ANNUAL GENERAL ASSEMBLY
July 15, 16, & 17, 2008, Quebec City, QC

Resolution no. 07/2008

SUBJECT:	Education Funding Renewal
MOVED BY:	Chief Marianna Couchie, Nipissing First Nation, ON
SECONDED BY:	Chief Conrad Polson, Timiskaming First Nation, QC
DECISION:	Carried by consensus.

WHEREAS:

A. A regime of tuition agreements currently in effect have drastic negative effects on First Nations education, authorities and First Nation operated schools, jeopardizing our treaty rights to quality education rights, and victimizing our children and youth and families, to the point that a state of crisis exists across Canada;

B. The Government of Canada has a fiduciary responsibility to ensure adequate resourcing and to support First Nations equity and opportunity for lifelong learning;

C. In Budget 2008, the Government of Canada has dedicated $70 million over two years to improve First Nations education outcomes through enhanced accountability and by encouraging integration with provincial systems;

D. The federal government's stated position of making 'adequate' funding conditional upon acceptance of provincial integration is equivalent to and shall be considered as forced integration of the First Nations;

E. Historically, integration into any education system has been used as a tool of assimilation, whether it was residential schools, day schools or provincial schools;

F. The federal government, on June 11, 2008 has expressed an apology recognizing the tremendous damage that was caused to First Nations culture, language and heritage by their official assimilation policy under the residential schools system;

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G. Lessons learned form the past and all major studies and consultations indicate that only through a comprehensive First Nations lifelong learning education system can First Nations culture, language and heritage be preserved, thereby preventing integration or assimilation;

H. 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;

I. Aligning our curriculum with the province without being diligent to the fact that our ancestors and our own histories, cultures and languages have been virtually destroyed, forgotten, dismissed as having no value and with too many of our community schools being strapped for funding to produce our own didactic materials;

J. Education is the established transmission of culture, language, knowledge and traditions to succeeding generations; the inclusion of these First Nations values is imperative to a quality holistic education. It is vitally important that First Nations deliver culturally appropriate and relevant curriculum;

K. It is recognized under the United Nations Declaration on the Rights of Indigenous Peoples, Article 20, that individual First Nations must consent to the implementation of legislation or policy;

L. At the 2007 Annual General Assembly, Resolution No. 6/2007, Recognition and Implementation of First Nations Governments – the framework for moving forward, was passed by consensus of the Chiefs-in-Assembly and this resolution re-affirms and summarizes the principles and action as follows:

- Reconciliation and Recognition of First Nation Governments affirming Treaty and Aboriginal rights, consistent with section 35, Constitution Act, 1982;
- Enforcement of the Federal Crown's Fiduciary Duty as assumed in s. 91(24), The British North America Act, 1867, Indians, and Lands reserved for the Indians;
- Sustainability and Structural Change by Implementing First Nation governments including:
  - substantial reform of the fiscal relationship between the Federal Crown and First Nations to end fiscal discrimination in favour of sustainable transfers based on real rates of growth;
  - support for nation-building through capacity building and institutional development measures developed jointly with First Nations; and
  - federal policy renewal and machinery of government changes in the form of elimination of the Indian Act and the Department of Indian Affairs.

THEREFORE BE IT RESOLVED that:

1. The Chiefs-in-Assembly mandate the AFN to continue to advocate that the Government of Canada must:

- lift the 2% cap on funding and adequately resource First Nations education systems on the basis of First Nations approved studies, and that funding be indexed to community growth, inflation, and cost of living; and
- address the capital infrastructure issues plaguing First Nations' schools that include those which make educational facilities unsafe and unhealthy for First Nations' students, staff and community members and adequately address the growth needs of First Nations.

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2. The Chiefs-in-Assembly declare that making ‘adequate’ funding for First Nations education schools and organizations conditional upon acceptance of integration with provincial systems is equivalent to the forced integration of First Nations contrary to Article 8 of the United Nations Declaration on the Rights of Indigenous Peoples.
3. The Chiefs-in-Assembly demand that our Inherent and Treaty Right to Education, as well as our right to First Nation Jurisdiction over Lifelong Learning be protected in any discussions, consultations or potential Education Agreements on First Nations Education with the Government of Canada and/or Provincial or Territorial Governments.
4. Post secondary education programs remain “permanent programs” due to fiduciary obligation not a discretion of government.
5. The Chiefs-in-Assembly call upon the Government of Canada and all First Nations governments immediately to make adequate and equitable tuition agreements a top priority issue for funding; and to take all other actions possible to uphold, honour, respect and fulfill the treaty rights to education as promised in the treaties.

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