



SOUTHERN CHIEFS' ORGANIZATION

FRAMEWORK AGREEMENT INITIATIVE

EDUCATION REPORT

October – December 2005

Submitted to:

Assembly of Manitoba Chiefs

INTRODUCTION

This report covers the activities carried out by the First Nation Internal Education Working Group (IEWG) and SCO FAI staff for the following periods:

October	2005
November	2005
December	2005

SCO INTERNAL FAI MANAGEMENT:

October 5, 2005, SCO appoints Myrna Bushie the new FAI Education Director and Harold Cochrane the new Legal Counsel and Lead Negotiator of the Education Table.

NORTHERN EDUCATION PERSPECTIVE:

SCO works in close proximity with Manitoba Keewatinook Ininew Okimowin (MKIO) to adequately include Northern Education objectives and perspectives into the FAI Education process. A sub-agreement has been entered into between SCO/MKIO stipulating 60/40 funding and work plan arrangements, which outline MKIOs education activities and expenditures.

SCO/MKIO MEETINGS:

October 7, 2005 SCO/MKIO Education Directors met with Harold Cochrane and provided a complete overview of the Education Table.

October 17, 2005 SCO/MKIO Grand Chiefs held a meeting to discuss the issue of equal division of funding for all three FAI Tables. Funding is presently based on work plans and all three table work plans are equal in reflecting a significant workload. It was restated that the Education Table received the lowest allocation of all three Tables. FAI Community Consultation dollars were not distributed to the Education and Child and Family Matters Tables. Working relationship between Tables was identified and discussed as an issue. Grand Chiefs will continue to work and address issues. MKIO raised the issue of accuracy with the AMC Community Consultation report.

FAI THREE YEAR EXTENSION:

No correspondence has been received from Canada documenting their verbal extension till 2008.

CHIEF NEGOTIATORS:

October 6, 2005 Chief Negotiator Lorne Cochrane forwarded a letter to Canada's Chief Negotiator David Walker expressing concern over outstanding issues stemming from the joint tables. Issues that impact the completion of the CFM and Education AIPs. More specifically, the need to address the chapters on Fiscal and Aggregation.

October 14, 2005, Chief Negotiator Lorne Cochrane submits revision of the Fiscal and Aggregation chapters to Canada on behalf of the sectoral tables. Concluding by requesting information on Own Source Revenue (OSR).

November 7, 2005 AMC and the Education Table released briefing notes for the MKIO Chief's Assembly in Grand Rapids First Nation November 7-9, 2005. Virginia Arthurson MKIO Education Policy Analyst made the Education Table presentation.

COMPREHENSIVE TABLE:

December 8, 2005 the Comprehensive Table hosted a Treaty Presentation with the AMC FAI Elders Committee. AMC introduced a Treaty Researcher for the Comprehensive Table. Dennis White Bird did a presentation and overview of the Manitoba -Treaty Commissioner's Office. Myrna Bushie attended.

NEGOTIATIONS MEETINGS: Joint Canada/Province/First Nations

Oct. 27, 2005 Focus of the meeting was the Jurisdiction chapter of the AIP. Canada introduced Debra Alivisatos as a new member to the Federal team. Province clarifies their eight week approval process. A review of the Province's comments on the AIP. Discussion of on-reserve teachers are not Manitoba Teacher Society members. Who would have the power to revoke on reserve teacher certification? Inter-provincial relations identified where teachers can transfer between provinces. Teachers must prove their license valid. Province does not foresee any obstacles once it is clear what jurisdiction First Nations want. Helen Settee to look into impacts of Teacher Certification. Province to provide written comment on AIP by next meeting. Canada will review Province comments and provide direction on what needs to be done now. Areas that require further discussion: Governance structures, Implications, Relationship and Conflict laws, and Harmonization.

November 24, 2005 Federal Table Lead Alain Grenier did not attend as he had to return to Ottawa on a Family emergency. Legal team update on redraft of Aggregation. Fiscal areas identified that require discussion; decide at what point Fiscal needs to be discussed and the province has an issue with off-loading. Canada's position on OSR is that it is to be included in the sectoral Tables. Canada's OSR position to be communicated to AMC. First Nations require a better understanding of the implications of OSR. Federal Negotiator to provide OSR presentation to the Tables. Canada has a description of OSR in Sioux Valley Agreement. The Province has since developed software to assess any fiscal impacts. Canada has no response to the Province's comments on AIP at this time. Expanding jurisdiction (on/off reserve jurisdiction discussion). Eugene Peterson (Comprehensive Table has agree to draft practical wording language for the AIP. Tripartite Agreement to be added to next Joint meeting agenda.

December 13, 2005 Legal drafting Aggregation and Fiscal update. Canada requests more time to respond to the Provinces comments/questions on the AIP. First Nations are not prepared to respond to comments. Discussions on expanding jurisdiction continue.

PROVINCE OF MANITOBA:

October 18, 2005 FAI Education Director Myrna Bushie and Legal Counsel Harold Cochrane met with Provincial Table Lead Helen Settee, Brian Gudmundson and Legal Counsel Neil Trenholm. Discussion focused on pressing for Expanded Jurisdiction beyond the Indian Act. AIP in present Form is problematic. A three year work plan is to be developed based on expanding jurisdiction. Canada will be requested to join this process. The 1990 Education Framework Agreement will be reviewed. Items on the table are still on the table today. The province agreed to look at *Expanded Jurisdiction* and set out clearly what it is the province has and what First Nations want. The province identified there maybe a conflict of laws on reserve, further discussion will transpire. Transition of schools will need reviewing to ensure no disruption to students. Province will provide a formal Education AIP response at next meeting.

November 7, 2005 the Province provided written comments and questions on the Education AIP.

November 8 and 10, 2005 meetings with the Province to discuss expanding jurisdiction. Canada has accepted the offer to formally join the meetings.

INTERNAL EDUCATION WORKING GROUP (IEWG):

October 17, 2005 Harold Cochrane reviewed wording changes of aggregation chapter. MKIO put forth new wording, Harold to change wording. Stan Bear attended and provided First Nation fiscal relations issues hand out. Stan identified that First Nations do not have a solid data tracking system. Stan shares 3 international documents on rights of Indigenous Peoples. Discussion on 1995 Inherent right policy, how it affects 1994 FAI agreement. Issues with accuracy AMC community consultation report. Elder Rod Young to bring suggestion to FAI Elders working group on Pipe Ceremony for direction on FAI. Two-day planning session to develop Re-Focusing FAI Education. Question of what First Nations want to aggregate up. Table needs to fully understand OSR. Virginia will provide an overview for IEWG of the 1990 EFA and Straw Man file series.

November 3 and 4, 2005 the IEWG held a two day strategic planning session in Brandon, Manitoba. The Internal Education Working Group (IEWG) met specifically to further develop Expanded Jurisdiction. MKIO Virginia Arthurson provided an overview of the 1990 Education Framework Agreement. Discussions concluded that the FAI process is not self-government. Future discussions/negotiations will site this process as a 'Practical Solutions' arrangements only. The FAI Blue Book identified three objectives; dismantle the Department of Indian Affairs, develop and legally recognize First Nation Governments and restoration of Jurisdictions. Progress is slow in achieving these objectives. Canada has not given much ground on positions. Canada accepts our position, that this is not a self-government arrangement. New wording will clarify this position.

Expanding Jurisdiction List:

- Early Childhood
- K-12
- Post Secondary
- Out of School Care
- Student Support Services
- Adult Training and Vocational
- Culture and Language
- On-Off Reserve

ALL TABLES MEETINGS: (Comprehensive/CFM/Education)

November 18, 2005 Senior Negotiator provided an update along with the Tables. Eric Bunn, Comprehensive Table provide and reviewed a handout of a governance model. Dr. Sydney Garrioch, CFM Table Lead commented that any governance model must be community driven. Eric to rework the wording under Powers of Government sub-title.

December 1, 2005 all three Tables met and provided an update.

FIRST NATION EDUCATION DIRECTORS:

October 20, 2005 FAI Education Staff provided an information update to the Directors at AMCs Education Directors meeting. MKIO, Virginia Arthurson did the presentation on behalf of the Education Table.

December 2, 2005 SCO FAI Staff hosted a one day information update to the Directors. Harold Cochrane completed a legal update. Expanded discussions focused primarily on questions of Aggregation. Other issues raised were clarification of how decisions are made at the Education Table, request to establish a clear protocol that directly involves the Education Directors. It was suggested that one hour updates on AMC Director Agenda is not enough time to properly discuss issues and updates at the Education Table. Meeting was well received by all who attended.

FAI COMMUNITY INFORMATION SESSIONS:

October 6, 2005 AMC released a copy of the Community Information Session – Summary Report on Mathias Colomb First Nation July 16, 2005.

EDUCATION AGREEMENT-IN-PRINCIPLE (AIP):

- October 1, 2005 AIP deadline has been moved to October 31, 2005
- No formal deadline established beyond October 31, 2005
- Outstanding Chapters:
 - Aggregation
 - Fiscal Arrangements
 - Expanding Jurisdiction
- Canada presentation on Own Source Revenue (OSR)

SCO CHIEFS EXECUTIVE MEETING:

October 7, 2005, an FAI Education Table update was provided to SCO Chiefs Executive Committee. Review of funding proposal to AMC. SCO Leadership will be taking a stronger role over FAI Education. Review of IEWG structure to ensure adequate representation/operations at the Education Table. Chief Tina Leveque, Brokenhead Ojibway Nation and Chief Norman Bone (SCO Education) will be working with the FAI Education Director.

NEXT STEPS:

Continue Expanding the Jurisdiction Chapter
Explore Governance structure
Formalize – Education Directors in FAI Education Process
Press for written extension commitment from Canada
Improve coordination/involvement of all education stakeholders

FINANCIAL SUMMARY:

SCO (60 %) Financial Activities October – December 2005)

MKIO (40 %) Financial Activities October – December 2005

Note: Expenses are not audited and changes may be made at a later date.