# AN ACT RESPECTING THE FIRST NATIONS UNIVERSITY OF CANADA

Revised and approved: February 27, 2022

Indian Governments of Saskatchewan

Federation of Saskatchewan Indian Nations

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**AN ACT RESPECTING THE**
**FIRST NATIONS UNIVERSITY OF CANADA**

**PREAMBLE**

**WHEREAS** the First Nation governments assert that we have the Inherent and Treaty right to govern ourselves according to our laws, traditions, customs, protocols and governance processes in our ancestral lands; and

**WHEREAS** Treaty is a sacred covenant that was entered into to secure a positive future for generations to come, ensuring the means of survival and stability; and

**WHEREAS** Treaty reinforces our ongoing Inherent right to self-determination and the preservation and protection of all First Nation *ways of life*; and

**WHEREAS** the *United Nations Declaration on the Rights of Indigenous Peoples* asserts Indigenous Peoples' right to self-determination and states that "Indigenous peoples have the right to maintain and strengthen their distinct political, legal, economic, social and cultural characteristics, while retaining their rights to participate fully, if they so chose, in the political, economic, social and cultural life of the State"[1]; and

**WHEREAS** the *United Nations Declaration on the Rights of Indigenous Peoples* further states that "Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their languages, in a manner appropriate to their cultural methods of teaching and learning"[2]; and

**WHEREAS** the *Saskatchewan Indian Federated College*, now the First Nations University of Canada, was established in 1976 under the authority of Saskatchewan First Nations, as an academically integrated and independently administered institution to serve the academic, cultural and spiritual needs of First Nations and society in general; and

**WHEREAS** it is the responsibility of First Nations, through our organizations, to articulate the basis upon which we will collectively work together to ensure our Inherent and Treaty rights to education are honoured, implemented and sustained; and

**WHEREAS** the First Nations signatory to the *Federation of Saskatchewan Indian Nations Convention, April 16, 1982* agreed to join and unite in a common front to protect and preserve First Nations' Treaty rights and their political, economic, social and cultural characteristics; and

**WHEREAS** the Chiefs-in-Assembly adopted the Treaty Implementation Principles on May 29, 2007 to guide the First Nations University of Canada in discussions with the federal and provincial governments on Indian control of Indian Education and the accreditation of First Nation university degrees.

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[1] United Nations Declaration on the Rights of Indigenous Peoples, Adopted by the UN General Assembly Resolution 61/295 on 13 September 2007, Article 5.
[2] United Nations Declaration on the Rights of Indigenous Peoples, Adopted by the UN General Assembly Resolution 61/295 on 13 September 2007, Article 14.

**PRINCIPLES**

The Board of Governors of the First Nations University of Canada shall base all decisions on the following principles:

i. Honour and Integrity, knowing that sound adherence to Indigenous principles and values are critical to the decisions that impact future generations;

ii. Respect, knowing that ancestral knowledge is an integral part of the decision making process;

iii. Responsibility, knowing that full participation, communication and collective decision-making promote transparency and inclusivity among our Nations;

iv. Humility, knowing that self-evaluation and self-reflection promote commitment to effective individual performance and collective accountability; and

v. Understanding, knowing that collaborative relationships and the practice of due diligence promote peace, order and good governance.

## PART I
## Short Title and Definitions

**SHORT TITLE**

*1.* This Act may be cited as the *First Nations University of Canada Act.*

**DEFINITIONS**

2. The *FSIN Interpretation Act* shall apply to this *Act* unless otherwise specified herein.

3. In this Act:

(a) “board” means the Board of Governors of the First Nations University of Canada;

(b) “education system” means those programs or services that promote life long learning and the transfer of Indigenous knowledge, language, culture, values, traditions and skills;

(c) “Elders Council” means the Elders Advisory Council of the Saskatchewan Indian Cultural Centre;

(d) “program” means a course of studies offered to students at the pre-school, kindergarten, elementary, high school, technical, community or university levels;

(e) “school” means the physical facilities, lands and programs offered to students enrolled in an education system subject to the authority of this Act;

(f) “trustee” means the relationship characterized by the mixture of legal duties, moral obligations, understandings and expectancies that have arisen from the

entire course of dealings between the First Nation Governments and the First Nations University of Canada; and

(g) "university" means an institution to serve the academic, cultural and spiritual needs of First Nations and society in general.

## PART II
## Purpose

**PURPOSE**

4. The purpose of this Act is to establish:

(a) the Board of Governors for the First Nations University of Canada; and

(b) the authority and responsibilities of the Board of Governors of the First Nations University of Canada.

## PART III
## Authority and Responsibility

**AUTHORITY**

5. The Board shall hold in trust for the Saskatchewan First Nations, all assets and property of the First Nations University of Canada.

*6.* The authority of the Board is subject to the *FSIN Convention,* the *FSIN Convention Act,* and the *Education and Training Commission Act*.

7. The First Nations University of Canada shall operate under the control of the Board of Governors established under the authority of this *Act*.

8. The authority of the Board is to:

(a) uphold, advocate and assert the Inherent and Treaty right to education;

(b) assert First Nations jurisdiction with regard to education;

(c) protect and implement the original mission[3] of the Saskatchewan Indian Federated College, now called the First Nations University of Canada;

[3]The mission of the Saskatchewan Indian Federated College (SIFC) is to enhance the quality of life, and to preserve, protect and interpret the history, language, culture and artistic heritage of the Indian people. The College will acquire and expand its base of knowledge and understanding in the best interests of the Indian people and for the benefit of society by providing opportunities for quality bi-lingual, bi-cultural education under the mandate and control of the Indian Nations of Saskatchewan. SIFC is an Indian controlled university college which provides educational opportunities to both Indian and non-Indian students selected from a provincial, national and international base.

(d) enter into federation or partnership agreements, memoranda of understanding or protocols with other educational entities as determined to be in the best interest of First Nations;

(e) secure the required resources to initiate, maintain and support ongoing developments with respect to university education in collaboration with the FSIN Executive Portfolio Holder;

(f) construct, purchase, sell, lease and maintain the real property of the First Nations University of Canada and to provide notice to the Chiefs-in-Assembly of any action taken;

(g) appoint one or more auditors to audit the accounts and transactions of the FNUniv at least once each fiscal year;

(h) secure protective coverage in the form of property and liability insurance;

(i) establish any institutions, corporate entities, working groups or committees to assist in undertaking its authority and responsibilities;

(j) approve fiscal arrangements and/or working relationships with governments and/or other entities; and

(k) approve the budgets, operations and programs of the First Nations University of Canada, and submit the results to the Education and Training Commission and the scheduled Legislative Assembly.

**APPOINTMENT OF THE PRESIDENT**

9. The Board shall appoint a Nominating Committee to provide a list of suitable candidates for the position of President.

10. The Board shall hire, evaluate and remove the President of the First Nations University of Canada.

11. The Board shall determine the duties, tenure of office and remuneration of the President.

12. The Board shall instruct the President to report at all duly convened meetings of the Education and Training Commission and at each scheduled Legislative Assembly.

**RESPONSIBILITIES**

13. The responsibilities of the Board shall be, but not limited to:

(a) taking a lead role in the protection, promotion and implementation of the Inherent and Treaty right to education;

(b) ensuring that First Nations' Inherent rights, Treaty rights and their rights derived from First Nation legislation with regard to education are respected and recognized;

(c) ensuring the Treaty Implementation Principles (Appendix A) are acknowledged in all First Nation university education development;

(d) respecting the authority and intent of the *Education and Training Commission Act*;

(e) providing a status report at all duly convened meetings of the Education and Training Commission;

(f) reporting to the Chiefs-in-Assembly at each scheduled Legislative Assembly;

(g) acting as a unit representing, serving and acting in the collective interests of the member First Nation governments and their citizens;

(h) acting as trustee of any money, property, endowment or scholarship fund given or bequeathed to the FNUniv;

(i) establishing a separate bank account for the endowment or scholarship fund;

(j) ensuring that the First Nations University of Canada achieves its vision and goals for First Nations within their negotiated funding arrangements;

(k) developing broad institutional policy, strategic plans that govern the operations of FNUniv, and assuming an overall trust responsibility for the First Nations University of Canada;

(l) delegating the authority and responsibility for implementing the broad institutional policy and strategic plans to the President of the FNUNiv;

(m) promoting First Nations' governance principles that include, but are not limited to:
    (i) Mutual Recognition in that First Nations will acknowledge and respect each others' rights, laws and institutions, and will cooperate for mutual benefit;
    (ii) Reciprocity whereby First Nations will ensure that legislation and policies enacted by any one government will recognize the jurisdiction and rights of the other, where appropriate;
    (iii) Respect that will encompass good relations between and among the governments, recognizing diversity and encouraging the free and open exchange of views;
    (iv) Sharing, through First Nations government relationships that carry with it both benefits and responsibilities, that provides access to equal opportunities, reduces disparities and provide comparable services to all citizens;
    (v) Accountability processes that will ensure transparency, disclosure and redress incorporated into the First Nations government relationships; and
    (vi) Certainty about the obligations, rights and responsibilities of each government, along with the flexibility to respond to changing circumstances;

(n) assisting in the development and implementation of processes which will serve member First Nations' governments;

(o) reviewing, analyzing and presenting recommendations to the Chiefs-in-Assembly where the activities of other governments and entities impact on the Inherent and Treaty right to education;

(p) providing a forum to advance university education issues to the attention of the elected First Nation leadership;

(q) undertaking strategic planning, positive educational and organizational change through good governance practices;

(r) working with any institutional or corporate entities established by the Chiefs-in-Assembly that are mandated with promoting and/or supporting university education development;

(s) ensuring the resolutions presented to the Chiefs-in-Assembly respect the priorities, funding, programming and/or services mandated to and provided by First Nations, Tribal Councils, FSIN institutions and/or corporate entities;

(t) coordinating and cooperating with other Commissions of the FSIN, activities which have broad impact on First Nation education;

(u) ensuring consultation with member First Nations is consistent with all First Nation laws and the FSIN *Consultation Policy and Guidelines*;

(v) providing direction to the FSIN Executive Member with the education portfolio; and

(w) making appointments to relevant entities which are external to the First Nations University's governance and organizational structure.

## PART IV
## Board Composition, Advisors to the Board, Presentations to the Board, Board Recruitment, Quorum and Voting, Consensus and Majority Decisions, and Individual Action Void

**BOARD COMPOSITION**

14. The Board shall consist of nine (9) members, eight (8) voting members and one (1) non-voting chairperson. Preference shall be given to Saskatchewan First Nation citizens.

15. The Board shall select one member to act in the capacity of Chairperson.

16. The Board shall consist of five (5) elected leaders and four (4) non-elected members, each with the expertise as set out in section 17.

17. The Board shall endeavour to have the following areas of expertise represented:

(a) governance, business and general management;

(b) financial management;

(c) academic (university policies and processes);

(d) academic (education administration);

(e) First Nation educator (15-20 years teaching experience);

(f) community-based traditional knowledge keeper or educator (knowledge about Indigenous governance, language and traditional knowledge);

(g) institutional fund development;

(h) corporate law; and

(i) labour relations.

**ADVISORS TO THE BOARD**

18. Two (2) Elders, one male and one female, shall be appointed as non-voting advisors to the Board of Governors by the Elders Advisory Council.

**SPECIAL OBSERVER STATUS**

19. One FNUniv student and one FNUniv faculty member shall be non-voting observers to the Board.

**PRESENTATIONS TO THE BOARD**

20. Individuals and entities may request to present to the Board of Governors on institutional and policy matters.

21. A formal letter of request shall be submitted to the Board Secretary the nature of the matter and the decision required.

**BOARD RECRUITMENT**

22. The Education and Training Commission shall appoint a Selection Committee to recruit and select applicants for membership on the Board. (Appendix B – Terms of Reference)

23. The Board of Governors may submit to the Selection Committee, recommendations for board applicants.

24. The Selection Committee shall consist of:

(a) one (1) academic with curriculum and program development experience;

(b) one (1) individual with university administration experience; and

(c) one (1) community advocate.

25. The Selection Committee shall not consist of any current politically elected or appointed representatives.

26. The members of the Selection Committee shall:

(a) have at a minimum of five (5) years demonstrable successful board experience; and

(b) be knowledgeable about Indigenous cultures, languages and heritage.

27. The Selection Committee may opt to:

(a) solicit board applicants from Canadian society, including First Nation entities;

(b) advertise for board applicants; or

(c) contract an independent professional Search Committee to recruit board applicants.

28. In the event that a Search Committee is contracted, the Committee shall establish a pool of applicants with the required skills outlined in Section 17 and provide the list of names to the Selection Committee for consideration.

29. The Selection Committee shall:

(a) interview the four non-elected board applicants from across Canada;

(b) accept nominations for elected leaders from across Canada. Nominators must be elected leaders from a Canadian First Nation; and

(c) select the most suitable applicants to serve on the Board of Governors of the First Nations University of Canada

30. The Selection Committee shall present the list of successful board candidates to the Joint Executive Council/Indian Government Commission for ratification.

31. The Selection Committee shall provide notice to the Chiefs-in-Assembly on the board membership.

**QUORUM AND VOTING OF THE BOARD**

32. A quorum of the Board shall be fifty percent plus one (50% + 1) of its voting members.

33. Each board member shall have one vote except the Chairperson who shall have a casting or deciding vote in the event of a tie.

**CONSENSUS AND MAJORITY DECISIONS**

34. It is the objective of the Board to reach consensus on all issues.

35. Where consensus cannot be reached, an issue shall be taken to a vote.

36. A vacancy among the voting members of the Board does not impair the authority of the remaining members of the Board to act, provided that a quorum of the Board is in attendance at a duly convened meeting of the Board.

37. Decisions made by a majority of the voting members present at a duly convened meeting of the Board, at which a quorum is present, shall bind all members of the Board.

**INDIVIDUAL ACTION VOID**

38. Board members shall act as a unit and any decision or action by an individual member, without the prior approval by a majority of board members at a duly convened meeting of the Board, shall be null and void.

## PART V
## Term of Office

**TERM OF OFFICE**

39. A person appointed as a member of the board shall hold office for a three-year term, to a maximum of two (2) terms. All elected leaders will serve their terms in accordance to these provisions.

40. The Board shall function on a staggered term basis. Half of the members of the initial board selection shall be appointed by the Selection Committee for a term of two (2) years, with the other half of the members being selected for three (3) years. For all subsequent appointments, the board members shall be appointed to a three-year term.

41. Advisors to the Board shall be appointed for a three (3) year term.

42. Observers to the Board shall be appointed for a three (3) year term.

## PART VI
## Duties and Obligations of a Board Member

**DUTIES OF A BOARD MEMBER**

43. A board member shall:

(a) faithfully pursue the mission of the FSIN *Convention*;

(a) adhere to FSIN and First Nations University legislation and policies;

(b) undertake his/her responsibilities as outlined in this Act;

(c) discuss and debate all matters in a constructive and objective manner;

(d) uphold his/her obligations as outlined in section 44;

(e) attend all duly convened meetings of the Board;

(f) participate, as required, in those entities established pursuant to sub-section 8(i);

(g) participate, as required, in appointments made pursuant to sub-section 13(w); and

(h) complete a voting member self-evaluation on an annual basis.

**OBLIGATIONS OF A BOARD MEMBER**

44. A board member shall:

(a) respect the Chiefs-in-Assembly and the FSIN governance processes, protocols, customs and traditions in a positive, consistent and culturally appropriate manner;

(b) adhere to the jurisdictional authorities recognized under the FSIN *Convention*;

(c) maintain the moral and political integrity, confidence, and dignity of the FSIN and First Nations University at all times;

(d) devote time, thought and study to the responsibilities of a board member necessary to render effective, credible service;

(e) focus efforts on the authority and responsibilities of the Board;

(f) understand that the financial expenditures of the First Nations University of Canada is a First Nations public trust and thereby endeavour to ensure that all financial resources are expended efficiently, economically, and for the collective interests of all member First Nations;

(g) ensure full, respectful, considerate, and open discussion in all matters with other members of the Board, and share information of which they should be concerned and informed;

(h) maintain the confidential business of the Board and the First Nations University; and

(i) refrain from making disparaging remarks about other members of the Board, or about issues before its purview, in or out of board meetings.

## PART VII
## Code of Ethics

**CODE OF ETHICS**

45. The Board of Governors shall adhere to the Code of Ethics to uphold Inherent and Treaty Responsibilities, Cultural Integrity, Moral and Ethical Behaviour, Transparency, Accountability and Good Governance as outlined:

Inherent and Treaty Responsibilities

(a) promote and protect the fundamental rights of all First Nations citizens, including their Inherent and Treaty Rights;

(b) implement the Inherent and Treaty mandates as directed by the Chiefs-in-Assembly;

Cultural Integrity

(c) be mindful and respectful of the diverse cultures of the Dakota, Dene, Lakota, Nakawé, Nakota, Plains Cree, Swampy Cree and Woodland Cree;

(d) respect the spiritual understandings of the First Nations cultural practices, traditions and protocols;

(e) preserve, promote and protect Indigenous cultures, languages and Indigenous knowledge;

(f) pursue and promote the inter-generational transmission of First Nations languages and cultures;

Moral and Ethical Behaviour

(g) uphold and maintain the moral integrity, honour and dignity of the FSIN and the First Nations University at all times;

(h) exercise the care, diligence and skill as required of a board member in fulfilling his/her obligations;

(i) maintain and protect all confidential matters of the Board;

(j) disclose any situation, matter, outside employment or interest where he/she may have a conflict of interest or the potential for a conflict of interest;

Transparency, Accountability and Good Governance

(k) act as a unit representing, serving and acting in the best interests of the First Nations and their citizens;

(l) pursue and utilize the resources to meet the Inherent and Treaty mandate and strategic direction of the Board and the First Nations University of Canada;

(m) demonstrate and promote respect, co-operation and open communication with the Board and invited guests at all times;

(n) be transparent and accountable to the Chiefs-in-Assembly and the member First Nations;

(o) report to the Education and Training Commission on the decisions and work the Board is undertaking;

(p) respect and adhere to the *FSIN Convention* and all other legislation of the Chiefs-in-Assembly and First Nations University;

(q) promote and practice cohesiveness, collective decision-making, collaboration and a team approach with and among the Board; and

(r) attend all board meetings on time and for the duration of the meeting.

## PART VIII
## Chairperson and Board Secretary

**CHAIRPERSON**

46. The board members shall select a willing, qualified lead governance individual from within its membership to serve a three-year term only. This individual will act in the capacity of the Chairperson of the Board. The chairperson shall:

(a) ensure the integrity of the board process;

(b) preside over board meetings;

(c) conduct business in an orderly manner based on core First Nations traditional values;

(d) inspire and build shared leadership;

(e) manage the Board;

(f) exhibit exceptional oratory and listening skills;

(g) speak on behalf of the Board to the public;

(h) demonstrate innovativeness, tenacity, commitment and perseverance; and

(i) report to the FSIN Executive Council and the Chiefs-in-Assembly.

47. The board members shall select from within its membership a Vice-Chairperson who, in the absence of the Chairperson, shall assume the duties of the Chairperson.

**BOARD SECRETARY**

48. In consultation with the President, the Board may appoint a Board Secretary to:

(a) record and maintain all board functions, policies, actions and tasks;

(b) have access to and control over board documents;

(c) ensure the integrity of the Board's documents by their timeliness and accuracy;

(d) research, analyze and draft board policy as required; and

(e) perform other board duties as assigned.

## PART IX
## Duties of an Elder

**DUTIES OF AN ELDER**

49. An Elder shall:

(a) share and render First Nations ceremonial protocols and prayers for the board meetings and gatherings;

(b) provide guidance and assistance on matters related to spiritual laws, values, cultural practices and ceremonial protocols;

(c) provide advice and teachings related to ancestral and indigenous knowledge, heritage and histories;

(d) share teachings on traditional governance, leadership and guidance on Indigenous laws and their spiritual foundations;

(e) share teachings and knowledge on the spiritual foundations of Inherent and Treaty rights; and

(f) demonstrate a commitment to life long learning.

## PART X
## Vacating, Vacancies and Suspension of Board Responsibilities

**VACATING OF BOARD MEMBERSHIP**

50. A person ceases to be a member of the Board when:

(a) he/she is convicted of an indictable offence;

(b) he/she is absent from three (3) consecutive regular board meetings; or

(c) his/her term of board membership has concluded.

51. The Chairperson shall notify the Office of the Legislative Assembly of vacancies and appointments to the Board.

52. Vacancies on the Board shall be filled by the Selection Committee.

**SUSPENSION OF BOARD ACTIVITIES**

53. Where the vacancies in the number of voting Board Members exceeds quorum, the activities of the Board shall be suspended until such time as the number of seats occupied by voting board members meets quorum.

54. During the period when the board activities are suspended, the Chairperson shall assume the Board's responsibilities in conjunction with the Vice-Chairperson.

## PART XI
## Remuneration

**REMUNERATION**

55. The Selection Committee, board members and advisors to the Board may be paid travel expenses or other remuneration while undertaking approved Board business.

56. Travel expenses and remuneration shall be subject to the travel expense and remuneration policies of the First Nations University of Canada.

## PART XII
## Action Against the Board

**ACTION AGAINST THE BOARD**

57. No action may be brought against either the Board or any member of the Board, for anything done in the performance of their authority or responsibilities pursuant to this *Act*.

## PART XIII
## Institution and Corporate Entities, External Entities and Board Entities

**INSTITUTIONS AND CORPORATE ENTITIES**

58. The Board may recommend the establishment of Institutions and corporate entities which shall:

(a) be under the jurisdiction of the First Nations in Saskatchewan;

(b) have the authority, role and responsibilities outlined in legislation vetted through the Education and Training Commission and ratified by resolution of the Chiefs- in-Assembly mandating it to undertake activities consistent with the spirit and intent of this *Act* and the *FSIN Convention Act* prior to incorporation and/or operation of the institution;

(c) have its bylaws reviewed by legal counsel to ensure consistency with FSIN legislation;

(d) respect the authority of the Board as ratified by the Chiefs-in-Assembly; and

(e) provide a status report at all duly convened meetings of the Board.

**EXTERNAL ENTITIES**

59. The Board may make appointments to entities, such as working boards or groups, external to the First Nations University of Canada governance and organizational structure where such appointments shall be required to:

(a) provide the terms of reference to the Board;

(b) uphold the Code of Ethics;

(c) provide ongoing status reports to the Board;

(d) be accountable to the Board and Chiefs-in-Assembly; and

(e) take broad policy direction from the Board.

**BOARD WORKING GROUPS/COMMITTEES**

60. A working group or committee established by the Board shall have a Terms of Reference established and approved by the Board, which shall include, but not limited to:

(a) composition;

(b) mandate; and

(c) term.

**LISTING OF ENTITIES**

61. An entity identified in sections 58 to 60 shall be included on a list attached to this Act as Appendix C.

## PART XIV
## General

**REGULATIONS**

62. For the purposes of carrying out the provisions of this Act according to their intent, the Board may make regulations with respect to:

(a) the calling of its meetings and the conduct of its business;

(b) any matter that is required or authorized by this Act; and

(c) any matter that the Board considers necessary or applicable.

63. Every regulation made under section 62 has the force of law, providing it is consistent with this Act.

64. A copy of a regulation, established according to section 62, shall be maintained by the Board Secretary and filed with the Office of the Legislative Assembly.

**INTERPRETATION IN THE EVENT OF DISPUTE**

65. Where consensus cannot be reached in a dispute or conflict arising from the interpretation of any term, condition, word or procedure in this Act and/or the implementation of this Act, the matter will be addressed through one or all of the following processes:

(a) The Clerk of the Legislative Assembly shall facilitate a focused discussion with the Parties involved in the dispute or disagreement to attempt to reach consensus on the issue;

(b) If no resolution can be reached, the Clerk of the Legislative Assembly shall:

(i) call a meeting of the Legislative Advisory Committee to develop technical recommendations on the resolution of the dispute or disagreement; and

(ii) request a legal opinion;

(c) The technical recommendations and the legal opinion shall be submitted to the Elders Council for review and possible determination of the dispute or disagreement;

(d) If the Parties disagree with the resolution reached by the Elders Council, the technical recommendations, the legal opinion and the recommendations from the Elders Council shall be submitted to the Joint Executive Council and Indian Government Commission for review and further determination of recommendations and/or approval of the recommendations; and/or

(e) The recommendations from the Legislative Advisory Committee, the legal opinion, the recommendations from the Elders Council and the Joint Executive Council and Indian Government Commission shall be submitted to the Chiefs-in- Assembly for a decision that shall be final and binding on all parties.

**AMENDMENT**

66. An amendment to enacted legislation shall be reviewed by the Board, reviewed and approved by the appropriate Commission and reviewed by the Clerk of the Legislative Assembly prior to being presented to the Chiefs-in-Assembly for ratification.

67. This *Act* may be amended from time to time by resolution of the Chiefs-in-Assembly.

68. An amendment to this *Act* shall be in force immediately upon ratification by resolution of the Chiefs-in-Assembly, unless otherwise specified in the resolution.

**COMING INTO FORCE**

69. This Act came into force on May 26, 1994.

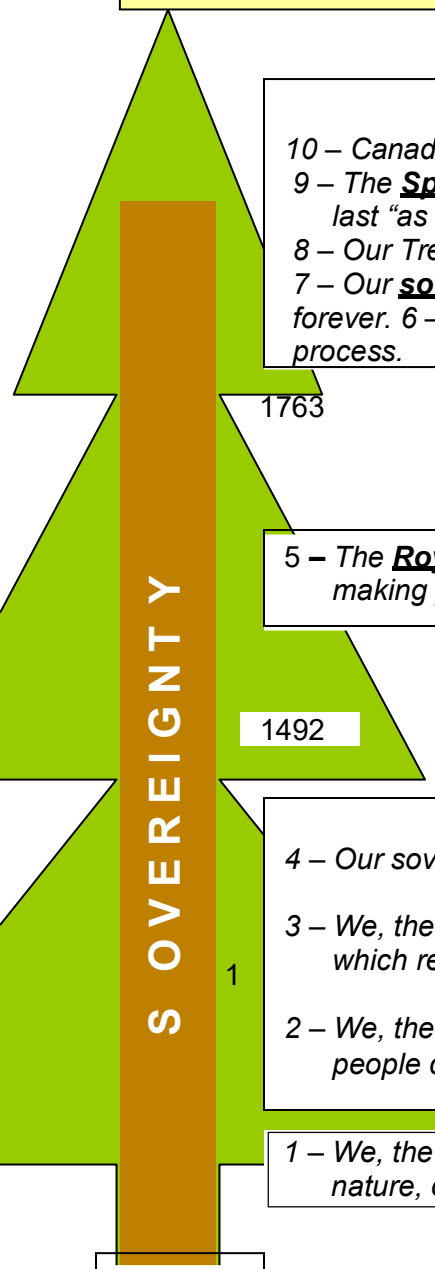
**Federation of Saskatchewan Indian Nations**
**Treaty Implementation Principles**

## Vision

*Our vision is that we will live on the land, as we have always, where our Peoples will be self-determining and economically independent, where we will walk in health and happiness with strength, unity, balance and according to our oral traditions as sovereign Nations, as bestowed by the Creator and as affirmed by*

## Mission

*Our mission in fulfilling our Treaty is that our governments and institutions will serve and benefit every citizen of every First Nation in a fair and just manner, based on our distinct culture, laws and customs, according to the Spirit and Intent of Treaty.*




## Treaty-making

*10 – Canada has an **on-going obligation** to fulfill the Treaty according to the Spirit and Intent.*
*9 – The **Spirit and Intent** of the Treaty relationship is more valid than the written text and will last "as long as the sun shines, the rivers flow and the grass grows."*
*8 – Our Treaty has **International Stature**.*
*7 – Our **sovereignty will continue forever** and will continue to define our nationhood forever. 6 – First Nations and the Crown **affirmed** each other's sovereignty in the Treaty process.*

1763

*5 – The **Royal Proclamation of 1763** affirmed our sovereignty, institutionalized the Treaty-making process and made our consent a condition before our lands and resources could*

1492

## Origins (Centuries before colonization)

*4 – Our sovereignty enabled us to enter Treaty and other political **accords** with other nations.*

*3 – We, the First Nations, have always made our own **laws, institutions and jurisdiction** which reflects our culture, values and languages.*

*2 – We, the First Nations **occupied** North America as sovereign nations long before other people came to our shores.*

1

*1 – We, the First Nations come from **Mother Earth**, and this determines our relationship with nature, our role as stewards of this land, and all forms of life and our sovereignty.*

Creation

*Pimachihowin (making a living)*
*Land as a foundation providing a source of livelihood and a continuing holistic relationship.*

## Description of the Tree

The description and explanation of sovereignty is a difficult task especially when one considers the various elements that must be taken into consideration. It is understood that there are various degrees of sovereignty which impact and describe nationhood.

The First Nations of Saskatchewan believe that sovereignty emanates and has its connection to the Creator and all the components of Mother Earth. The Elders have always told us that sovereignty and nationhood are intimately linked and present in our everyday lives. The elements of sovereignty and nationhood define who we are, how we live and how we govern as First Nations people. These values are present in everything we do.

First Nations people have historically communicated through the use of symbols, pictures and the use of animate objects. In the present day, visual means of communication is still a useful way to illustrate and explain ideas. For that reason, a tree diagram is used to describe sovereignty and nationhood and to make the connections to our Treaty. The use of a tree visually traces the flow and direction of sovereignty. The trunk of the tree represents sovereignty which has its roots in “Mother Earth” and includes the trees, plant life, rocks and all the animals. The tree becomes exposed to ***“keesic”*** which includes the sun, air, sky, wind and water. ***“Pimachihowin”*** or making a living results from the interaction of “Mother Earth” and ***“keesic”***.The sap present in the trunk and resulting branches flows upward and is forever present in the branches as the tree matures.

The symbolism of the tree represents growth that begins in Mother Earth. From the earth, the tree flows upwards above the ground and towards the heavens connecting us to the Creator. This upward direction forms the basis for our “vision” as First Nations people. We have a duty to be true to our vision. This requires that we be guided by the principles imbedded in ourvision as we progress towards our goals and aspirations.

The ten sovereign Treaty Principles that are identified in the attached Tree depict Treaty Implementation. The first four sovereignty principles illustrated, emanate from our origins as First Nations’ people from Creation onward. Moreover, our sovereignty was recognized with the first European contact in the 1763 Royal Proclamation. Additionally further support for First Nation’s sovereignty is affirmed by our elders. They state that after 1763 the Crown confirmed our sovereignty by the principles used for Treaty-making. This sovereign status existed thousands of years before both the Royal Proclamation and subsequent negotiation of Treaty. Our elders advise us that we must never lose sight of our sovereign Treaty principles when we contemplate and plan for the future of our people. The future of our people demands that self-directed principles, that are reflected in Treaty-making, are front and center.

**APPENDIX B**

**SELECTION COMMITTEE**
**TERMS OF REFERENCE**
**June 2010**

**Name of Committee:**
Selection Committee for the Board of Governors of the First Nations University of Canada

**Authority of the Selection Committee:**
The Committee is established under the authority of the Education and Training Commission, Joint Executive Council and Indian Government Commission.

**Mandate of the Selection Committee:**
To select board members for the First Nations University of Canada Board of Governors

**Composition of the Selection Committee:**
The composition of the Selection Committee shall comprise three (3) persons as outlined in section 24 of the *Act*.

**Chairperson:**
The Selection Committee shall select one person to act in the capacity of Chairperson.

**Responsibilities of the Selection Committee**
The responsibilities of the Selection Committee include the following:

- Determine the process to be used for selecting board members for the First Nations University of Canada Board of Governors
- Invite potential board candidates from the northern, central and southern areas of Saskatchewan through an open process of communication and public notice
- Solicit board candidates from Canadian society, including First Nation entities
- Ensure that potential board candidates meet the criteria outlined in section 17
- Conduct an initial screening and short list the candidates to be considered as members of the Board
- Interview and complete reference checks on potential non-elected board members and review for consideration the nominations for the elected board members
- Select board members and provide letters of selection to the successful candidates
- Confirm the willingness of the selected board members
- Ensure that an oath of service and confidentiality is signed by each selected board member
- Present the names of the successful board members to the Joint Executive Council and Indian Government Commission for ratification.

**Term of Office:**
The term of office for members of the Selection Committee is three (3) years, to a maximum of two (2) terms.

**Meetings:**
The Selection Committee shall meet at the direction of the Education and Training Commission, Joint Executive Council and Indian Government Commission.

**APPENDIX C**

## Listing of Entities

# STATUS OF LEGISLATION

# FIRST NATIONS UNIVERSITY OF CANADA ACT

| STATUS OF LEGISLATION | |
|---|---|
| | **First Reading** May 7, 1984 |
| | **Second Reading** January 24, 1985 |
| | **Third Reading** May 26, 1994 |

**AMENDMENTS TO LEGISLATION**

Date: February 13, 2008 Resolution Reference Number: 1558

Sections Amended: wording was amended in the Act in its entirety; section 7 – board composition amended; deleted previous sections 14(3), 17, 18; name change to First Nations University of Canada

Date: June 10, 2010 Resolution Reference Number: 1717

Sections Amended: revised in entirety for consistency with other legislation, changes to board structure and selection and new sections added

Date February 19, 2020 Resolution Reference Number 2168

Section Amended: Revised Part IV; Board Composition; Section 16. Changes are as follows: The Board shall consist of five (5) elected leaders and (4) non-elected members, each with the expertise as set out in section 17.

Date February 10, 2022 Resolution Reference Number 2168 (Motion #5-22)

Section Amended: Revised Section 29; Board Recruitment. Changes are as follows: The Selection Committee shall:

a) interview the four non-elected board applicants from across Canada;
b) accept nominations for elected leaders from across Canada. Nominators must be elected leaders from a Canadian First Nation; and
c) select the most suitable applicants to serve on the Board of Governors of the First Nations University of Canada

Section Amended: Revised Section 39; Term of Office. Changes are as follows:

39) A person appointed as a member of the board shall hold office for a three-year term, to a maximum of two (2) terms. All elected leaders will serve their terms in accordance to these provisions.

Section Amended: Revised Appendix B; The Terms of Reference for the Selection Committee. Changes are as follows:

- Interview and complete reference checks on potential non-elected board members and review for consideration the nominations for the elected board members