

# Funding for Post-Majority Support Services/Youth Support Services OKT LLP

Presentation for COO Conference – November 2023 Ashley Ash- <u>aash@oktlaw.com-</u> 416.204.4767



#### Timeline



Human rights complaint filed alleging racial discrimination in on-reserve child welfare funding.

2007

COO wins order from Tribunal for Band Rep and mental health funding for ON First Nations

2018

CHRT makes various orders about compensation (quantum & eligibility).

2019-2021

AIP promised funds for Band Rep and prevention (\$2500 per capita) are released.

April 2022 - Present

#### 2016

Canada found guilty of systemic racial discrimination against First Nations children. Immediate/med/longterm reform ordered.

#### 2021

Tribunal orders capital funding for FNCFS, Jordan's Principle. And, in ON only, Band Rep capital.

#### Dec. 31, 2021

Agreements-in-principle on compensation and long-term reform are signed.

Future →
Final
Settlement
Agreement,
reformed
system.

## Background- Where did funding come from?



- Prior to March 2020, First Nations children were no longer eligible for services under the FNCFS Program when they reached the age of majority in their province.
- In April 2022, as part of the AIP, there was an allotment for prevention funds.
- CHRT 2022 8 Decision (made on consent) → Tribunal ordered Canada to fund at actual cost post-majority care to youth ageing out of care and young adults formerly in care up to and including the age of 25 across all provinces and territories.

## Overview of Post-Majority Support Services (Youth Support Services)



- Funding available now and <u>at actuals until approx. March 31, 2024.</u> After that, a formula will be developed.
- For youth on <u>or off-reserve</u> who are aging out of care, or who aged out of care and haven't yet turned 26.
- First Nations and Agencies can access this funding.
- Apply through ISC.
- Claims can be done on an individual or group basis.
- Flexible list of eligible costs
  - 2 main types: Operation & Admin and Direct Services to the Youth.
- Capital claims are eligible under FNCFS capital.

## 5 W's of Post-Majority Care



#### **WHO:** Youth eligible for PMC include:

- A Youth who is in out-of-home care approaching the age of majority;
- A young adult who was in care, as of the day they turned the age of majority (in the province or territory of residence) and have not yet reached the age of 26;
- A youth in jurisdictions where voluntary provisions enable a youth to leave care prior to the age of majority (incld. ON).
- The definition of care includes when a child or youth, ordinarily resident on reserve has been placed to live outside of the family/home of origin. For example, care status includes extended society care, customary care, guardianship, custody, alternate care, and kinship care.

## **5 W's of Post-Majority Care**



#### WHAT:

- Funding at actuals.
- Eligible costs include both the financial cost of the service or the tangible need of the youth, and can be categorized under the following areas of support: financial, housing, food, education, health and wellness, as well as cultural and community (re)connection supports.
  - No restrictive list of eligible costs. Flexibility!
- It's up to the youth! Supports needed to thrive!
- Scenario: Neveah is a 21-year-old youth who was in the care of Tikinagan when she turned 18. Neveah now wants to go to Lakehead University to learn Anishinaabemowin. Neveah contacts her community's post-majority support navigator for help. The navigator confirms she was in care when she turned 18. The navigator works with Neveah to access funding for: tuition, a living allowance, a book/materials allowance, a bus pass, a laptop, and cultural-reconnection funding support.

## 5 W's of Post-Majority Care



#### WHEN:

- Funding available now and at actuals until approx. March 31, 2024.
- After that, a formula will be developed.
- To be covered in the Final Settlement Agreement.

#### WHERE:

- For all eligible youth on or off-reserve. Youth who were ordinarily resident on reserve at the time of apprehension. Scenario:
- Sam is 18 years old and in the care of Kunuwanimano. He was apprehended from his family while they were temporarily resident in Timmins for medical reasons. He has been in an off-reserve foster home since his apprehension. Sam is eligible for post-majority supports.

**WHY:** To support youth transitioning out of care up to age 26.

HOW: Apply through ISC. You can do an advance claim or a reimbursement.

## Eligible Expenditures – 2 "Types"



## Operations & Admin

- Salaries
- Office space rental, utilities, maintenance
- Training

Budget

where

annually

possible

Get quotes

- Office equipment
- Insurance
- Governance/planning
- Transportation
- Legal
- Audit

## Direct Supports to Youth

- Education
- Financial support & housing
- Physical, mental, & social wellbeing
- Reconnection with land, culture, language, community
- Specialized care costs – for youth with special needs

- Budget monthly per youth, then multiply
- Determine
   actual costs for
   CIC and
   special care
   (outside paid
   resource/OPR)

## More Detail on Eligible Expenditures



- PMSS is captured under "maintenance and care" and eligible costs are under the FNCFS Terms and Conditions:
  - FNCFS Transitional Terms and Conditions: Contributions to provide children, youth, young adults, families and communities, with prevention and protection services (sac-isc.gc.ca)

- PMSS website: <u>Post-majority care services for First Nations youth and young</u> <u>adults (sac-isc.gc.ca)</u>
- PMSS capital claims are eligible under FNCFS capital: <u>Capital Assets Guide</u>
   <u>Chapter 1: First Nations Child and Family Services (sac-isc.gc.ca)</u>

## Some Statistics on Funding



#### From the period of April 1, 2023- May 09, 2023

- In Alberta, there was \$926,952 provided in funding for (re)connection to culture.
  - Also, \$643,000 was provided for education support.
- In Manitoba, there was \$1,595,000 provided in funding for (re)connection to culture.
  - Also, \$4,078,000 was provided for financial/housing support.

#### From the period of April 1, 2023- August 2023

- In Ontario, there was \$517,518 provided for financial and housing support
  - Approx. \$117,833 was provided for well-being support

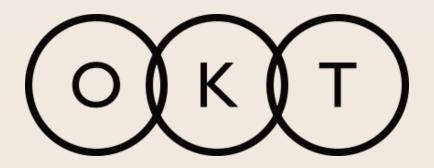
These statistics highlight the nature of holistic supports available for youth. The provision of financial/housing supports are especially important as inflation continues to rise.

## **PMSS Planning**



#### Consider:

- Who is best placed to deliver the services? Your Agency? Your First Nation? A collaborative effort?
- How can we proactively identify and reach out to Youth?
- Should Youth be involved in planning, designing services, etc.?
- Are there bare minimum services you can start offering now, and build up to a full-service delivery model? (Consider importance of starting to access actual funding ASAP).
- Will funding be sought for groups of Youth? Or one Youth at a time, as need arises?



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