

CHAPTER TWO THE AFFILIATES

This chapter introduces the MSS affiliates. Each affiliate is described in such a way as to allow the reader to understand its background and current situation.

I. GABRIEL DUMONT INSTITUTE OF NATIVE STUDIES AND APPLIED RESEARCH, INC. (GDI)

A. Background

The Relationship to the Metis People and Government

The Constitution of the "Institute" and its bylaws were adopted on September 20, 1980. The preamble spoke of the distinctive history and culture of the Metis. It stated that the Institute was one of the ways that the Metis saw to achieve cultural renewal and development" recognizing that social and economic development were linked to the renewal of the Metis culture." It concluded by saying that the Institute was about "helping the Native people to find themselves so that they "can walk with pride and dignity among their non-native brothers."

"The purpose of the Institute shall be to promote the renewal and development of Native culture through appropriate research activities, through the development of resource materials, through the dissemination of these materials and by implementing such programs and other services as may from time to time be deemed advisable."

The Membership

According to the by-laws, the membership of the Institute consisted of five types of members:

1. voting members who were defined in the Constitution as "those persons or groups who have a voice and vote in the affairs of the Society [the Metis Society of Saskatchewan]. Four per hundred members of a local were voting members.
2. general members who were considered to be all persons who are members of the Metis Society of Saskatchewan. This included "any person who is Metis and is a resident of Saskatchewan".

3. associate members comprised non-native persons, over sixteen years of age on the payment of an annual membership fee of \$5.00.
4. sustaining members were persons of Canadian citizenship who applied and paid an annual fee of \$25.00.
5. any non-status Native organization or bona fide organization in Canada.

Further, the Constitution of the Institute required that the Institute host an annual conference "dealing with a topic or topics related to Native education and studies and which are relevant or vital to the interests of Native people." It was stipulated that the general sessions would be open to all Native people and members of the general public as space allowed.

Membership meetings held in accordance with the Bylaws were an opportunity for the voting members to have a voice and vote in the affairs of the Institute. The Constitution stated that:

"the membership shall approve the annual reports, conduct other necessary business, appoint the auditors and may pass such resolutions as deemed advisable for incorporation into the institution operational policies. The membership may also amend the Constitution and Bylaws as hereinafter provided."

The Relationship to the Metis Society of Saskatchewan, Inc.:

Affiliation

"The Institute shall be formally a part of the MSS network. In addition, the Management Board of the Institute shall be ratified by the MSS Board. However, the Institute shall operate as a separate entity within the parent organization and shall maintain separate offices, administration, programs and services." (GDI Bylaws, II)

B. Governance

The Management Board

The Management Board was originally conceived to have representation from the Metis Society, the university community, the native community at large and the two senior levels of government. MSS ratified the appointment of directors.

The bylaws relating to the Management Board have been amended several times. In 1990, changes to the Board reflected a change in the relationship between the Institute and the political organization. There was a shift from representatives from the locals chosen at the local level, to representation directly through the political organization.

Now, according to Bylaw IV 1(b) "The Management Board of the Institute shall consist of 24 members who shall be ratified by the Board of Directors of the Metis Society of Saskatchewan" including:

1. (a) Board of Directors of MSS shall be entitled to elect from amongst its own Board four members of the Management Board of the Institute;
- (b) 12 members from the 12 areas of MSS but no more than four (4) area directors of (a) to sit on Dumont Board - each area was to elect representation at area meetings;
- (c) 2 women elected in consultation with and upon recommendation of Aboriginal Women's Council of Saskatchewan;
- (d) student members elected by students who are currently enrolled as members of Gabriel Dumont Institute;
- (e) Four members, one of whom is nominated by the University of Regina, one of whom is nominated by the University of Saskatchewan, one of whom is nominated by the Government of Canada and one of whom is nominated by the Government of Saskatchewan.

The MSS Relationship to the Management Board of GDI in 1990 Changes

In addition to membership on the Management Board, the MSS Board of Directors had within the Bylaws the right to refuse the appointment of the nominees of the Aboriginal Women's Council of Saskatchewan, the Universities of Regina and Saskatchewan or those of the federal and provincial governments. The MSS Board retained the authority to appoint a person or persons to the Board if any of the groups above failed to appoint a member to the board of the Institute within a reasonable period of time. As well, the MSS Board of Directors had the authority to remove a member of the Institute Management Board, from office for just cause, or for conduct unbecoming a Board member. The MSS Board of Directors had the responsibility to fill a vacancy created by the death or resignation of a member, a member becoming incompetent or being removed pursuant to sub-paragraph 5 herein.

According to Bylaw IV (9)

"The Metis Society Board shall be responsible to monitor the activities of the institute to ensure that policies and programs are being implemented by the institute by the institute in accordance with the wishes of the membership. Where it finds that the Institute is not carrying out its mandate in accordance with the wishes of the membership, The Metis Society Board may give such directions to the Institute's Board of Management as it deems advisable, provided that such directions do not require the Board of Management to take actions which would be in violation of any legal contractual obligations it has undertaken."

Management Board Responsibilities

According to the Bylaws:

The Management Board shall be responsible for the development of Institute policies and programs for the development and approval of programs and the general administration of the Institute. However, final authority on all matters of Institute policies and programs rested with the membership and was exercised through the annual general assembly or special membership meetings called for this purpose.

Funding of the Board

Board members, according to Bylaw IV (10) could be reimbursed for expenses incurred or travel and sustenance while attending Board meetings, annual meetings, general membership meetings or institute workshops and conferences. Board members appointed from MSS, universities, or governments were not eligible for honoraria. However, representatives of areas, the Aboriginal Women's Council of Saskatchewan and students were eligible for an honorarium for attendance at meetings and other approved Dumont functions.

Board members were not allowed to enter into contracts with the Institute or benefit from any contracts awarded by the Institute.

Officers of the Board

According to the Bylaw V, the officers of the Board were to be elected from the membership of the Board. They held the position for two years and were eligible for re-appointment:

The Chairperson was to be responsible for the conduct of all membership, including Board and Executive meetings, the preparation of agendas, and other appropriate duties and responsibilities.

A Vice-Chairperson was to act in the absence or inability of the Chairperson or when the Chairperson failed to fulfil his/her duties as provided by the Bylaws.

The Honourary Secretary was to be responsible for the general supervision of, and the preparation and distribution of the minutes, and to present minutes as required at general membership meetings or at Board and Executive meetings.

The Honourary Treasurer was responsible for the general supervision of the finances of the organization. He/she was to ensure that adequate financial administrative procedures were followed; that monthly financial statements and annual financial projections were prepared; and that the financial operations of the Institute were maintained. He/she shall also arranged for the annual audit of the Institute's financial operations.

Committees of the Board (Bylaw VII)

The Management Board was to establish the following three permanent committees:

1. Executive Committee

The Executive Committee which shall be responsible for the conduct of the business between regular meetings of the Board. All executive decisions shall be subject to approval and ratification by the Board. It shall specifically be responsible to develop and recommend for Board approval appropriate administrative policies for the Institute.

2. Teacher Education Review Committee

A Teacher Education Review Committee whose membership will be set out in the contractual funding arrangement with the province. It shall be responsible for the general supervision and administration, policy and program development for the program implementation of the Saskatchewan Urban Native Teachers Education Program. It may also be responsible for any related programs.

3. Ad Hoc Committee

The Management Board of the Institute may establish such other committees of Management Board as the Board may deem advisable from time to time.

Meetings

According to Bylaw VIII, the Management Board was to have a minimum of six regular meetings annually. Special meetings could be called by the Chair. Membership meetings had to be held once a year either with the MSS general assembly or at another date. Special meetings could be called at the request of the majority of the Board or by request of at least 100 voting members. A quorum for a general meeting shall consist of a simple majority of the registered delegates entitled to vote at such general meetings. All decisions at general membership, Board meetings and committee meetings were made by a majority of those members present and voting.

The governance throughout this first decade was a delicate balance between the Management and the general membership meeting. While the political representation on the Management was increased and the involvement of the MSS became more direct, the annual membership meeting was the place where the treasurer presented the financial report and where changes to the Bylaws had to be approved by a majority of those present.

The Relationship with Saskatchewan's Institutions

Collective Agreement between Gabriel Dumont Institute and Saskatchewan Government Employees Union (SGEU)

In June 1992, an agreement was signed between GDI and SGEU to regulate the relationships between the employees of GDI and the management of GDI. The agreement was distinctive in that GDI was recognized as "a Metis-controlled education and cultural institution" with a mission "to promote the renewal and the development of Metis culture and to design and deliver educational and cultural programs for and about Metis people."¹ The SGEU acknowledged that, "the Management Board of the Institute and its management team are directed by the Metis people of the Province of Saskatchewan." The Union also acknowledged and recognized the right and responsibility of the Institute to manage and direct the affairs and operations of the Institute including, the following:

1. to undertake special measures to attract, employ and retain Metis personnel;
2. to take all necessary measures to pursue the implementation of the Institute's Mandate, as approved by the Annual Assembly.

¹ Collective Agreement, Gabriel Dumont Institute and Saskatchewan Government Employees Union, June 24, 1992, Section III.

The Gabriel Dumont Institute was described in a recent letter in the following way,

[GDI] is the educational arm of the Metis Nation of Saskatchewan. The Institute is responsible for the design, development and delivery of specific educational and cultural programs and services. While the Institute is affiliated with the University of Saskatchewan and the University of Regina and federated with the Saskatchewan Institute of Technology, the Institute has maintained its independence and distinct Metis identity."²

The relationship of GDI with the mainstream institutions is spelled out in affiliation and federation documents which detail the roles, responsibilities and relationships among the signatories. Gabriel Dumont Institute has two units, the post-secondary, Gabriel Dumont College, affiliated with the University of Saskatchewan and the technical and adult education division, Dumont Technical Institute, federated with Saskatchewan Institute of Applied Science and Technology (SIAST).

Metis controlled education institutions have become integrated into the fabric of Saskatchewan educational planning and policy structures and processes. As Michelle Harding, MNS Education Minister reported to MNS Local Presidents in November, 1996:

The Gabriel Dumont Institute, Dumont Institute and Gabriel Dumont College are aggressively furthering the scope and quality of academic, technical and vocational training available to all Saskatchewan Metis. Our three Metis controlled institutions are represented on the following policy, planning and operational committees: Northern Labour Market Committee; SIAST Academic Council, Post-Secondary Advisory Committee; Keewatin Career Development Corporation; Provincial NSIM Committee, Indian and Metis Education Advisory Committee; Board of Teacher Education and Certification; Aboriginal Teacher Education Committee (University of Saskatchewan); Senate of the University of Regina; Senate of the University of Saskatchewan; Board of the Saskatchewan Education Leadership Unit; Board of the Dr. Stirling McDowell Foundation for Research into Teaching; Distance Education Program Review Committee; Saskatchewan Education Research Network; Senate appointment to the Faculty of Education, University of Regina; Evaluation Committee (Strategic Initiatives) Canada/Saskatchewan Labour Force Development Agreement; and, the Technical Committee negotiating the Regional Bilateral Agreement between

² Geordy McCaffrey, Community Liaison Coordinator to Lily Stonehouse, Assistant Deputy Minister, Ministry of Education, Training and Employment, October 1, 1996.

the Metis Employment and Training Saskatchewan, Inc. and Human Resources Development Canada.³

Relationship with the Saskatchewan Government

A Memorandum of Understanding (MOU), signed by the Minister of Education, Training and Employment and GDI, spelled out the terms and conditions on which the Minister would "consider making grants to GDI of up to \$650,000.00 (the conditional grants) repayable only in the event that it did not comply with the terms and conditions prescribed by the Minister respecting GDI governance and accountability."⁴ The Terms and Conditions of the Grant affected the relationship of the Institute with the MNS and will continue to into the future. These terms and conditions include:

1. The Minister prescribes the following terms and conditions for the second grant.
2. Before the second grant is paid, GDI shall acknowledge in writing that the terms and conditions herein are acceptable to GDI and furnish the Minister with an opinion in writing of a member in good standing of the Law Society of Saskatchewan that the individual or individuals signing such acknowledgement on behalf of GDI had the legal authority to bind GDI to the terms and conditions herein.
3. GDI shall between March 31, 1995 and March 31, 2005 operate with annual balanced budgets acceptable to the Minister for each of its fiscal years.
4. GDI shall between July 1, 1995 and March 31, 2005 appoint and retain at all times an executive manager and a financial manager according to criteria recommended by Ernst and Young in Attachment 1 to these terms and conditions.
5. GDI shall between September 1, 1995 and March 31, 2005, implement and maintain at all times a management framework as outlined by

³ Report to the Presidents of the Metis Locals of Saskatchewan by Michelle Harding, Minister of Education, Metis Nation of Saskatchewan, November, 1996, 3-5.

⁴ Memorandum of Understanding between The Minister of Education, Training and Employment (The Minister) and the Gabriel Dumont Institute of Native Studies and Applied Research, Inc. (GDI)

Ernst and Young in the Operational Review Report in Attachment 11 to these terms and conditions.

6. GDI shall within three months of the end of the fiscal year between March 31, 1995 and March 31, 2005, furnish to the Minister a copy of GDI's annual audited financial statements and management letters.
7. GDI shall between September 30, 1995 and March 31, 2005, pass and maintain at all times bylaws that allow for no more than seven directors of GDI.

The Minister was very specific as to the process of appointing the Board and the composition of the Board.

GDI shall before June 1, 1995 appoint and maintain to March 31, 2005, a member to a three member committee made up of the GDI appointee, one member appointed by the Minister and a third member appointed jointly by the first two (the nominating committee).

GDI shall on or before September 30, 1995 and at all times thereafter to March 31, 2005, elect and maintain on its board of directors:

- (a) all and only such individuals approved by the nominating committee from slates which shall not exceed seven in number,
- (b) individuals who are all one and the same directors and the only directors of the Dumont Technical Institute Inc. and of the Gabriel Dumont College Inc. and
- (c) not more than one individual at any one time, who is an elected official of the Metis Society of Saskatchewan or its successor.

The MOU stipulated that GDI furnish the Minister with evidence that the Institute was in compliance with all terms and conditions. Should compliance not be evident, the Minister could invoke the following default clause:

1. Should GDI default under any of the above terms and conditions for either grant, then upon demand by the Minister in writing, GDI shall forthwith repay to the Minister all of the funds paid to GDI pursuant to the first and second grants.
2. The Minister shall have the sole discretion to determine whether GDI is in default of one of the above terms and conditions.

As well, the Minister retained the authority to change any of the terms and conditions with the prior consent of GDI.

On July 12, 1995 Lorna Docken, MNS Minister of Education sent a memo to all MNS Local Presidents and Provincial Metis Council members stating to comply with the terms and conditions of the conditional grants forwarded to GDI by the Saskatchewan government that "we are obligated to change the structure and composition of the Gabriel Dumont Institute management board. " She explained that at the next Assembly, she would be bring forward the following proposed amendment to the Constitution of GDI:

Management Board

- (a) There will be a Board representing the Metis Nation of Saskatchewan and the Metis community at large. The appointment of directors and the Board shall be in accordance with the provisions established by the Bylaws.

The proposed amendment to the Bylaws read:

Management Board

The Management Board of the Institute shall consist of seven (7) members who shall be nominated by a nomination committee and ratified by the Metis Nation Legislative Assembly. Subject to the following provisions:

- (a) The nomination committee shall consist of one person appointed by Gabriel Dumont Institute, one person appointed by the Minister of Saskatchewan Education and a third person appointed jointly by the first two.
- (b) The Metis Minister of Education as appointed by the President of the Metis Nation of Saskatchewan shall be the sole appointment by the Metis Nation of Saskatchewan from its Provincial Metis Council.
- (c) The Board shall be selected from resumes by the nomination committee subject to the ratification by the Metis Legislative Assembly. Regional and gender equity shall be observed.

Vacancies created by any condition will be filled through the provisions of subparagraph 1 with the Metis Nation Provincial Council being the representative of the Metis Nation Legislative Assembly until ratification by the Assembly.

The Metis Legislative Assembly reserves the right to refuse for appointment any person(s) nominated. In the event of refusal, there shall be a reasonable amount of time for further nominations and the vacancies created will be filled through the provision of sub-paragraph 1 and 2.

The Metis Nation Provincial Council shall be responsible for monitoring the activities of the Institute to ensure that policies and programs are being implemented by the institute in accordance with the directions of the membership. Where it finds that the institute is not carrying out its mandate in accordance with the wishes of the membership, the Metis Nation Board may give such directions to the Institute's Board of Management as it deems advisable provided that such directions do not require the Board of Management to take actions which would be in violation of any legal contractual obligations it has undertaken.

Board members may be reimbursed for expense incurred or travel and sustenance while attending Board meetings, annual meetings, general membership meetings or Institute workshops or conferences. Board members who are appointed from the Provincial Metis Council shall not receive an honorarium.

Board members shall in addition to their expenses, be eligible for an honorarium for attendance at meetings or other approved Dumont functions.

She also recommended that the word "Native" in the Constitution be changed to the word "Metis."

C. Current Situation

Currently, efforts are underway to formalize the relationship between GDI and MNS, as well as with the other affiliates of the MNS. In November, 1996, the current MNS Minister of Education, Michelle Harding reported to the Presidents of the Metis Locals of Saskatchewan:

The arrangement we now have is the result of the conditions placed on us by the Government of Saskatchewan. These conditions dictate that the six (6) Board members shall be appointed by a selection committee comprised of a Provincial Cabinet Minister (Education), the Dean of the Faculty of Education (University of Regina) and the Minister of Education for the Metis Nation. The seventh member is the MNS Minister of Education who acts as the Chair of the Board of Governors. This arrangement creates many difficulties for us as a Nation of people. The most fundamental of which is that an external power - the Government of Saskatchewan - is dictating both the policies and operations of a Metis Nation institution. By controlling who and how many

Metis can be appointed to the Board, the Province has undermined our right to appoint a representative body that is accountable to all Saskatchewan Metis. Our right to govern ourselves has been severely limited by conditions the Government of Saskatchewan has placed on us. This action when viewed in the context of Section 35 (1) of the Charter of Rights (1982), is clearly not a recognition of our aboriginal rights. Rights that include the right to be self-determining in how we conduct our affairs of the Metis Nation.

The Metis Nation of Saskatchewan has a Constitution in place, which provides the vehicle for us to move forward with the creation of Metis law in Saskatchewan. The Metis Education Act (Draft #6)⁵ is a legislative instrument that, when ratified will define our governing powers and duties in the area of Metis education. In order to facilitate the process I am suggesting that the attached Act be studied and discussed at the local level.⁶

Relationship with Other Affiliates

Currently, Gabriel Dumont Institute is drafting an agreement with Metis Employment and Training of Saskatchewan Inc. "to establish a core contractual relationship between Metis Employment and Training and the Gabriel Dumont Board and Management (GDI, DTI, GDC), to provide technical, vocational and academic training at the certificate and diploma levels."⁷

According to the guiding principles, "This agreement establishes a working relationship between METS and GDI directed at labour market training and human resource development programming for Saskatchewan Metis."⁸

The agreement spells out the services that each of the parties will provide within the terms of the contract. Specifically,

"GDI will provide core, administration, library and research services free of charge to the Metis Employment to the Metis Employment and Training Agencies that contract for the delivery of a program from GDI;

⁵ See Appendix.

⁶ Report to the Presidents of the Metis Locals of Saskatchewan from Michelle Harding, Minister of Education, Metis Nation of Saskatchewan, November, 1996, 1-2.

⁷ An Agreement between the Gabriel Dumont Institute of Native Studies and Applied Research, Inc. and Metis Employment and Training of Saskatchewan, Inc., Draft 2, November, 1996.

⁸ Ibid., 2.2.

whenever possible, GDI will rent or lease office and training space, equipment and furniture from Metis Employment and Training Agencies; when requested, GDI will participate in meetings called to address the training and service needs of Saskatchewan Metis;

GDI will, where appropriate, provide developmental and program planning services;

GDI will, in collaboration with METS, conduct research specific to the creation of a Saskatchewan Labour Force Training Strategy."⁹

For the services provided, a fee and payment schedule was set for the first year of the contract (1996-1997). For the two subsequent years of the agreement, negotiations were to proceed at specified times.

Agreed upon conditions relating to standards, accountability, amending, termination and public communication completed the agreement.

D. Summary

The original mission of the Gabriel Dumont Institute was "to promote the renewal and development of Metis culture through research, materials development, the collection and distribution of those materials and the design, development and delivery of Metis-specific educational programs and services." Minister Harding emphasized in her letter to Presidents of Metis Locals that this objective has been "in place since the creation of GDI and is still maintained to this day."¹⁰

GDI has been in existence since 1980. Its success in meeting the needs of Metis students is impressive: 378 Metis have graduated as qualified teachers through SUNTEP and another 195 are in training; hundreds of Metis have completed community-based programs in areas as diverse as Metis entrepreneurial training, Social Work, and Resource Management. It is not possible to provide a complete list here; 200 per year since 1992 have taken adult basic education through DTI; in 1996-97, 100 Metis students took skills training through DTI. Gabriel Dumont College began offering University of Saskatchewan accredited courses in the fall of 1996 in

⁹ Ibid., 3.0-3.4.

¹⁰ Michelle Harding, Op. Cit.

Saskatoon and Prince Albert. Courses towards an Aboriginal Teacher Associate Certificate are upcoming.¹¹

GDI is an integral part of the Saskatchewan educational scene. Its unique role has been acknowledged and recognized in memoranda of understanding and affiliation agreements with the universities; a federation agreement with SIAST and a collective agreement with SGEU.

Further, in keeping with its mandate to promote Metis culture, for the last fifteen years GDI has been amassing library resources and producing Metis curriculum and research materials for the entire Saskatchewan community. In the past two years GDI has provided the following:

- a CD ROM focussing on Metis history and culture;
- Metis Veteran's Book;
- publishing and marketing Metis music CD's and audio tapes;
- publishing Alfred Reading Series in English, French, Cree and Michif;
- developing and /or evaluating materials for Aboriginal students K-6;
- Journal of Indigenous Studies.

The Research and Development component of GDI has always lent its support to the Metis people and community needs. For example, in the last couple of years the Buffalo Narrows Metis Labour Force Profile and A Community Strategy - Buffalo Narrows Education and Training Needs Assessment have been completed.

Community Education continues to be a driving force for GDI. So far in 1996-97, DTI is committed to delivering 12 different programs to eight different communities. Meeting the specific needs of Metis individuals and communities remains the priority.

Although GDI is referred to as an affiliate of MSS, Inc. and the political entity, MNS, there is no formal affiliation agreement between the parties as there are with GDI and the universities. It is obvious as well, that the relationship of GDI to the Metis community in a self-government model cannot and should not be of the same terminology or legal formal as that with the mainstream institutions.

The original bylaws stated that the Institute was "formally part of the MSS Network and that the MSS Board had the responsibility to ratify the Management Board of the Institute." However, the Bylaw continued, "The Institute shall operate as a separate entity within the parent organization and shall maintain separate offices, administration, programs and services."

¹¹ Ibid., 5-6.

Final authority on all matters of Institute policies and programs rested with the membership and was exercised through the annual general assembly or special membership meetings called for this purpose.

II. SASKNATIVE ECONOMIC DEVELOPMENT CORPORATION (SNEDCO)

A. Background

SNEDCO was established in 1987 to promote the economic well-being of the Metis community of Saskatchewan by lending money to Metis entrepreneurs. SNEDCO was incorporated under the Saskatchewan Business Incorporation Act. The Articles of Incorporation determined that SNEDCO was to be governed by a Board of Directors made up of equal numbers of external (from the Saskatchewan business community) and internal (from the Saskatchewan Metis community and organizations) members. The Bylaws provided the rules by which the corporation was to operate.

The SNED Trust, set up in the same year, was to appoint the Directors to the Board of SNEDCO and to ensure that the profits of SNEDCO were used to support the Metis community at large.

SNEDCO received funding from the federal department of Regional Industrial Expansion through a Contribution Agreement. If the terms and conditions of the Contribution Agreement were not fulfilled, the money intended to support Metis entrepreneurs would be forfeited.

In the development of SNEDCO, it had been assumed by the Metis community that members of the governing body of the Metis political organization could be internal directors. However, continued financial support through the Contribution Agreement was dependent on an arm's length relationship being maintained with the Metis Society of Saskatchewan. The Contribution Agreement stated that the Minister responsible for that particular federal department had to be satisfied with the relationship with the political organization or the Minister had the authority to stop future funding to SNEDCO.

Through an amendment to the Trust Agreement, MSS assumed responsibility for appointing the Trustees to the SNED Trust. The process for the appointment of Trustees is spelled out in the Trust Agreement.

MSS also attempted to amend the Contribution Agreement for SNEDCO. However, since the agreement was between the Queen and SNEDCO, MSS could not amend it. The Minister maintained his position that the political organization had to remain at arm's length to the corporation.

APPENDIX B

**REPORT TO THE PRESIDENTS OF THE METIS LOCALS OF
SASKATCHEWAN FROM MICHELLE HARDING,
MINISTER OF EDUCATION, METIS NATION OF SASKATCHEWAN,
NOVEMBER, 1996**



GABRIEL DUMONT INSTITUTE OF NATIVE STUDIES AND APPLIED RESEARCH

REPORT

to

the Presidents of the Metis Locals of Saskatchewan

from

**Michelle Harding, Minister of Education
Metis Nation of Saskatchewan**

November, 1996.

As a follow - up to the Metis Nation Legislative Assembly on October 9th. and 10th., I am forwarding Draft #5 of the proposed **Metis Education Act** for your consideration. Regarding the **composition of the GDI Board of Governors**, the proposed Act is consistent with the intent of the Resolution passed at the 1995 Legislative Assembly, which stated that there should be thirteen(13) members on the Board, not seven(7).

The arrangement we now have is the result of the conditions placed on us by the Government of Saskatchewan. These conditions dictate that the six(6) Board members shall be appointed by a selection committee comprised of a Provincial Cabinet Minister (Education), the Dean of the Faculty of Education (University of Regina) and the Minister of Education for the Metis Nation of Saskatchewan. The seventh member is the MNS Minister of Education, who acts as the Chair of the Board of Governors. This arrangement creates many difficulties for us as a Nation of people. The most fundamental of which is that an external power - the Government of Saskatchewan - is dictating both the policies and operations of a Metis Nation institution. By controlling who and how many Metis can be appointed to the Board, the Province has undermined our right to appoint a representative body that is accountable to all Saskatchewan Metis. Our right to govern ourselves has been severely limited by the conditions the Government of Saskatchewan has placed on us. This action, when viewed in the context of Section 35(1) of the Canadian Charter of Rights (1982), is clearly not a recognition of our aboriginal rights. Rights that include the right to be self - determining in how we conduct the affairs of

the Metis Nation.

The Metis Nation of Saskatchewan has a **Constitution** in place, which provides the vehicle for us to move forward with the creation of **Metis law** in Saskatchewan. The **Metis Education Act** (Draft #6) is a legislative instrument that, when ratified, will define our governing powers and duties in the area of Metis education. In order to facilitate this process I am suggesting that the attached Act be studied and discussed at the local level. Further, if you want me to attend meetings to discuss the Act, please contact me at your convenience and I will schedule a meeting with you. Please keep in mind that this is a "draft" only, and I fully expect that there will be many changes before the Act is ratified by the Legislative Assembly.

As I didn't get the opportunity at the Legislative Assembly, I would like to bring you up to date on the activities of the **Gabriel Dumont Institute**. The mission of the Institute is "to promote the renewal and development of Metis culture through research, materials development, the collection and distribution of those materials and the design, development and delivery of Metis-specific educational programs and services." This objective has been in place since the creation of GDI and is still maintained to this day.

The following list of activities reflects some of the major responsibilities of the Institute (including those of Dumont Technical Institute and Gabriel Dumont College):

- * GDI continues to operate the **Saskatchewan Urban Native Teacher Education Program (SUNTEP)** in Saskatoon, Prince Albert and Regina. The success of SUNTEP is demonstrated by the 378 teachers who have graduated from the three centres over the past 15 years, and by the 195 Aboriginal students who are enrolled in SUNTEP for the 1996 - 97 academic year.

In addition, in the past few years GDI has offered a **Metis Entrepreneurial Program** in North Battleford and Meadow Lake, the **Metis Management Program** in Yorkton, Regina and Meadow Lake, and a **Heavy Equipment Operator** training program in Batoche;

- * In 1996, GDI completed the delivery of a two year **Metis Social Work Certificate Program** in Cumberland House, and is currently delivering the same program to 25 students in North Battleford;
- * In addition to the delivery of existing programs, GDI has researched and developed a new program to meet the post

-secondary educational needs of Saskatchewan Metis. By working cooperatively with the College of Education, at the University of Saskatchewan, **Gabriel Dumont College** will be delivering an **Aboriginal Teacher Associate Certificate Program**, with a specialization in Native language and culture. The program is two years in length, will be delivered by Gabriel Dumont College, and will be certified by the University of Saskatchewan. The Program is designed to be delivered at the local level, as a "stand alone" educational activity. Successful students will graduate with a Certificate and will have the option of either seeking employment or continuing their studies on - campus to complete a Bachelor of Education Degree. The Gabriel Dumont College Aboriginal Teacher Associate Program has the support of the Saskatchewan Teacher's Federation and the Saskatchewan Board of Teacher Education and Certification.

Although a training site for this program has not been fully confirmed, it is anticipated that the Teacher Associate program will be started in April, 1997.

- * The Institute is heavily involved in **educational research and the development of curriculum materials**. For the past two years GDI has been active in: developing an educational CD ROM (with teacher and student materials) focussing on Metis history and culture; completing the Metis Veteran's Book; publishing and marketing Metis music CD's and audio tapes; publishing the Alfred Reading Series in English, French, Cree and Michif; developing additional Metis specific curriculum materials; developing and/or evaluating a comprehensive collection of educational materials focussing Aboriginal students at the K - 6 level; and developing, publishing and marketing the Journal of Indigenous Studies, which is a refereed academic journal;
- * In May, 1996, GDI initiated the research to develop a Buffalo Narrows **Metis labour force profile**, a description of the employment opportunities available or anticipated in the area, the employment opportunities and constraints affecting the labour force, and to bring forward a recommended strategic and operational plan that can be implemented as soon as possible. This exercise resulted in the creation of "**A Community Strategy - Buffalo Narrows Education and Training Needs Assessment**", which was tabled with representatives from Buffalo Narrows in mid - November, 1996;
- * **Gabriel Dumont College** began offering University of

Saskatchewan accredited Arts and Science courses in the fall of 1996, in Saskatoon and Prince Albert;

- * The **Dumont Technical Institute** was established in 1992, and is the technical and vocational training arm of the Gabriel Dumont Institute. In the area of **adult basic education**, DTI provided the opportunity for more than 200 individuals, per year, to upgrade and enhance their skills. These programs were offered in various regions of Saskatchewan through DTI's affiliation with SIAST and the Regional Colleges.

In keeping with it's mandate to provide skills training for Saskatchewan Metis, DTI provided educational opportunities to over 100 Metis in the past year. Programs were offered in the following skill areas: **Youth Care Worker** (North Battleford and Meadow Lake); **Business Administration** (Buffalo Narrows); **1A Driver Training** (Saskatoon); **GED Preparatory** (Meadow Lake); **Micro Computer Repair Technician** (North Battleford); **Office Administration** (La Ronge); and, **Computer Application Training** (North Battleford).

So far, for the 1996 - 97 training year, DTI is already delivering, or is committed to deliver the following programs: **Computer Office Management** (Meadow Lake, 15 students); **Micro - Electrician Technician Program** (Cumberland House, 8 students); **Entrepreneurial Program** (Timber Bay, 10 students); **Vocational Forestry Training Program** (Buffalo Narrows, 8 students); **Introduction to Carpentry** (Buffalo Narrows, 10 students); **Business Administration** (Regina, 15 students); **Chemical Dependency Program** (Regina, 15 students); **Youth Care Worker Program** (Weyburn, 15 students); **Adult Basic Education 5 - 10 Program** (Yorkton, 10 students); **Adult Basic Education 12 Program** (Yorkton, 10 students); **Adult Basic Education 5 -12 Program** (Prince Albert, 10 students); and, **Adult Basic Education 12 Program** (Prince Albert, 10 students).

- * As well, the Gabriel Dumont Institute, Dumont Technical Institute and Gabriel Dumont College are aggressively furthering the scope and quality of academic, technical and vocational training available to all Saskatchewan Metis. Our three **Metis controlled institutions** are represented on the following **policy, planning and operational committees**: Northern Labour Market Committee; SIAST Academic Council; Post - Secondary Advisory Committee; Keewatin Career Development Corporation; Provincial NSIM Committee; Indian and Metis

Education Advisory Committee; Board of Teacher Education and Certification; Aboriginal Teacher Education Committee (University of Saskatchewan); Aboriginal Teacher Education Committee (University of Regina); Senate of the University of Regina; Senate of the University of Saskatchewan; Board of the Saskatchewan Education Leadership Unit; Board of the Dr. Stirling McDowell Foundation For Research Into Teaching; Distance Education Program Review Committee; Saskatchewan Education Research Network; Senate appointment to the Faculty of Education, University of Regina; Evaluation Committee (Strategic Initiatives), Canada/ Saskatchewan Labour Force Development Agreement; and, the Technical Committee negotiating the Regional Bilateral Agreement between Metis Employment and Training Saskatchewan, Inc. and Human Resources Development Canada.

APPENDIX C
METIS EDUCATION ACT

DRAFT #1 July 7, 1993
DRAFT #2 November 4, 1993
DRAFT #3 November 12, 1993 .
DRAFT #4 April 13, 1994
DRAFT #5 October 9, 1996

METIS EDUCATION ACT

Preamble

The attached draft of the Metis Education Act identifies the exclusive jurisdiction that Metis Government claims in the area of education.

Following a review of this draft, a sixth draft will be prepared. In order to facilitate the further development and eventual ratification of the Act, we suggest that a Legislative Committee be struck. The Committee's mandate would be to prepare the Act for first reading by the Metis Legislative Assembly. In addition, the Legislative Committee's activities would be in support of the MNS Constitution (Article 2.3), which states that the Legislative Assembly has the authority "... to enact legislation, regulations, rules and resolutions governing the affairs and conduct of the Metis in Saskatchewan."

An Act respecting Metis Education in Saskatchewan

Short Title and Interpretation

1. This Act may be cited as **The Metis Education Act (199)**.
2. In this Act:
 - (a) "staff member" means a person employed by the Metis Board of Education;
 - (b) "board" means the Metis Board of Education appointed pursuant to this Act;
 - (c) "chief executive officer" means the chief executive officer of the Metis Board of Education;
 - (d) "college" means the Gabriel Dumont College;
 - (e) "cultural centre" or "centre" means the Metis Cultural Centre;
 - (f) "culture" means Metis history, values, beliefs and languages;
 - (g) "institute" or "institutions" means the Gabriel Dumont Institute of Native Studies and Applied Research and the Dumont Technical Institute;

Metis Board of Education

3. A Board of Education will be established that is subject to the authority of this Act;
4. The Board shall consist of thirteen (13) members. One (1) member will be appointed by each of the twelve (12) Regions and one (1) will be appointed by the Executive of the Metis Nation of Saskatchewan (MNS). The MNS appointee shall act as the Chair of the Board of Education;
5. The term of office of a Board member shall be three (3) years;
6. The Board shall meet at least six (6) times per year;
7. Two-thirds (2/3) of the members of the Board shall constitute a quorum for the purposes of conducting a meeting;

8. When a Board member either resigns, or is removed from office by their electorate, a by-election shall be held as soon as possible to fill the Board vacancy;
9. Provided a quorum of the Board is present, the Board of Education may, either by resolution or bylaw, exercise the powers conferred on it by this Act;
10. Following the appointment of a Chairperson, by the Executive of the MNS, the Board shall, from among it's members, appoint a Vice-Chairperson;
11.
 - (1) Members of the Board shall receive remuneration for their participation in meetings of the Board, and shall be compensated for travel, food and lodgng expenses associated with their attendance at a Board meeting;
 - (2) Board members who represent the Board on authorized activities additional to regular Board meetings shall receive remuneration and be compensated for their expenses;

Duties of the Board

12. The Board shall:
 - (a) provide education services in selected areas, when requested to do so by the communities directly concerned;
 - (b) directly, or by agreement, provide courses and programs of study in the academic, technical and vocational areas of education;
 - (c) provide courses or programs of study that are specific to the promotion and entrenchment of Metis colleges, institutions and culture;
 - (d) provide career counselling, adult upgrading courses and student and human resource services;
 - (e) provide research, advisory and interpretive services to the Metis and non-Metis public;
 - (f) provide services to Metis and non-Metis Governments, corporations, individuals and groups, regarding any courses or programs of the Board;
 - (g) be responsible for the policy and operations of the programs and services governed by the authority of this Act;
 - (h) be responsible for the employment of the Senior Management and staff of the institutes and colleges;

- (i) be responsible for the identification, securement and allocation, and act as a trustee, of the funds and fixed assets necessary to the operations of the centre, institutes and college;
- (j) be responsible for the development and implementation of the policies, regulations and procedures of the cultural centre, institutes and college;

Powers of the Board

- 13. The Board will have access to all information, books, records and other documents in the possession of the centre, college and institutions that are related to the functioning of the centre, college and institutions;
- 14. The Board may be provided with any technical and clerical assistance necessary to the functioning of the Board;
- 15. The Board may enter into agreements with Metis and non-Metis institutions and agencies for the provision of programs and services to Metis and non-Metis citizens of Saskatchewan.

Amendment

- 16. The Metis Education Act may be amended by the Legislative Assembly of the Metis Nation of Saskatchewan.

APPENDIX D

**DRAFT AGREEMENT BETWEEN GABRIEL DUMONT
INSTITUTE (GDI) AND METIS EMPLOYMENT AND
TRAINING OF SASKATCHEWAN(METS) TO PROVIDE
TECHNICAL, VOCATIONAL AND ACADEMIC TRAINING
AT THE CERTIFICATE AND DIPLOMA LEVELS**

DRAFT

This Agreement entered into this _____ day of _____, 1996.

BETWEEN The Gabriel Dumont Institute of Native Studies and Applied Research, Inc.
(hereinafter referred to as "GDI")

and

Metis Employment and Training of Saskatchewan, Inc.
(hereinafter referred to as "METS")

WHEREAS GDI, which includes Dumont Technical Institute and Gabriel Dumont College, is mandated to provide research, developmental, technical, vocational and academic education programs and services in the province of Saskatchewan;

AND WHEREAS METS is a Metis controlled community-driven organization that promotes and supports employment and training programs and services to Saskatchewan Metis;

NOW, THEREFORE, THIS AGREEMENT WITNESSES that the parties hereto, in consideration of the covenants and undertakings herein contained, agree as follows:

PURPOSE

- 1.0 The purpose of this Agreement is to establish a core contractual relationship between Metis Employment and Training and the Gabriel Dumont Institute Board and Management (GDI, DTI, GDC), to provide technical, vocational and academic training at the certificate and diploma levels.

This Agreement states the terms and conditions for the transfer of funds from METS to GDI to support the programs and services to be provided by GDI.

GUIDING PRINCIPLES

- 2.0 It is understood by both parties that the METS and GDI institutional structures are evolving in response to the changing internal and external opportunities and constraints that each party must address;

- 2.1 This Agreement establishes a working arrangement between METS and GDI directed at labour market training and human resource development programming for Saskatchewan Metis;
- 2.2 The parties agree that those who make decisions regarding program and service delivery and the financial arrangements to support such delivery will not be in a position that amounts to a conflict of interest.

SERVICES

- 3.0 Under this Agreement GDI will provide core, administration, library and research services free of charge to the Metis Employment and Training Agencies that contract for the delivery of a program from GDI;
- 3.1 Whenever possible, GDI will rent or lease office and training space, equipment and furniture from Metis Employment and Training Agencies;
- 3.2 When requested, GDI will participate in meetings called to address the training and service needs of Saskatchewan Metis;
- 3.3 GDI will, where appropriate, provide developmental and program planning services.
- 3.4 GDI will, in collaboration with METS, conduct research specific to the creation of a Saskatchewan Labour Force Training Strategy.

PAYMENT

- 4.0 In exchange for the services provided by GDI, as described in 3.0 (above), METS will for fiscal year 1996-1997 pay GDI Three Hundred Twenty-Nine Thousand, and Thirty-Three Dollars (\$329, 033).

SCHEDULE OF PAYMENT

- 5.0 For the first year of this Agreement (1996-1997), METS will pay GDI according to the following schedule:

<u>Period</u>	<u>Amount</u>	<u>Payment Date</u>
April/May/June	82,258.25	April 1, 1996
July	27,419.42	July 1, 1996
August	27,419.42	August 1, 1996
September	27,419.42	September 1, 1996
October	27,419.42	October 1, 1996
November	27,419.42	November 1, 1996
December	27,419.42	December 1, 1996
January, 1997	27,419.42	January 1, 1997
February	27,419.41	February 1, 1997
March	27,419.40	March 1, 1997

- 5.1 At least 60 days prior to the end of fiscal year 1996-1997 (February 1, 1997), the parties will meet to determine the level of payment and schedule of payment from METS to GDI for fiscal year 1997-1998;
- 5.2 At least 60 days prior to the end of fiscal year 1997-1998 (February 1, 1998), the parties will meet to determine the level of payment and schedule of payment from METS to GDI for fiscal year 1998-1999.

STANDARDS

- 6.0 All training programs shall demonstrate financial, legal and ethical accountability through a transparent evaluation process;
- 6.1 Training initiatives will, where appropriate, meet the required provincial and national standards for accreditation, replication and portability.

ACCOUNTABILITY

- 7.0 GDI will, every three months, provide METS with written program, service and financial reports;
- 7.1 GDI will, upon the written request of METS, attend such meetings as are required to discuss this Agreement.

AMENDMENT

8.0 This Agreement may be amended upon the written mutual consent of the parties.

ASSIGNMENT

9.0 This Agreement may not be assigned without the written consent of both parties.

TERMINATION

10.0 Either party to this Agreement may terminate this Agreement by giving at least one hundred and five (105) days written notice to the other party.

PUBLIC COMMUNICATION

11.0 All major announcements and public communications related to the activities under this Agreement will require the approval of both parties and will acknowledge the role of both parties.

TERM

12.0 Subject to the terms herein, this Agreement, when signed, will be effective from April 1, 1996, to March 31, 1999.

NEGOTIATIONS

13.0 Both parties agree that all discussions, negotiations, and amendments will be carried out in a spirit of good faith; recognizing that time is of the essence.

13.1 On or about December 1, 1998, the parties to this Agreement will meet to determine the future working relationship between GDI and METS beyond April 1, 1999.

NOTICE

14.0 Where written notice is given pursuant to this Agreement, such notice will be given to:

- (a) **Metis Employment and Training of Saskatchewan
219 Robin Crescent
Saskatoon, Saskatchewan
S7L 6M8**

- (b) **Gabriel Dumont Institute
121 Broadway Avenue East
Regina, Saskatchewan
S4N 0Z6**