

**DRAFT
AAMJIWNAANG EDUCATION LAW**

Table of Contents

JURISDICTION 1

INTERPRETATION..... 1

 Definitions..... 1

 Purposes of this Law 2

 Responsibilities 3

 Entitlement to Attend School and Access Education Programs and Services..... 3

Education Governance and Authority..... 3

 Education Committee (Board) 4

 Regional Education Council 5

 Kinoomaadziwin Education Body 6

Curriculum 6

 Cost of Education..... 7

Finance 7

Education Regulations 8

JURISDICTION

1. Aamjiwnaang has inherent jurisdiction over education. This law is an exercise of our jurisdiction.

INTERPRETATION

Definitions

2. In this Law,

“Aamjiwnaang Member” means a person who is recognized as a member of Aamjiwnaang and whose name appears on the membership list;

“Funding Allocation Agreement” means the five-year agreement agreed to among the First Nations that comprise the Anishinabek Education System for the distribution of Transfer Payments among the First Nations and the structures of the Anishinabek Education System;

“Post-Secondary Student” means an Aamjiwnaang Member who is a student enrolled and accepted in a post-secondary program at a recognized university or college and approved for funding by Aamjiwnaang;

“School” means the body of Students that is organized as a unit for educational purposes under Aamjiwnaang’s jurisdiction and includes the associated teachers, designated early childhood educators and other staff members, and the lands and premises used in connection with the unit;

“Student” means a person who is enrolled and accepted by Aamjiwnaang into the Primary, Elementary and Secondary Education program offered by Aamjiwnaang;

“Transfer Payments” means the payments received by the Kinoomaadziwin Education Body on behalf of the First Nations to support the delivery of Primary, Elementary and Secondary Education, to allow for access to post-secondary education and to support the operation of the Anishinabek Education System.

Purposes of this Law

3. The purposes of this law are to:
 - (a) to create the highest quality educational programs and services for Students that reflect Anishinabek culture and language with educational core standards that are recognized throughout the education world;
 - (b) ensure the Anishinabek Education System focusses on all students’ intellectual development, mental health and their physical, emotional, social and spiritual well-being;
 - (c) support the development and delivery of educational programs and services to enhance the development of confident, responsible and capable individuals who can contribute to Anishinabek society;
 - (d) encourage and support life-long learning, the opportunity for continued personal development and the pursuit of post-secondary education, training and employment;
 - (e) support the development of educational programs and services that meet the diverse learning needs and abilities of all students;
 - (f) create mechanisms for First Nations leadership, parents, Elders and communities to become significantly involved in the education of their children;
 - (g) ensure local educational needs and priorities are addressed;
 - (h) create an environment of learning inclusive of Anishinabek language and culture in the curriculum, resources and school programs being developed and delivered by the Anishinabek Education System;

- (i) support bilingual education to contribute to the preservation, use and promotion of Anishinabek language and culture and provide Students with multiple opportunities for learning; and,
- (j) establish the legislative framework for:
 - i) the Kinooaadziwin Education Body;
 - ii) the Regional Education Councils; and,
 - iii) the Local Education Authorities.

Responsibilities

- 4. It is the responsibility of Aamjiwnaang, the Regional Education Councils and the Kinooaadziwin Education Body and all education staff to ensure that Anishinabek language, culture and values are incorporated throughout, and fostered by the Anishinabek Education System.

Entitlement to Attend School and Access Education Programs and Services

- 5. Every Student and Post-Secondary Student is entitled to access the education program and services offered by Aamjiwnaang.

Education Governance and Authority

- 6. Aamjiwnaang's jurisdiction over education is vested in the Chief and Council by Aamjiwnaang's members.
- 7. The Chief and Council shall exercise jurisdiction over education exclusively by this Education Law and in accordance with the provisions of this Education Law and education regulations.
- 8. The Education Department will manage the day-to-day delivery of education programs and services in collaboration with the Education Committee and Chief and Council.
- 9. The Regional Education Council is a First Nation collective body established to address regional educational priorities. It has no authority over the delivery of educational programs and services in Aamjiwnaang, unless that authority is delegated by Aamjiwnaang under this Education Law or its education regulations.
- 10. The Kinooaadziwin Education Body is a First Nation collective body established to support the delivery of educational programs and services by the Anishinabek Education System. It has no jurisdiction or authority in Aamjiwnaang unless that authority is delegated by Aamjiwnaang under this Education Law or its education regulations. The Kinooaadziwin Education Body does not have any jurisdiction or authority over the delivery of educational programs and services in Aamjiwnaang, unless that authority is delegated by the Aamjiwnaang under this Education Law or education regulations.

Education Committee (Board)

11. Aamjiwnaang shall have one Education Committee (Board).
12. The Education Committee (Board) shall be comprised of:
 - (a) 3 Councillors;
 - (b) 3 community members;
 - (c) 1 Elder; and
 - (d) 1 Youth.
13. The Education Committee (Board) shall be responsible for:
 - (a) providing advice on school administration including:
 - i) school year calendars;
 - ii) codes of student behaviour;
 - iii) classroom size;
 - iv) communications to parents and to the community; and
 - v) other things related to the operation of the Aamjiwnaang School;
 - (b) the development and administration of policies regarding school safety;
 - (c) the development and administration of policies regarding the expulsion or suspension of Students;
 - (d) the establishment and maintenance of an education information system for collecting, storing, sharing and using data and information related to the implementation of this Education Agreement;
 - (e) the development and administration of education policies for Aamjiwnaang.
14. The Education Committee (Board) shall:
 - (a) govern itself according to this Education Law and the terms of reference approved by Chief and Council;
 - (b) advise the Chief and Council by preparing policy options and education plans for their consideration;
 - (c) make itself aware of circumstances and issues which might affect the educational policies, programs or services of Aamjiwnaang;

- (d) review the objectives and needs and evaluate the progress of Aamjiwnaang Students and Post-Secondary Students;
 - (e) prepare an education plan for five years for approval by the Chief and Council which:
 - i) is sensitive to the spiritual beliefs of Aamjiwnaang and to its social, cultural, language, economic and political objectives;
 - ii) contains an analysis of the present and future social, economic and political circumstances of Aamjiwnaang with particular reference to its future technological, professional, skilled and general employment requirements;
 - iii) reflects the vision of Aamjiwnaang;
 - iv) estimates the educational staffing requirements of Aamjiwnaang;
 - v) estimates the costs and cash-flow requirements of Aamjiwnaang education plan.
15. The Chief and Council will remain accountable to Aamjiwnaang Members in the following manner:
- (a) legislative control over education shall be exercised by the Chief and Council;
 - (b) policy control over education shall be exercised by the Chief and Council;
 - (c) financial control shall be exercised by the Chief and Council through the provisions of this Education Law whereby the budgets are approved by the Chief and Council and recommended by the Education Department; and
 - (d) program and financial accountability through annual reports to the Aamjiwnaang Members on the education programs and services, the education expenditures and the achievement of Students and Post-Secondary Students.
16. The Education Committee (Board) is accountable only to Chief and Council, and all reports, recommendations, program reviews and/or audits and evaluations which the Education Committee (Board) is required to produce shall be submitted by the Education Committee (Board) to the Chief and Council.

Regional Education Council

17. The Education Committee (Board) shall make recommendations to Chief and Council to appoint two persons to represent Aamjiwnaang at the Regional Education Council.
18. The Regional Education Council shall be responsible:
- (a) to support the coordination and delivery of Primary, Elementary and Secondary Education for the First Nations in the region;
 - (b) for the development of template policies regarding the negotiation of tuition or education agreements between the First Nations and the local school boards, as well as the administration of such agreements;

- (c) to support the negotiation of tuition agreements, if requested by a First Nation;
- (d) for the development, coordination and administration of practices regarding the professional development and performance evaluation of teaching staff; and
- (e) the provision of a forum to discuss and address issues of relevance and importance with regard to Primary, Elementary and Secondary Education, and Post-Secondary Education, as well as economies of scale.

Kinoomaadziwin Education Body

- 19. Each Regional Education Council shall select three of its members to be Directors on the Board of Directors of the Kinoomaadziwin Education Body.
- 20. The Kinoomaadziwin Education Body shall be responsible:
 - (a) for the receipt, administration, accountability and distribution of Transfer Payments in accordance with the Funding Distribution Agreement;
 - (b) for the administration of funding agreements between itself and the First Nations who are part of the Anishinabek Education System;
 - (c) for the establishment of policies and guidelines relating to the operation of the Anishinabek Education System;
 - (d) for the development and implementation of conditions regarding the granting of diplomas and certificates by First Nation schools;
 - (e) for the establishment and maintenance of a library of First Nation education laws;
 - (f) to be the central liaison with the Province of Ontario regarding education matters; and
 - (g) for carrying out of any other powers, duties and functions delegated by the First Nations.

Curriculum

- 21. The curriculum for the School shall be constituted as follows:
 - (a) a core land-based curriculum, for example Sugar Bush, Three Sisters;
 - (b) a set of elective subjects, which the school shall be required to choose a set number; and
 - (c) a program of Aamjiwnaang's history, cultural and traditional knowledge including treaties,
as approved by the Chief and Council.

22. The content of the curriculum shall be broad enough to include beliefs, attitudes, values and practices which integrate Anishinabek world-view. This world-view shall be the context and give meaning to every subject taught in the Aamjiwnaang school.
23. In the matter of Anishinabe language:
 - (a) Aamjiwnaang's School shall teach Anishinabemowin as part of its academic curriculum and shall encourage Students to use Anishinabemowin as their first language;
 - (b) a principle and enduring objective of every School shall be to bring every Student up to a level of proficiency in Anishinabemowin at least equal to the proficiency in the English language expected of Students; and
 - (c) the teaching and administrative staff of the Aamjiwnaang School shall use Anishinabemowin as their language of work to the greatest extent possible and consistent with the efficient working of the School and the broad educational interests of the Students.
24. The Education Committee (Board) in collaboration with the Education Department and Aamjiwnaang Members will make recommendations to Chief and Council to determine what standards shall be acceptable in the School in accordance with the standards established and approved by the Kinoomaadziwin Education Body.

Cost of Education

25. All Students resident on the Aamjiwnaang's Territory shall have the right to Primary, Elementary and Secondary Education within Aamjiwnaang's education system that is consistent with Aamjiwnaang's policy on life-long learning.
26. Except as otherwise provided in this Education Law, the educational services mentioned in section 25 are to be provided by Aamjiwnaang at no cost to the Students or to their parents and guardians.
27. No person shall be engaged, appointed, employed or retained as a teacher, instructor or Principal in Aamjiwnaang's School unless he or she is in possession of a valid certificate of qualification or a provisional certificate of qualification issued pursuant to the Aamjiwnaang's education regulations.
28. A Teacher shall diligently and faithfully teach the Students in the educational program assigned to the Teacher by the Principal or other administering authority and in cooperation with such authorities and colleagues shall be responsible for the advancement of Aamjiwnaang's education, in general, and the standards and efficiency of the School, in, and shall participate in educational planning by the School Staff.

Finance

29. Aamjiwnaang shall maintain a Funding Allocation Agreement with the Kinoomaadziwin Education Body for the education funding to deliver Aamjiwnaang's education programs and services.
30. The terms and conditions in relation to the Funding Allocation Agreement shall be signed by all First Nations that are part of the Anishinabek Education System.
31. Aamjiwnaang's education funding shall be expended on the implementation of the Aamjiwnaang 5-year education plan.
32. Any funds received under the Funding Allocation Agreement and not spent at the end of the fiscal year by Aamjiwnaang may be retained or spent by Aamjiwnaang at its own discretion providing that it is spent for educational purposes and that the terms of the Funding Allocation Agreement under which the funds were originally provided shall be observed. Retained surpluses not designated for immediate use should be placed in an education reserve account at year end.
33. The Chief and Council shall ensure that financial due diligence is followed so that Aamjiwnaang does not incur a deficit in education. Any deficit must be planned and approved by the Chief and Council.

Education Regulations

34. For the purpose of carrying out the provisions of this Education Law according to their intent, the Chief and Council may make education regulations that are in addition to and are not inconsistent with this Education Law, and every regulation made under this section has the force of law and, without restricting the generality of the foregoing, the Chief and Council may make education regulations:
 - (a) defining any word or expression used in this Education Law but not defined in this Education Law;
 - (b) prescribing any matter required or authorized by this Education Law to be prescribed by regulation;
 - (c) for the classification and certification of all teachers, principals and professional staff employed by Aamjiwnaang;
 - (d) for the organization, administration and supervision of Schools under this Education Law;
 - (e) for the classification of Students and educational programs pertaining to the programs of studies from Junior Kindergarten to Grade 12;
 - (f) for the setting of common or universal standards and for the testing of Students according to those standards;

- (g) for professional development programs for teachers and professional education staff;
- (h) for the acquisition, location, specifications, financing, furnishing and maintenance of the School and other building facilities related to the delivery of education programs and services;
- (i) prescribing the qualifications of persons employed as teacher aides and the conditions of employment and general duties of such persons;
- (j) with respect to the use of languages of instruction;
- (k) with respect to confidentiality and the protection of personal information;
- (l) with respect to the on-going working relationships with organizations, associations and other committees that benefit Aamjiwnaang including principals networking and professional development;
- (m) governing the procedure to be followed with respect to any proceedings or thing authorized by this Education Law in any case where the provisions of this Education Law are, in the opinion of the Chief and Council, insufficient;
- (n) respecting any other matter considered necessary or advisable to carry out the purpose and intent of this Education Law.