SPECIAL CHIEFS ASSEMBLY
DECEMBER 4, 5 & 6, 2012, GATINEAU, QC

Resolution no. 39/2012

TITLE:	Challenging INAC's Education Information System
SUBJECT:	Education
MOVED BY:	Chief Marcel Head, Shoal Lake Cree Nation, SK
SECONDED BY:	Chief Joe Miskokomon, Chippewas of the Thames, ON
DECISION:	Carried by Consensus

WHEREAS:

A. First Nations have the Inherent and Treaty Right to Education.

B. The United Nations Declaration on the Rights of Indigenous Peoples (UNDRIP) acknowledges the Treaty Right to Education in Article 14: *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*.

C. Indian and Northern Affairs Canada (INAC)* has unilaterally announced the creation and implementation of an Education Information System (EIS).

D. INAC has indicated that submission of any data they deem required will be a mandatory condition of funding agreements.

E. INAC has not provided assurances on adherence to Ownership, Control, Access and Possession (OCAP) principles.

F. INAC has indicated that data will be available for access by third parties.

G. First Nations have legitimate unaddressed concerns about limited consultation with First Nations, concerns about privacy and confidentiality of data.

H. There are no provisions by INAC for EIS training, hardware, implementation and lack of an implementation plan.

Certified copy of a resolution adopted on the 5th day of December, 2012 in Gatineau, Quebec

SHAWN A-IN-CHUT ATLEO, NATIONAL CHIEF

THEREFORE BE IT RESOLVED that the Chiefs-in-Assembly:

1. Notify Canada that First Nations will provide Canada with access to information that fulfills the current reporting requirements of funding agreements, but that additional requests for information will be vetted in accordance with First Nation policies and procedures that adhere to principles of Ownership, Control, Access and Protection (OCAP) principles.
2. Mandate the AFN Education Secretariat to explore legal avenues of the settler government and our own laws to address the privacy concerns.
3. Demand that the Minister of Indian and Northern Affairs Canada direct his staff to delay the implementation of the Education Information System until the concerns of First Nations have been addressed.
4. Demand that the requirement to participate in the Education Information System is removed from all First Nation funding agreements.

* Note: Federation of Saskatchewan Indian Nations Chiefs do not recognize the departmental name change to Aboriginal Affairs and Northern Development Canada (AANDC)

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SHAWN A-IN-CHUT ATLEO, NATIONAL CHIEF