

**D R A F T   R E S O L U T I O N   # 0 5 / 2 0 1 8**

**AFN Special Chiefs Assembly, December 4-6, 2018, Ottawa, ON**

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**TITLE:**                      **First Nations Post-Secondary Education Policy Proposal**

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**SUBJECT:**                  Post-Secondary Education

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**MOVED BY:**              Chief Leroy Denny, Eskasoni First Nation, NS

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**SECONDED BY:**        Tyrone McNeil, Proxy, Kwaw Kwaw Apilt First Nation, BC

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**WHEREAS:**

- A.** The United Nations Declaration on the Rights of Indigenous Peoples states:
- i.** Article 13 (1): Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.
  - ii.** Article 13 (2): States shall take effective measures to ensure that this right is protected and also to ensure that Indigenous peoples can understand and be understood in political, legal and administrative proceedings, where necessary through the provision of interpretation or by other appropriate means.
  - iii.** Article 14 (1): Indigenous peoples have the right to establish and control their education systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning.
  - iv.** Article 14 (2): Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination.
  - v.** Article 14 (3): States shall, in conjunction with Indigenous peoples, take effective measures, in order for Indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language.
  - vi.** Article 23: Indigenous peoples have the right to determine and develop priorities and strategies for exercising their right to development. In particular, indigenous peoples have the right to be actively involved in developing and determining, health, housing, and other economic and social programmes through their own institutions.
- B.** First Nations have an inherent and Treaty right to education, including post-secondary education as part of a lifelong learning process.
- C.** Strong, effective and inclusive post-secondary education systems provide a fundamental opportunity for building relationships and advancing reconciliation between the Crown and First Nations, as

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expressed in the Truth and Reconciliation Commission's Calls to Action and the United Nations Declaration on the Rights of Indigenous Peoples.

- D.** The Government of Canada is obliged to uphold and honour the authority of First Nations to exercise control over education. Chiefs-in-Assembly have passed Assembly of First Nations (AFN) Resolution 36/2016, *Inherent and Treaty Right to Post-Secondary Education*, and Resolution 40/2016, *Call on Canada to address the backlog of eligible First Nation post-secondary students that both affirm and uphold this autonomy*.
- E.** The Government of Canada is obliged to uphold and honour its budget 2016 commitment to lift the two percent cap in place since 1996, on funding for First Nations programs. Significant increased investments are required to take into account inflation, population growth and improving Grade 12 graduation results.
- F.** In accordance with AFN Resolution 14/2017, *Post-Secondary Education Federal Review*, the Chiefs Committee on Education (CCOE), the National Indian Education Council (NIEC), nationally-representative post-secondary education (PSE) technicians and First Nations established institutions, produced the *First Nations Post-Secondary Education Review 2018 Interim Report* and AFN Resolution 29/2018, *First Nations Post-Secondary Education Review Report and Recommendations*.
- G.** Resolution 29/2018 accepted the *First Nations Post-Secondary Education Review 2018 Interim Report* and provided direction for co-development of a policy proposal. In response to the direction given, the AFN, CCOE and NIEC have worked in partnership with Indigenous Services Canada (ISC) to develop a new First Nations PSE policy proposal.
- H.** The federal government must obtain the free, prior and informed consent of First Nations on any proposed changes to post-secondary education programs and/or policies relating to First Nations education administered by ISC or other federal departments or agencies.
- I.** The Minister of Indigenous Services Canada will return to Cabinet with a Memorandum to Cabinet, related to Indigenous Post-Secondary Education, following the December 2018 Special Chiefs Assembly. The First Nations PSE policy proposal will be implemented following and based on Cabinet decisions.
- J.** The AFN estimates there are nearly 9,000 First Nations students currently enrolled in post-secondary education who are not receiving funding through the Post-Secondary Student Support Program. There are approximately 78,000 First Nations graduates needed to close the gap in post-secondary education.
- K.** Eliminating the educational attainment gap by 2031 will boost Aboriginal employment by 90,000 workers and the Aboriginal contribution to Gross Domestic Product (GDP) by as much as \$28.3 billion.
- L.** The First Nations PSE policy proposal highlights the outstanding need for post-secondary education to move First Nations priorities forward and that these funds have not been secured. Any new investments will come with the release of Federal Budget 2019.

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

- 1.** Reaffirm First Nations' inherent and Treaty Rights to post-secondary education (PSE).
- 2.** Reaffirm that jurisdiction over First Nations education remains with each First Nation.
- 3.** Support the recommended First Nations PSE policy proposal as represented in Policy Proposal (v7) to be presented to Cabinet as the First Nations submission through Indigenous Services Canada's Memorandum to Cabinet. The policy proposal outlines the following:
  - a.** Calls on the federal government to provide immediate investments to address the backlog of First Nations PSE students, support First Nations established institutes, and provide transitional funding for upgrading and completion in order to pursue PSE.
  - b.** Seeks long-sought after changes to current PSE programs, Post-Secondary Student Support Programs (PSSSP).
  - c.** Restructuring of Post-Secondary Partnership Program (PSPP) to align with the changes expressed in the policy proposal.
  - d.** Proposes Treaty-based, self-government based and/or regionally determined process for First Nations to co-develop PSE models in partnership with the federal government.
- 4.** Urge the Government of Canada to present the First Nations PSE policy proposal, jointly developed by First Nations and Indigenous Services Canada, to the Cabinet of Canada with an Assembly of First Nations member of Chiefs Committee on Education.