OUR LAND IS OUR FUTURE

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UNION OF B.C. INDIAN CHIEFS
CHIEFS COUNCIL
MARCH 9TH - 10TH, 2011
VANCOUVER, B.C.

Resolution no. 2011-16

RE: INAC's New Approach to BC First Nations Education and the Need to Honour the Education Jurisdiction Framework Agreement Signed in 2006

WHEREAS the application of the federal own source revenue (OSR) policy was rejected by First Nations during the Education Jurisdiction Framework Agreement negotiations, and the federal negotiators subsequently sought and received an exemption from the policy for the education jurisdiction initiative;

WHEREAS Indian and Northern Affairs Canada (INAC) had to return to Cabinet to expand their mandate to include increased funding to service the BC First Nations education jurisdiction agreements (2006); however, the new mandate includes OSR;

WHEREAS the United Nations *Declaration on the Rights of Indigenous Peoples* sets out:

- **Article 14(1)**: Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
- **Article 18:** Indigenous peoples have the right to participate in decision-making in matters which would affect their rights, through representatives chosen by themselves in accordance with their own procedures, as well as to maintain and develop their own indigenous decision-making institutions.

WHEREAS the discussion of the application of the federal OSR policy at the education jurisdiction table may compromise and undermine First Nations' negotiations at their respective treaty tables. To date, the application of the federal OSR policy has not been agreed to in any signed sectoral agreements;

WHEREAS the Education Jurisdiction Framework Agreement was signed in July 2006 by the Minister of Indian Affairs, the Premier and a representative of the First Nations Education Steering Committee (FNESC). This Agreement included agreed-upon templates for interested First Nations to negotiate their own education jurisdiction agreements and template funding agreements which contained no reference of

OSR. Federal enabling legislation was passed later that year that allows the education jurisdiction agreements, once ratified, to come into effect;

WHEREAS the Federal Government's proposed "new approach" to First Nations Education and the three associated funding options does not include adequate funding for First Nations language and culture programming, technology and early childhood education;

WHEREAS FNESC and First Nations School Association (FNSA) work to demonstrate the level of funding required to meaningfully meet the needs of First Nations schools and the level of funding needed for the delivery of appropriate and effective second level services in BC.

THEREFORE BE IT RESOLVED the UBCIC Chiefs Council supports BC First Nations in their efforts to ensure that the "Made in BC" education jurisdiction initiative is not derailed by the application of the federal OSR policy; and

THEREFORE BE IT FURTHER RESOLVED the UBCIC Chiefs Council opposes the Federal Government's proposed "new approach" to funding First Nations Education and supports the First Nation's Education Steering Committee and the First Nations School Association's position to further pursue adequate funding for the First Nations children in British Columbia; and

THEREFORE BE IT FINALLY RESOLVED the UBCIC Chiefs Council strongly urges Indian and Northern Affairs Canada (INAC) to honour the original Education Jurisdiction Framework Agreement, as signed in 2006, which contains no reference to the Federal Own Source Revenue Policy.

Moved: **Chief Maureen Chapman, Skawahlook First Nation**
Seconded: **Chief Percy Joe, Shackan Indian Band**
Disposition: **Carried**
Date: **March 10, 2011**