support of advancing the education of all First Nations children and youth while retaining and enjoying their distinct rights and identity as First Nations peoples.

**THEREFORE, the Parties agree as follows:**

**1.0 PURPOSE**

- 1.1 The purpose of this Protocol is to guide a cooperative and effective working relationship that builds on joint dialogue and action on issues and initiatives to promote and support First Nations education consistent with their inherent, constitutional and human rights.
- 1.2 The process defined in this Protocol is to provide an avenue for dialogue, consistent communications, and information sharing that is fruitful to the development of First Nations children and youth and their educational aspirations in British Columbia.

**2.0 GUIDING PRINCIPLES**

- 2.1 The Parties agree to implement this Protocol guided by the evolving principled framework available to us for supporting First Nations, set out in, among other things,
- a) the Truth and Reconciliation Commission (TRC) Calls to Action,
  - b) section 35 of the *Constitution Act, 1982*,
  - c) the National Inquiry on MMIWG Calls for Justice,
  - d) the *United Nations Convention on the Rights of the Child*,
  - e) the *United Nations Convention on the Rights of Persons with Disabilities*,
  - f) the *United Nations Declaration on the Rights of Indigenous Peoples*, and
  - g) relevant case law.
- 2.2 The Parties are committed to supporting the implementation of the *Declaration on the Rights of Indigenous Peoples Act* (BC), the BC Tripartite Education Agreement (BCTEA), and the First Nations Children and Youth in Care Protocol.
- 2.3 The working relationship between the Parties will be characterized by mutual respect, responsibility, reciprocity, trust, honesty, fairness, collaboration and commitment to problem solving.
- 2.4 The Parties agree that this Protocol shall not restrict their independent mandates.

### **3.0 OBJECTIVES**

3.1 The Parties are committed to dialogue and advocacy efforts on key matters supporting excellence in First Nations education including, but not limited to:

- a) advocating for First Nations children and youth who are in, or were formerly in, an in-care or out-of-care arrangement under the *Child, Family and Community Service Act* (CFCSA), including but not limited to kinship agreements, youth agreements, and other recognized care arrangements, to be fully supported to fulfill their educational potential by having access to and receiving quality supports to enhance their educational experience, that are respectful and reflective of their unique rights, cultures and histories;
- b) supporting First Nations to be effective advocates for the unique education needs of their children, youth, young adults, families and communities;
- c) advocating for the development of legislation, policies, programs and services that respond to the education needs and circumstances of First Nations;
- d) advocating for the development of ethical and distinctions-based data collection, accountability, and information sharing that enables an effective approach to education planning, supports and advocacy;
- e) supporting successful education outcomes and attendance for all First Nations children and youth, including those involved in the child welfare system and those with diverse abilities or disabilities;
- f) supporting the implementation of the First Nations Children and Youth in Care Protocol between the First Nations Leadership Council, FNEC, the Ministry of Education and Child Care, the Ministry of Children and Family Development and the Ministry of Post-Secondary Education and Future Skills; and
- g) other matters, as agreed.

### **4.0 IMPLEMENTATION**

4.1 The Parties, represented by the FNEC President and the Representative for Children and Youth, agree to meet at least twice annually to:

- a) identify aligned priorities and potential projects to establish a shared and focused workplan; and
- b) monitor progress under this Protocol and discuss any issues related to its effective implementation.

4.2 The Parties may include technical or other representatives in their meetings to support their discussions and joint work and may direct their technical representatives to carry out work between meetings.

4.3 The Parties agree to provide early notice, whenever possible, on actions and communications that may have significant implications for the objectives of this Protocol.

## 5.0 DISPUTE RESOLUTION

5.1 If there is a dispute between the Parties with respect to any matter arising from this Protocol or relating to the interpretation and application of this Protocol, the Parties agree to use their best efforts to resolve such disputes in a reasonable and timely manner and in good faith.

5.2 Where there is a dispute between the Parties, the Parties agree they will attempt to use any and all available means to resolve the dispute at the organizational level closest to which the dispute first arises before referring the dispute to senior-level representatives.

5.3 The Parties agree to endeavor to resolve issues or disputes that may arise out of this Protocol, or its implementation, in a manner that fosters an improved, ongoing and respectful relationship between the Parties.

## 6.0 TERM AND REVIEW

6.1 This Protocol shall come into effect on the date on which it is signed and will remain in effect for a (5) five-year period from that date.

6.2 This Protocol may be amended in writing by mutual consent and signature of the Parties at any time.

6.3 The Parties will jointly review this Protocol and accompanying Workplan annually for its effectiveness and to identify new opportunities for collaboration.

6.4 Either party may withdraw from this Protocol at any time upon giving written notice to the other party. In such case the withdrawing party will use reasonable efforts to mitigate the impact on the objectives of this Protocol.

## COMMITMENT

In witness thereof, the Parties have executed this Protocol on Collaboration on February 27, 2026.



Dr. Jennifer Charlesworth, Representative  
for Children and Youth

For and on behalf of the Office of the  
Representative for Children and Youth



Tyrone McNeil, President

For and on behalf of the First Nations  
Education Steering Committee