
Assembly of First Nations

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Assemblée des Premières Nations

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**ANNUAL GENERAL ASSEMBLY
JULY 11, 12, & 13, 2023; HALIFAX, NS**

Resolution no. 65/2023

TITLE:	Affirmation of First Nation Education Sovereignty
SUBJECT:	Education
MOVED BY:	Chief Rachel Manitowabi, Wikwemikong Unceded First Nation, ON
SECONDED BY:	David Pratt, proxy, James Smith Cree Nation, SK
DECISION	Carried; 1 abstention, 1 opposed

WHEREAS:

- A. The United Nations Declaration on the Rights of Indigenous Peoples (UN Declaration) states:
- i. 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.
- B. The United Nations Declaration on the Rights of Indigenous Peoples Act was given royal assent on June 21, 2021, and states:
- i. Preamble: Whereas the Government of Canada rejects all forms of colonialism and is committed to advancing relations with Indigenous peoples that are based on good faith and on the principles of justice, democracy, equality, non-discrimination, good governance and respect for human rights.
 - ii. Section 5: The Government of Canada must, in consultation and cooperation with Indigenous peoples, take all measures necessary to ensure that the laws of Canada are consistent with the Declaration.
- C. In a letter to the President of the National Indian Brotherhood, dated February 2, 1973, the Minister gave official recognition to 'Indian Control Of Indian Education,' approving its proposals and committing the Department of

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Indian Affairs and Northern Development to implementing them. 2023 marks the 50th anniversary of the Indian Control of Indian Education Policy Paper, 1972 and its adoption by Canada.

- D. First Nations education systems across the country remain scarcely resourced to meaningfully implement the existing right to self-determination in education.
- E. Assembly of First Nations (AFN) Resolution 65/2017, New Interim Funding Approach for First Nation Education, established a new phased funding approach to First Nations education and includes:
 - i. An interim funding approach that uses a provincial education funding model as a base to determine allocations with adaptations to address the specific needs of First Nations schools and students;
 - ii. Supports for First Nations to negotiate and conclude Regional Education Agreements that provide funding for the unique needs of First Nation students and schools; and
 - iii. The opportunity for First Nations to opt-out of any new education policy or program.
- F. The interim funding approach contains significant funding limitations as First Nations do not receive several components or services including, major capital funding, third-level governance, curriculum development, program research supports, and equivalent funding to the widespread French immersion funding needed for First Nations language immersion.
- G. The First Nations with Schools Collective (FNWSC) is an intergovernmental table consisting of eight First Nations in Ontario and is proposing a pilot be undertaken with Canada called the First Nation Education Self-Determination Framework Initiative on behalf of those eight communities.
- H. The initiative would build on the work to date between the FNWSC, Indigenous Services Canada and Crown-Indigenous Relations and Northern Affairs Canada at the Joint Education Technical Table (JETT), which has included sharing mandates and goals concerning control over education and equity of outcomes funding.
- I. The JETT reaffirms nation-to-nation relations and First Nations' sovereignty over education.
- J. The FNWSC invites participation of other First Nations who are exploring opting out of any new education policies and who are in pursuit of addressing outstanding gaps of the interim funding approach process.

THEREFORE BE IT RESOLVED that the First Nations-in-Assembly:

- 1. Support the First Nations with Schools Collective (FNWSC) in their engagement in a separate process, outside of a Regional Education Agreement (REA), for transformative education agreements, including any pilot projects or other tables that seek to address outstanding education gaps.

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2. Support the right of the eight communities in the establishment of the FNWSC Joint Education Technical Table (JETT) and the First Nation Education Self-Determination Framework Initiative which seeks to:
 - a. Support development of First Nation and Crown leadership on the connection between Indigenous rights and title, Crown-Indigenous relations, community development and learner outcomes as a result of work undertaken at JETT.
 - b. Increase awareness of education self-determination on-reserve as a legislator issue, not a student capacity issue, and mobilize delegates of the JETT to create problem-solving mechanisms for the full control of education by First Nations within the framing of the United Nations Declaration on the Rights of Indigenous Peoples Act.
 - c. Conclude education jurisdiction agreements with comprehensive funding formulas at duly convened JETT sessions by negotiating teams within pre-determined negotiating terms on behalf of participating First Nations of the Collective and Canada for acceptance and ratification by each of their respective authorities.
3. Direct the Assembly of First Nations (AFN) to write to the Minister of Indigenous Services Canada and Minister of Crown-Indigenous Relations and Northern Affairs Canada confirming the support of the First Nation Education Self-Determination Framework Initiative of the FNWSC.

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