

Jordan's Principle Operational Bulletin

Updates to the Implementation of Jordan's Principle

Objective: To provide information on the changes to operating procedures related to processing requests under Jordan's Principle.

Indigenous Services Canada (ISC) is implementing changes to operating procedures related to processing requests under Jordan's Principle.

ISC is reviewing Jordan's Principle processes and policies at regional and national levels with long-term sustainability in mind. This will ensure more consistent and clearer policies and communications about the services First Nations children can access through Jordan's Principle and the required documentation to access those services and supports.

ISC has begun implementing updated procedures for the approval of products, services, and supports under Jordan's Principle. To make sure resources are used in line with Jordan's Principle, requests must relate to achieving substantive equality for First Nations children.

Due to the significant increase in the numbers of requests, ISC is implementing new ways to process requests to expedite decision making and address the increased demand.

ISC is expanding the decision making in regional offices to limit duplication in processes and extending decision-making powers to regional staff to speed up the processing of requests.

To better understand how this might impact you, here is what you need to know:

1. Information about requests
2. For parents and guardians
3. For communities
4. Other information
5. Questions and answers

1. Information about requests

What is being clarified

Please note that certain types of requests will no longer be approved based on criteria below. Requests that have not been processed or received yet will be subject to the following.

Any request must show:

1. How the requested product, service or support meets the distinct needs of the First Nation child, and
2. How the child either:
 - a. experienced gaps or delays in accessing government services, or
 - b. was denied an existing government service because of their identity as a First Nations child

Requests need to include appropriate supporting documentation from a professional, as described in section 2 – Information to include with the request for the child. This documentation must clearly link the requested product, service, or support to the child's specific needs.

Additionally, ISC has determined, based on its analysis of legal obligations related to substantive equality under Jordan's Principle, that funding for the following items will not be approved unless such funding is required by substantive equality:

- Purchase, construction or structural renovations of homes.
- Requests to support sporting events or elite/competitive sport related training, unless they are linked to the specific health, social, or educational needs of the First Nations child.
- International travel, unless it is related to an exceptional medical need of the First Nations child.
- Non-medical supports such as travel costs, non-medical respite care, child care, clothing, furniture and vehicles, unless accompanied by a letter of support from a medical professional. The professional must be able to provide a child-specific recommendation based on their professional designation and their knowledge of the First Nation child's specific needs.

- School-related requests, unless linked to the specific health, social or educational need of the First Nations child. Supports to school boards off-reserve and private schools will be redirected to provincial school boards, or other existing provincial and federally-funded programs.
- Automatic administrative fees within group requests, including salaries, service fees and overhead costs.

Repeats of previous requests

- Each new request will be considered on a case-by-case basis. An existing or previously-approved request does not guarantee that a request for new funding will be renewed or approved.

Eligibility for children under Jordan's Principle

- These changes do not impact the eligibility of First Nations children under Jordan's Principle, as defined by the Canadian Human Rights Tribunal. For information about eligibility of children, visit <https://www.sac-isc.gc.ca/eng/1568396296543/1582657596387#sec2>.
- Eligibility for Jordan's Principle continues to be for First Nations children under the age of majority in their province or territory of residence.

For help or more information

- If you have any questions or need assistance with preparing your request, please contact your regional focal point (<https://www.sac-isc.gc.ca/eng/1568396296543/1582657596387#sec3>). They are available to provide guidance and support throughout the process.
- If your request is denied, you may appeal the decision following the process outlined at <https://www.sac-isc.gc.ca/eng/1568396296543/1582657596387#sec8>

2. For parents and guardians

Information to include with the request for a child

- **Detailed description of the child's needs:**
 - Clearly explain how the requested product, service, or support will address the child's specific health, social or educational needs.

- **Supporting documentation:**
 - All requests must be accompanied by a letter of support that demonstrates how the requested product, service or support links directly to the child's unmet health, social or educational needs.
 - Letters of support must be provided by a health professional, educational professional or Elder or Knowledge Keeper, depending on their expertise as it relates to their ability to determine the unmet needs of the child, and the supports required. They must be within the child's circle of care.
 - For professionals providing a letter of support, this should be made within their scope of practice.
 - If you are requesting additional funding to extend services for the child, updated letters of support are required to support the child's changing needs or to demonstrate a need for continued supports or services.
 - Include any relevant assessments or diagnoses.
- **Cost breakdown:**
 - Provide a clear breakdown of the costs associated with the request.

3. For communities

Management of group requests

- Funding should not be spent unless approved first through Jordan's Principle.
- Previous year's expenditures or deficits that have not previously been approved are not eligible for reimbursement under Jordan's Principle.
- General administrative fees, including the application of an automatic 10% administrative charge, is no longer funded under Jordan's Principle.
- Funding approved through group requests and transferred through contribution agreements under Jordan's Principle **must** adhere to standard financial management, accountability and reporting practices.
- At the end of a fiscal year, any unspent funds from group requests must be reported and will be assessed on a case-by-case basis.
- New group requests for Jordan's Principle funding beyond one fiscal year (i.e. multi-year requests) are no longer approved.

- Group requests should clearly demonstrate how the proposed activity or service will benefit each First Nations child within the request.

Information to include with group requests

- **List of children:** Include each child's name, date of birth, and confirmation of their First Nations eligibility.
- **Needs assessment:** Explain the shared needs of the children in the group and how the request will address those needs.
- **Supporting documentation:**
 - All requests must be accompanied by a letter of support that demonstrates how the requested product, service or support links directly to the children's unmet health, social or educational needs.
 - Letters of support must be provided by a health professional, educational professional or Elder or Knowledge Keeper, depending on their expertise as it relates to their ability to determine the unmet needs of the children, and the supports they require.
 - For professionals providing a letter of support, this should be made within their scope of practice.
 - Top-up funding will not be provided
 - Include any relevant assessments or diagnoses.
- **Detailed budget:** Provide a breakdown of all costs.
- **Financial reports:** If you have received previous funding, you must submit financial reports from the previous fiscal year and identify any carry forwards.

4. Other information

Why these changes are happening

- To help the long-term sustainability of Jordan's Principle, ISC must remain focused on its core mission: providing funding to First Nations children who face barriers to access products, services and supports.
- ISC is working to establish coordinated, integrated services that First Nations can access to better meet First Nations children's distinct needs and provide substantially equal access to government services, while Jordan's Principle continues to address gaps, delays and denials in services.

- ISC is committed to long term reform and the sustainability of Jordan's Principle to continue filling gaps and addressing delays and denials to access products, services and supports.

How this aligns with Canadian Human Rights Tribunal orders

- Jordan's Principle is meant to make sure that First Nations children do not experience gaps or delays in accessing government services, and that they are not denied government services, because of their identity as First Nations children. At the same time, it does recognize that the responsibility to support First Nations children remains with both provincial and federal governments.
- Jordan's Principle is not intended to duplicate or change the scope of supports provided by federal government programs or jurisdictions.

Other programs or services

- There may be other funding programs or services available in your province or territory. Please check with your provincial or territorial government to see what is available.

5. Questions and answers

General Information

Q: How does ISC define a letter of recommendation by a ‘health professional’?

A: To be recognized as a health professional, individuals must typically complete relevant education, training, and obtain and maintain a license or certification in good standing from the appropriate regulatory body in their province or territory of practice.

The health professional writing a letter of recommendation must be providing child-specific recommendations based on their professional scope of practice, and be within the child or children’s circle of care. Letters of recommendation are expected to outline the services required for each child and the needs being met through the recommended service.

Q: What is considered respite care?

A: Respite care is intended to provide family or caregivers with temporary relief from the emotional and physical demands of caring for a child with significant medical needs or exceptional needs.

Group Requests

Q: When should an application to Jordan’s Principle be sent as a group request?

A: Group requests should be used instead of individual requests when the needs of children seeking services are more effectively met as part of the collective needs of a defined group.

Who can a group request be submitted for? • A group of children (more than one child) within one family, or from multiple families or guardians with specific needs • A group of children with specific needs within the same community, or under the care of the same organization or educational institution	What are examples of group requests? • Requests to contract professionals to provide services for groups of children (such as occupational therapy, physical therapy, speech and language, cultural services, behavioural therapy) • Requests for specialized individuals to assist a group of children in social contexts (such as youth mental health workers)
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Q: What is required for completing a group request?

A: The following information is required for group requests.

- **Child identifier:** Can be the First Nations child's name, initials or another identifier such as a student number
- **Child's date of birth or age:** Jordan's Principle is available for First Nations under the age of majority in their province or territory of residence
- **Confirmation of eligibility for First Nations children:**
First Nations children must meet one of the following criteria:
 - is registered or eligible to be registered under the *Indian Act*
 - has one parent or guardian who is registered or eligible to be registered under the *Indian Act*
 - is recognized by their nation for the purposes of Jordan's Principle
 - is ordinarily resident on reserve
- **Program or service each child will be accessing:** list each program or service that each child will be accessing, supported by the appropriate recommender.
- **Recommender of program or service:** Name and position of the professionals in the children's circle of care who are recommending the service, and who have a professional background in the program or service being requested for each child. For example, a dentist cannot recommend mental health supports for a child; however, they can recommend dental procedures for a child.
- **Consent from parent or legal guardian:** Attestation that consent has been obtained and is on file, and can be provided to ISC if requested.

Q: How should each First Nations child be listed in a group request?

A: Example of how to list children in a group request:

Child identifier	Child's date of birth or age	Confirmation of eligibility	Program or service child will be accessing	Recommender of program or service	Person who provided consent
John Smith	June 1, 2015	registered #123456	Occupational therapy, speech language therapy	Dr. Sarah Smith – Family physician (letter attached)	Father
Jane Doe	April 26, 2016	Lives on reserve	Speech language therapy, autism assessment	Dr. Peter Benton – Pediatrician	Mother
Timothy Allen	Oct 7, 2019	Parent is registered	Equine therapy, physiotherapy	Kyle Brewer – physiotherapist	Mother
Samantha Summers	May 3, 2017	Recognized by nation	Equine therapy	Joseph Clearwater Nation Elder	Father

A group request is complete if:

- all the above information is provided
- there is a demonstrated need or gap, and
- the letter of support from the professional or the nation's identified Elder (if related to mental health or culture) provides a link to how the requested product, service or support meets that need.

Q: What is the reason for the change in reporting requirements for group requests?

A: Financial reporting is usually undertaken to gather information on whether approved funding is spent according to the terms and conditions of funding agreements, and to

confirm that the recipient's financial situation is sufficiently stable for the continued delivery of funded programs or services. On an exceptional basis during the COVID-19 pandemic, ISC did not require funding recipients to submit annual audited financial statements.