

ASSEMBLY OF MANITOBA CHIEFS
CHIEFS ASSEMBLY ON EDUCATION &
CHILD AND FAMILY MATTERS



**CERTIFIED COPIES
OF
ADOPTED RESOLUTIONS**

Ma-Mow-We-Tak Friendship Centre
Thompson, Manitoba

October 23, 24, 25, 2018

ASSEMBLY OF MANITOBA CHIEFS

Chiefs Assembly on Education & Child and Family Matters

Ma-Mow-We-Tak Friendship Centre

Thompson, MB

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CERTIFIED RESOLUTIONS

OCT-18.01	Regional Education Funding Model / Formula
OCT-18.02	Manitoba First Nations Post-Secondary Strategy
OCT-18.03	Manitoba First Nations Languages Revitalization Strategy
OCT-18.04	A New MFNERC Service Delivery Mandate
OCT-18.05	Jordan's Principle and Default Prevention and Management Policy
OCT-18.06	Support for Regional Transformation Activities
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OCT-18.10	Support for the Bringing our Children Home Act: a Manitoba-Specific Federal Legislation for Children and Families
OCT-18.11	Keewaywin: Closer to Home Community Visits Report, 2018
OCT-18.12	Support for the drafting of Five (5) Template Laws on Children and Families for use by First Nations of Manitoba
OCT-18.13	Ending Self-Declaration for Indian Status at Manitoba Post-Secondary Institutions

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OCT-18.01

RE: REGIONAL EDUCATION FUNDING MODEL / FORMULA

WHEREAS, long-standing Assembly of Manitoba Chiefs (AMC) resolutions have called for increased funding for education and AMC Resolution Nov-17.05 *AMC Chiefs Committee on Education* (CCOE) led to the re-establishment of the AMC CCOE to provide oversight of the Negotiation Team and development of a regional First Nation education funding model and agreement to this process, and the establishment of an education directorate within the AMC Secretariat to provide the technical services to the CCOE with support from Manitoba First Nation Education Resource Centre (MFNERC); and

WHEREAS, a Memorandum to Cabinet (MC) prepared to reallocate the available 2016 federal funding for transformation and to meet immediate needs was approved in February 2018 in order to provide funding comparable to provincial education systems with additional funding for language and culture, and other unique First Nations costs such as transportation and Private Home Placement (PHP) through an "Interim Funding Formula"; and

WHEREAS, Canada's interim funding model will likely be implemented across Canada in 2019/20, but based on previous discussion with Indigenous Service Canada (ISC) headquarters and as outlined in the MC, there are opportunities for First Nations to review it and develop new funding formulas to better meet First Nations student, school and community needs; and

WHEREAS, the MFNERC has developed a draft funding model and formula which is based on research and input from Education Directors which goes beyond provincial comparably; and

WHEREAS, the discussions with respect to enhanced education funding are facing a limited timeframe if the increased funding is to flow for 2019/20 and the Negotiations Team have recommended a common position for all Manitoba First Nations and options for the negotiation structure and process to allow for a more efficient and effective process, this includes involving Independent First Nations on the Negotiation Team as resolved by the AMC Executive Council of Chiefs on October 10, 2018.

THEREFORE BE IT RESOLVED, the Chiefs-in-Assembly continue to support the Negotiation Team to move forward on a Manitoba First Nations Regional Funding Model and Formula, to seek a funding model that goes beyond just simply "provincial comparability" and Canada's "interim funding model", and regularly report to all Manitoba First Nations.

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RE: MANITOBA FIRST NATIONS POST-SECONDARY STRATEGY

WHEREAS, AMC has long recognized the need for transformation for the Post-Secondary Program and passed the following resolutions: May-06.04 *Manitoba First Nations Post-Secondary Institute*, August-07.10 *Post-Secondary Education*, Jan-09.07 *Post-Secondary Student Support Program (PSSS)*, *ECC Sept-10.01 Taking Action for First Nation Post-Secondary Education*, that called for the exercise of First Nations jurisdiction over the Post-Secondary Program, establishment of a First Nation Post-Secondary Institute, improvements to the Post-Secondary Program, funding increases, and more equitable distribution of Post-Secondary Funding; and

WHEREAS, in May 2018, Indigenous Services Canada (ISC) affirmed that they were seeking a co-developed Memorandum to Cabinet (MC) on post-secondary education, accompanied by a budgetary ask for federal budget 2019. ISC stated that they will make a budget submission to increase First Nations Post-Secondary Education funding and change policies in the Post-Secondary Student Support Program (PSSSP) and the Post-Secondary Partnership Program (PSPP), consistent with First Nations priorities and recommendations; and

WHEREAS, the AFN CCOE have proposed the following:

- a) Continue the \$45 million annually to First Nations to support students; and
- b) Fund post-secondary students at a more equitable rate. Costing estimates that each of the 23,000 students should be funded at an average rate of \$19,500 through the PSSSP; and
- c) Change the PSSSP guidelines, for example, removing the Canadian residency clause; and
- d) Change the PSSSP, to restrict this funding to First Nations-mandate Institutes of Higher Learning and not mainstream institutions, with a goal of working towards a new funding model to support First Nations-mandated Institutes with core funding; and
- e) Enter into a joint process for the development of regional/Treaty-based models for post-secondary in 3 phases:
 - a. 2018-2019 – regional engagement on policy options,
 - b. 2019-2020 – immediate investment for Post-Secondary Education (PSE) – joint development of an implementation plan,
 - c. 2020-2021 – Implementation of regional and treaty-based approached to PSE – new investments to support policy changes that meet the needs of First Nations students.

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RE: MANITOBA FIRST NATIONS POST-SECONDARY STRATEGY (con't)

THEREFORE BE IT RESOLVED, that the Chiefs-in-Assembly direct the AMC Chiefs Committee on Education to provide oversight in the development of the regional Post-Secondary Education strategy; that will include the AMC Secretariat, the MFNERC, and Manitoba First Nation Education Directors. The strategy will include:

- development of an institute of higher learning as a partnership between Yellowquill College and the MFNERC training initiatives; and
- provision of technical assistance to the First Nations in the development of community plans for Post-Secondary Education programming; and
- development of regional training programs to meet community identified needs; and
- Establishment of a new Post-Secondary Education Regional Table to respond to regional and national developments.

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OCT-18.03

RE: MANITOBA FIRST NATIONS LANGUAGES REVITALIZATION STRATEGY

WHEREAS, in December 2016, Prime Minister Justin Trudeau announced that Canada would create an “Indigenous Languages Act” to preserve, promote and revitalize First Nations, Metis and Inuit languages in Canada, in response to the Calls to Action from the Truth and Reconciliation Commission of Canada; and

WHEREAS, there is potentially additional financial resources for First Nations to increase the number of fluent language speakers through language programming for all age levels on and off-reserve, including opportunities to develop language programming and resources; and

WHEREAS, First Nations and Education Directors in Manitoba have identified a need for support for the development of community language strategies, language teacher training, curriculum development, bilingual education/immersion supports, and additional language programming in anticipation of the passage of the Indigenous Languages Act in fall 2018 and additional funding for language revitalization in the 2019 federal budget.

THEREFORE BE IT RESOLVED, that the AMC Chiefs Committee on Education provide oversight to the regional Manitoba First Nations Languages Revitalization Strategy. The strategy will involve the AMC Secretariat, the MFNERC, and First Nation Education Directors, and will include the:

- provision of technical assistance to First Nations in the development of community languages strategies; and
- development of Language Teacher Training programs to meet community identified needs; and
- identification and development of materials and other resources to support the implementation of community languages strategies; and
- establishment of a First Nations Languages regional table to respond to developments related to the Indigenous Languages Act.

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**RE: A NEW MANITOBA FIRST NATION EDUCATION RESOURCE CENTRE (MFNERC)
SERVICE DELIVERY MANDATE**

WHEREAS, in 1998, MFNERC was established by the Assembly of Manitoba Chiefs to provide second and third level support services to Manitoba First Nations. Over the years, the services provided have evolved based partly on community-identified needs and available federal funding guidelines; and

WHEREAS, the AMC Executive Council of Chiefs resolution Sept-10.02 ratified the *Manitoba First Nations Education Systems Strategy Development* mandating the AMC, MFNERC and First Nation Education Directors to develop a comprehensive Manitoba First Nations Education Systems Strategy and Action Plan which required updating as First Nations educational needs evolve; and

WHEREAS, Canada has committed to transform its approach to First Nation education, work on a nation to nation relationship with First Nations, and developed Tables for the recognition and implementation of rights, and with part of the 2018 Memorandum to Cabinet, there were substantial changes to support the transformation of First Nations education funding including enhanced funding levels for First Nations language and culture. In addition, up to 15% of available education funding can be used to provide core funding for second level services; and

WHEREAS, AMC Chiefs in Assembly resolution March-18.07 *Direct Second Level Education Services Funding to Manitoba First Nations* directed that a needs based funding mechanism be developed to determine appropriate contributions for second level services, and that each First Nations be supported in determining the services for their local education system. Since then, there are indications that several First Nations are pursuing other alliances, partnerships or other options; and

WHEREAS, the decisions to opt out will impact the funding available for MFNERC to provide second level services in the areas of staffing and other financial commitments; and

WHEREAS, there are areas that require regional coordination including a shift towards life-long learning, the need for holistic, cultural education, and third level services including the development of First Nations curricula, resources and materials to support the new First Nations Curriculum Framework and Language/Culture/Land-based programs; and

WHEREAS, the AMC Chiefs Committee on Education has recommended a review on the potential impacts on second and third level services.

THEREFORE BE IT RESOLVED, that the Chiefs-in-Assembly support the MFNERC in completing a new Strategic Plan to include the following:

- Phased-in reorganization of second and third level service delivery based on input from First Nations Education Directors and review of the MFNERC needs assessment; and

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**RE: A NEW MANITOBA FIRST NATION EDUCATION RESOURCE CENTRE (MFNERC)
SERVICE DELIVERY MANDATE (con't)**

- Refocus on life-long learning for all ages, a holistic and comprehensive First Nations education system with a focus on First Nations language and culture curriculum support materials and resources such as Nation-based Manitoba Cree, Dakota, Ojibwe, Ojibwe-Cree and Dene histories, languages, traditions, worldviews and protocols; and
- All components of MFNERC second and third level Service Delivery – languages, communications and publishing, post-secondary/capacity development/training, early learning, human resources development and special education, clinical services and other services.

FINALLY BE IT RESOLVED, that the MFNERC present the proposed new Strategic Plan to the Manitoba First Nation Education Directors for their input and recommendations; then the AMC Chiefs Committee on Education for review, input and direction; and then be brought to the AMC Chiefs in Assembly.

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OCT-18.05

RE: JORDAN'S PRINCIPLE AND DEFAULT PREVENTION AND MANAGEMENT POLICY

WHEREAS, the September 2016 Assembly of Manitoba Chiefs (AMC) Chiefs-in-Assembly resolution SEPT-16.04 "Immediate Implementation of the Canadian Human Rights Tribunal Decision re: First Nations CFS and Jordan's Principle Program", the Chiefs resolved, among other things, to support the CHRT Decision, and directed the AMC to follow up with Indigenous Services Canada (ISC) and Manitoba to ensure that it takes measure to immediately implement the full meaning and scope of Jordan's Principle both on and off reserve; and

WHEREAS, in visits to First Nation communities and discussions with First Nations Jordan's Principle Case Managers by the AMC Secretariat, some First Nations have shared that monies allocated for Jordan's Principle were used to offset budgets from other departments in First Nations communities; and

WHEREAS, the AMC has been working with Canada and Manitoba First Nations on ending the application of Canada's Default Prevention and Management Policy (DPMP) in order to enhance First Nations capacity.

THEREFORE BE IT RESOLVED, that the Chiefs-in-Assembly fully supports and affirms Jordan's Principle, and that all funding provided to implement Jordan's Principle must only be used for the provision of services for First Nations children; and

FINALLY BE IT RESOLVED, that the Chiefs-in-Assembly directs the AMC Grand Chief to inform Canada that the Chiefs-in-Assembly does not support the use of any Jordan's Principle funding to be used by managers of First Nations under the DPMP to pay for any other costs under the DPMP other than for services for Manitoba First Nations children.

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RE: SUPPORT FOR REGIONAL TRANSFORMATION ACTIVITIES

WHEREAS, in 1994 Canada and the Assembly of Manitoba Chiefs (AMC) entered into the Framework Agreement Initiative (FAI), *The Dismantling of the Department of Indian Affairs and Northern Development. The Restoration of Jurisdictions to First Nations in Manitoba and Recognition of First Nations Governments in Manitoba*, and engaged in extensive research and consultation; and

WHEREAS, in 2007 negotiations between AMC and Canada discontinued as a result of Resolution JAN-07.05 which resolved to discontinue the negotiations until Canada demonstrates the political will and commits to a new approach on a Nation-to-Nation basis with negotiations occurring at the First Nation leadership and Ministerial level; and

WHEREAS, on August 28, 2017, the Prime Minister announced in a Cabinet shuffle his intention to create two new departments: Crown-Indigenous Relations and Northern Affairs (CIRNA), which will advance reconciliation objectives and will lead on northern programming and Arctic policy; and Department of Indigenous Services Canada (DISC), which will improve delivery of programs and services, lead policy reform of those services and contribute to closing socio-economic gaps; and

WHEREAS, Canadian federal institutional transformation of this magnitude takes time and marks a significant step toward renewing the relationship with First Nations. The transformation of Indigenous and Northern Affairs Canada (INAC) is to take place in stages and include legislative amendments. First Nations have been asked to assist in the “transformation” of INAC into CIRNA and DISC; and

WHEREAS, at the March 2018 AMC Chiefs Assembly on Education, the Chiefs-in-Assembly passed resolution MAR-18.04 Review of Senior Management at the Department of Indigenous Services Canada. As a result, the Chiefs-in-Assembly directed the AMC to meet with Minister Philpott to inform her that the AMC would like to have a shared decision-making process on the review of performance of the Regional Executive Officer, First Nation and Inuit Health Branch (FNIHB) and the Regional Director General, INAC as they transition to DISC; and

WHEREAS, Canada has recently expressed the political will to engage on a Nation-to-Nation basis to pursue reconciliation and implementation of the recommendations of the Truth and Reconciliation Commission, including adopting and implementing the United Nations Declaration on Rights of Indigenous Peoples (UNDRIP); and

WHEREAS, the DISC Minister Jane Philpott has indicated to the AMC Grand Chief that it proposes to pursue “transformation” as it transforms its relationship with First Nations, and requires Manitoba First Nations to be involved and engaged how Canada transforms the Regional Office of DISC to meet the needs, desires and approach defined by Manitoba First Nations; and

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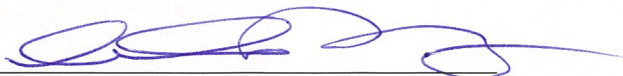
RE: SUPPORT FOR REGIONAL TRANSFORMATION ACTIVITIES (con't)

WHEREAS, Manitoba First Nations should lead the ongoing regional development and approach to transform how DISC will effectively deliver services to First Nations, and how Canada plans to transfer said services to First Nations in Manitoba.

THEREFORE BE IT RESOLVED, that the Chiefs-in-Assembly supports the AMC Secretariat to conduct regional transformation activities with Canada and the regional office of DISC to identify and ensure the DISC regional office will effectively deliver services to Manitoba First Nations, and how those services will be transferred to First Nations; and

FINALLY BE IT RESOLVED, that the Chiefs Committee on Treaties and Self-Determination be reinvigorated and that its Terms of Reference be updated to include the mandate to oversee, and provide guidance and direction on transformation activities, and be directed to regularly report on activities to each Executive Council of Chiefs (ECC) meeting and Chiefs-in-Assembly.

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OCT-18.07

RE: INCOME ASSISTANCE COMPLIANCE REVIEWS RECOVERIES

WHEREAS, Indigenous Services Canada, Manitoba Region started compliance reviews for the On-Reserve Income Assistance Program from April 2013 to March 2016; and

WHEREAS, the On-Reserve Income Assistance Program is for eligible individuals and their families who are ordinary residents on-reserve that provides funds to cover the cost of basic needs, special needs, and pre-employment and employment supports; and

WHEREAS, Manitoba First Nations have implemented the incomplete policy, "Draft Income Assistance Guide October 2012" before it was finalized in April 2016. This left the draft guide inconsistent and open to interpretation that further penalized First Nations during compliance reviews; and

WHEREAS, the Chiefs-in-Assembly passed resolution SEPT-16.12 *Social Assistance*, that encouraged the Grand Chief to arrange a series of meetings with the Indigenous Affairs Minister and other government departments required to wipe away the financial recoveries generated through compliance reviews on the income assistance program in the Manitoba Region since April 2013; and

WHEREAS, in 2018, Canada relieved the debt of a number of Manitoba First Nations and this relief was being applied to debts owing from the overpayment of contributions for the Social Assistance program pre-fiscal year 2001-2002. The individual First Nations were to have worked with Canada to ensure that the relief was to be appropriately reflected in the First Nation's financial position; and

WHEREAS, Indigenous Services Canada is still pursuing claw-backs for the financial recoveries generated from compliance reviews.

THEREFORE BE IT RESOLVED, that the Chiefs-in-Assembly direct the Grand Chief to meet with the Regional Director General of Indigenous Services Canada, Manitoba Region and the Minister of Indigenous Services Canada to re-affirm the Chiefs-in-Assembly demand for Canada to end the ongoing Income Assistance claw-backs and remove all financial deficits owed to Canada through the compliance reviews.

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OCT-18.08

RE: ENDORSEMENT FOR RESTORATION OF FIRST NATIONS' JURISDICTION OF CHILDREN AND FAMILIES FORUM REPORT

WHEREAS, the Assembly of Manitoba Chiefs (AMC) Chiefs-in-Assembly endorsed a December 2017 Memorandum of Understanding (MOU) on Child Welfare between the AMC and Canada, that mandated the AMC Secretariat to develop a collaborative agenda, workplan and budget to continue pursuing First Nations' child welfare jurisdiction, and to reform Canada's First Nations Child and Family Services Program; and

WHEREAS, the AMC and Public Interest Law Centre (PILC) successfully bid on a grant from the Family Law Access to Justice Fund of The Law Foundation of Ontario for an innovative project, which aims to revitalize and codify First Nation laws relating to families and children; and

WHEREAS, the two-year project's proposed activities include several phases of community visits. The information gathered will contribute to the process of drawing out underlying principles that will form the basis for adaptable template laws on children and families for our five Nation groups, with the first phase a Restoration of First Nations Jurisdiction of Children and Families Forum hosted by AMC and PILC at the University of Winnipeg on August 16, 2018; and

WHEREAS, participants grouped into five respective Nation/language groups; the Anishinaabeg, Anish-Ininiwak, Dakota Oyate, Denesuline, Nehethwuk/Ininwak lent their knowledge, drawing from their Nations' stories to unearth traditional family practices; and


WHEREAS, this is a First Nation approach to addressing the Child and Family Services crisis in Manitoba - pursuing jurisdiction over our own children; and

WHEREAS, a report has been drafted based on the discussions and was presented at the upcoming Chiefs Assembly on Education and Child and Family Matters on October 24, 2018, in Thompson, Manitoba; and

WHEREAS, the report's findings informed the draft federal legislation, *Bringing our Children Home Act*, and will continue to inform work on the five Nation/language group template law on children and families.

THEREFORE, BE IT RESOLVED, that Manitoba Chiefs-in-Assembly endorse the *Restoration of First Nations' Jurisdiction of Children and Families Forum Report*.

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OCT-18.09

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RE: OPPOSITION TO AND MORATORIUM OF PROVINCIAL PRIVATE GUARDIANSHIP, SEC. 38(1)(B) ORDERS, ADOPTION AND VOLUNTARY SURRENDER OF GUARDIANSHIP ORDERS

WHEREAS, the traditional roles of First Nations leadership are being overlooked as there is nothing in the Child and Family Services Act (CFS Act) and *Adoption Act* that legally requires First Nations to be notified or give consent when a First Nations child falls under a permanent order; and

WHEREAS, Manitoba First Nations children continue to be removed from our families, First Nations, lands, languages and identities and placed in non-First Nations homes through Private Guardianship, Sec. 38(1)(b) Orders, Adoption and Voluntary Surrender of Guardianship Orders (VSGs); and

WHEREAS, in 2003, provincial Child and Family Services Standards began to apply on reserve with devolution, poverty conditions and the effects of Indian Residential Schools ensured First Nations did not meet CFS Act Standards, resulting in the mass apprehension of First Nations children and leading up to today's CFS crisis; and

WHEREAS, the provincial government's subsidized guardianship initiative encourages permanency of First Nations children. Foster parents can apply for Private Guardianship while still receiving compensation for children in their homes through *Bill 2-The Child and Family Services Amendment Act*; and

WHEREAS, provincial permanency initiatives leave the door open for non-First Nations to assume permanent guardianship over First Nations children until they are the age of 18; and

WHEREAS, permanent guardianship initiatives can benefit First Nations families who want guardianship over their relation, these initiatives are best left until we know our children can be and are being placed in kinship and/or customary care placements; and

WHEREAS, the provincial government celebrated its customary care bill as a key part of their Child Welfare Reform initiative that would "allow" Indigenous people to have more control over the lives of First Nations children, but failed to mention the change to Standard 1.5.6, which gives more strangers more control over First Nations' lives; and

WHEREAS, First Nations already disagree with a Foster Parents Appeal Process where foster parents have several ways to stop the removal of "their" children from the placement, including appealing a return of guardianship to biological parents; and

WHEREAS, prevention services have not been made adequately available to First Nations children and parents involved with the CFS system because of federal and provincial government underfunding of First Nations CFS agencies and the federal government's underfunding of social services on reserve, that was found to be discriminatory by the Canadian Human Rights Tribunal; and

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RE: OPPOSITION TO AND MORATORIUM OF PROVINCIAL PRIVATE GUARDIANSHIP, SEC. 38(1)(B) ORDERS, ADOPTION AND VOLUNTARY SURRENDER OF GUARDIANSHIP ORDERS (con't)

WHEREAS, First Nations children continue to be apprehended by the provincial CFS system en masse under discriminatory conditions created by both federal and provincial governments.

THEREFORE BE IT RESOLVED, that the Chiefs-in-Assembly oppose any further permanent guardianship orders be granted on First Nations children based on discriminatory conditions, and any future orders be made when those discriminatory conditions are remedied and prevention services have time to have some effect in First Nations' lives; and

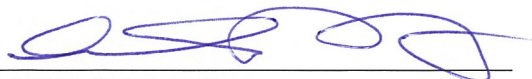
FURTHER BE IT RESOLVED, that the Chiefs-in-Assembly call for a regional moratorium on the granting permanent orders of Manitoba First Nations children in CFS care by the Province of Manitoba that requires at least 30 days' notice must include written notification to that child's First Nation, and that permanent guardianship of a child who is First Nation or entitled to registration with a First Nation can only be enacted with a signed Band Council Resolution (BCR) from the child's First Nation or potential First Nation; and

FURTHER BE IT RESOLVED, that the Chiefs-in-Assembly support individual First Nations to enact their own moratorium on the granting permanent orders of Manitoba First Nations children in CFS care, and direct the AMC Secretariat develop a template Moratorium BCR for Manitoba First Nations to use in response to all applications for Private Guardianship, Section 38(1)(b) Orders, Adoption and VSGs of a child who is First Nation or entitled to registration with a First Nation; and

FURTHER BE IT RESOLVED, the AMC Grand Chief and AMC Secretariat are directed to pursue all political and legal options and activities to oppose subsidized guardianship, *Bill 2-The Child and Family Services Amendment Act* (Guardianship Support) and any other unilateral changes to the CFS Standards Manual that facilitate the permanent removal of First Nation children into non-First Nations homes; and

FINALLY BE IT RESOLVED, that where prevention services were denied or where prevention services were not offered, there must be a review of all permanent order files to determine if those children were apprehended under discriminatory conditions; and if so, movement must be made to reunify those families requesting reviews.

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RE: SUPPORT FOR THE BRINGING OUR CHILDREN HOME ACT: MANITOBA-SPECIFIC FEDERAL LEGISLATION FOR CHILDREN AND FAMILIES

WHEREAS, the Assembly of Manitoba Chiefs (AMC) has 30 years of resolutions regarding child and family matters, specifically for the support of First Nations peoples to have complete jurisdiction over child and family matters regardless of the residency of their membership; and

WHEREAS, in 2014, the AMC explored the child welfare system from the perspective of First Nations people who dealt directly with the Child and Family Services (CFS). In the *Bringing Our Children Home Report*, it recommends a transition to a First Nations system for child and family services; to focus on a model of care based on prevention; and

WHEREAS, from December 2016 to June 2017, the AMC began *Keewaywin: Our Way Home, Manitoba First Nations Engagement on Child and Family Services*, a First Nations-led initiative to develop First Nations Child and Family Services Program reform options and for the implementation of Jordan's Principle that responds to the Canadian Human Rights Tribunal decision. The *Keewaywin Engagement Manitoba First Nations Child and Family Service Reform* and *Keewaywin Engagement Manitoba First Nations Jordan's Principle Implementation* reports were endorsed by the Executive Council of Chiefs in September 2017; and

WHEREAS, the Keewaywin report on Child and Family Service Reform had 10 recommendations, one that called for the reaffirmation of First Nations' jurisdiction of children and a First Nations lead to design and implement a system based on First Nations original systems of child rearing, education and nurturing of the spirit in order to break the cycle of past failed child-welfare policy; and

WHEREAS, in November 2017, the Chiefs-in-Assembly passed resolution NOV-17.02 *Memorandum of Understanding between the AMC and Canada on Child Welfare* to develop a process to renew a Nation-to-Nation and Government-to-Government relationship, including inherent jurisdiction in the area of families and children. The MOU was signed on December 7, 2017 in Ottawa, ON; and

WHEREAS, in March 2018, the Minister of Indigenous Services Canada met with the Grand Chiefs of AMC, MKO, and SCO to discuss an opportunity for Manitoba First Nations to have their own specific-federal legislation; and

WHEREAS, Keewaywin: Closer to Home, is the second phase of Keewaywin: Our Way Home, where AMC staff visited 15 First Nations from August 27 to October 5, 2018, to have open discussions on First Nation Laws on Children and Families, looking at what already exists in First Nations and how we can restore First Nations jurisdiction on children and families. The information gathered from the community visits contributes to the work of the AMC-Canada MOU that will see First Nations exert jurisdiction in the area of children and families; and

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RE: SUPPORT FOR THE BRINGING OUR CHILDREN HOME ACT: MANITOBA-SPECIFIC FEDERAL LEGISLATION FOR CHILDREN AND FAMILIES (con't)

WHEREAS, in March 2018, the AMC's Women's Council developed, *Setting the Foundation for Change, A strategy towards First Nations' jurisdiction of children welfare in Manitoba*; and

WHEREAS, the AMC began drafting Manitoba-specific federal legislation and before anyone reviewed the document, it was taken to ceremony on September 24, 2018, with a Pipe and a Water ceremony followed by a sweat and feast; and

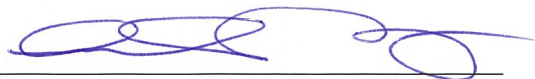
WHEREAS, the draft federal legislation was reviewed by the AMC Women's Council, Executive Council of Chiefs and twice by the AMC Elder's Council and Steering Committee for the Development of First Nations Family Laws.

THEREFORE BE IT RESOLVED, that the Chiefs-in-Assembly endorse the draft federal legislation, *Bringing Our Children Home Act* that will be implemented in Manitoba as an overarching Manitoba-specific legislation that will empower and give effect to the five template First Nations Laws on Children and Families.

FURTHER BE IT RESOLVED, that the Chiefs-in-Assembly direct the Grand Chief to inform Canada, specifically, the Department of Indigenous Services Canada, about the AMC Chiefs-in-Assembly endorsement of the Manitoba specific federal legislation.

FINALLY BE IT RESOLVED, the AMC Women's Council will review any revisions made to the draft legislation. The agreed upon final version of the draft federal legislation will be endorsed by the AMC Chiefs-in-Assembly.

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RE: KEEWAYWIN: CLOSER TO HOME COMMUNITY VISITS REPORT, 2018

WHEREAS, from December 2016 to June 2017, the Assembly of Manitoba Chiefs (AMC) began *Keewaywin: Our Way Home, Manitoba First Nations Engagement*, a First Nations-led initiative to develop First Nations Child and Family Services reform options and for the implementation of Jordan's Principle that respond to the Canadian Human Rights Tribunal decision; and

WHEREAS, the *Keewaywin Engagement Manitoba First Nations Child and Family Service Reform* and *Keewaywin Engagement Manitoba First Nations Jordan's Principle Implementation* reports were endorsed by the Executive Council of Chiefs through resolution *SEPT-16.07, Regional Engagement on First Nations Child and Family Services*; and

WHEREAS, the *Keewaywin* report on Child and Family Service Reform had 14 recommendations, one for the restoration of First Nations jurisdiction of children and a First Nations lead to design and implement a system based on First Nations original systems of child rearing; and

WHEREAS, in November 2017, the AMC Chiefs-in-Assembly endorsed a Memorandum of Understanding (MOU) on Child Welfare between the AMC and Canada. Resolution NOV-17.02 mandated the AMC Secretariat to develop a collaborative agenda, workplan and budget to transform the child welfare system and to continue pursuing long-standing AMC mandates to restore First Nation child welfare jurisdiction to Manitoba First Nations; and

WHEREAS, as part of the AMC-Canada MOU process and implementation of recommendations in *Keewaywin: Our Way Home* engagement, the AMC is co-developing federal legislation with Canada that will supersede provincial CFS legislation, as well as developing adaptable template traditional family laws within the five Nation/language groups: Anishinaabeg; Anishiniwak; Dakota Oyate; Denesuline; and Nehethwuk/Ininwak; and

WHEREAS, *Keewaywin: Closer to Home* is a process where 15 First Nations from August 27 to October 25, 2018, had open discussions on family law, looking at what already exists in First Nations and how we can restore First Nations jurisdiction on children and families; and

WHEREAS, a report was drafted based on the discussions and was presented at the Chiefs Assembly on Education and Child and Family Matters in Thompson, MB; and

WHEREAS, the report's findings informed the co-developed draft federal legislation and will continue to inform work on the five Nation/language group template law on children and families.

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RE: KEEWAYWIN: CLOSER TO HOME COMMUNITY VISITS REPORT, 2018 (con't)

THEREFORE BE IT RESOLVED, that Manitoba Chiefs-in-Assembly endorse the *Keewaywin: Closer to Home Communities Visits Report*.

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OCT-18.12

RE: SUPPORT FOR THE DRAFTING OF FIVE (5) TEMPLATE LAWS ON CHILDREN AND FAMILIES FOR USE BY FIRST NATIONS OF MANITOBA

WHEREAS, in November 2017, the Chiefs-in-Assembly passed resolution NOV-17.02 *Memorandum of Understanding between the AMC and Canada on Child Welfare* to develop a process to renew a Nation-to-Nation relationship, including inherent jurisdiction in the area of families and children. The MOU was signed on December 7, 2017 in Ottawa, ON; and

WHEREAS, in March 2018, the Minister of Indigenous Services Canada met with the Grand Chiefs of AMC, MKO, and SCO to discuss an opportunity for Manitoba First Nations to establish their own federal legislation specifically with respect to our First Nation inherent jurisdiction for children and families; and

WHEREAS, Keewaywin: Closer to Home, is the second phase of Keewaywin: Our Way Home, where AMC staff visited 15 First Nations from August 27 to October 5, 2018, to have open discussions regarding the expressed need for First Nations to utilize our own laws for children and families, with looking at what already exists in First Nations and how we can restore First Nations jurisdiction for our children and families. The information gathered contributes to the work of the AMC-Canada MOU that will result in our First Nations reclaiming, restoring, practicing and promoting jurisdiction over our children and families through the creation of our own laws; and

WHEREAS, the AMC created a first draft of a Manitoba-specific federal legislation which had been brought to ceremony on September 24, 2018, with a Pipe and a Water ceremony followed by a sweat and feast and naming of the draft legislation – *Bringing Home Our Children Act*; and

WHEREAS, the AMC began developing five respective Nation/language group's template laws on children and families.

THEREFORE BE IT RESOLVED, that the Chiefs-in-Assembly mandate the AMC Secretariat with the ongoing development of five (5) Nation/language group template laws on children and families, and direct the Women's Council to bring the final drafts of the template laws back the Chiefs-in-Assembly.

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OCT-18.13

RE: ENDING SELF-DECLARATION FOR INDIAN STATUS AT MANITOBA POST-SECONDARY INSTITUTIONS

WHEREAS, to be considered for Indigenous merit and need-based awards such as scholarships, fellowships, prizes, and bursaries dedicated to students enrolled in post-secondary students in Manitoba, post-secondary institutions permit access to these benefits by self-declaring whether they are First Nations, Metis or Inuit; and

WHEREAS, in some post-secondary institutions, First Nations applicants are required to submit documentation to support their declaration of Indigenous ancestry when applying to various faculties in Manitoba's post-secondary institutions, but allows non-First Nations to self-declare, however this policy varies from faculty and post-secondary institutions; and

WHEREAS, the policy of self-declaration of a student's First Nations status has resulted in funding intended for First Nations citizens to be accessed by non-First Nations citizens.

THEREFORE BE IT RESOLVED, the Assembly of Manitoba Chiefs (AMC) Chiefs-in-Assembly direct the Grand Chief's Office to meet with Manitoba's post-secondary Provost's and Vice President Academics to advocate for First Nation distinction based programming in order to protect funding for First Nation students, and seats intended for First Nations students in various faculties.

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