



BC ASSEMBLY OF FIRST NATIONS

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BCAFN ANNUAL GENERAL ASSEMBLY
September 19, 20 & 21, 2023
Hybrid - In person & online via Zoom

Resolution 20/2023

**SUBJECT: SUPPORT-IN-PRINCIPLE FOR TRIPARTITE MOU ON FIRST NATIONS EARLY
LEARNING AND CHILD CARE**

Moved BY: CHIEF JERRY JACK, MOWACHAHT/MUCHALAHT FIRST NATION

SECONDED BY: JUDY WILSON, PROXY, SKAWAHLLOOK FIRST NATION

DECISION: CARRIED

WHEREAS:

- A. First Nations peoples have always maintained jurisdiction over the care of their children, which includes the care, teachings, and responsibility of children in early learning and childcare settings;
- B. On July 7, 2021, Canada and BC signed the Canada-British Columbia Canada-Wide Early Learning and Childcare Agreement (Agreement), in which they commit to work collaboratively with Indigenous Governing Bodies and organizations to implement the Agreement and to support Indigenous-led, culturally safe and accessible Early Learning and Child Care programming in British Columbia;
- C. On April 1, 2022, early learning and childcare programs, services, responsibilities, and accountabilities transitioned from the Ministry of Children and Family Development (MCFD) to the newly formed Ministry of Education and Child Care (MECC);

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- D. The *United Nations Declaration on the Rights of Indigenous Peoples* (UN Declaration), which the government of Canada has adopted without qualification, and has, alongside the government of BC, passed legislation committing to implement, affirms:

Article 13(1): Indigenous peoples have the right to revitalize, use, develop and transmit to future generations their histories, languages, oral traditions, philosophies, writing systems and literatures, and to designate and retain their own names for communities, places and persons.

Article 14(1): Indigenous peoples have the right to establish and control their educational systems and institutions providing education in their own languages, in a manner appropriate to their cultural methods of teaching and learning; **(2):** Indigenous individuals, particularly children, have the right to all levels and forms of education of the State without discrimination; **(3):** States shall, in conjunction with indigenous peoples, take effective measures, in order for indigenous individuals, particularly children, including those living outside their communities, to have access, when possible, to an education in their own culture and provided in their own language;

- E. MECC has a responsibility to work with First Nations to support improved outcomes for First Nation children and students regarding childcare and educational outcomes, including pursuant to the BC Tripartite Education Agreement and the Declaration Act on the Rights of Indigenous Peoples' Action Plan;
- F. Through resolutions at the Chiefs' Assemblies, the Chiefs in BC directed the Union of BC Indian Chiefs (UBCIC), the First Nations Summit (FNS), and the BC Assembly of First Nations (BCAFN), working together as the First Nations Leadership Council (FNLC), to wholly reform the current Indigenous child welfare system in BC (UBCIC Resolution 2016-44, 2017-06, & 2022-52, FNS Resolution 1016.11, 0217.19, & 1022.04; BCAFN Resolution 22/2016, 06/2017, & 32-2022), which includes early learning and child care;
- G. Through resolutions at the Chiefs' Assemblies (UBCIC Resolution 2020-27, FNS Resolution 1020.06, & BCAFN Resolution 20/2020), the Chiefs in BC directed UBCIC, the FNS, and the BCAFN, as the FNLC, to provide political leadership for the regional partnerships that will be required to ensure the Indigenous Early Learning and Child Care (IELCC) framework best responds to and supports First Nations children, families, and communities in ways First Nations determine;
- H. The FNLC, the Government of Canada (represented by Employment and Social Development Canada), and the Government of British Columbia (represented by the

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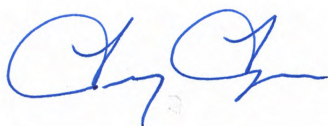
Ministry of Education and Child Care and the Minister of State for Child Care) have prepared a draft memorandum of understanding (MOU) as full and equal partners, to establish a formalized process to engage in regular dialogue on Indigenous Early Learning and Child Care for First Nations in BC, and on related issues of mutual interest and concern;

- I. The Tripartite MOU will confirm and set out a mutual commitment to engage in dialogue, oversight, and joint action on specific issues and initiatives, including relating to governance, policy, and investment to co-develop and support a system of First Nations-led Early Learning and Child Care in British Columbia, which acknowledges and is informed by broader IELCC system and policies, and is consistent with a distinctions-based approach;
- J. Through resolutions at the Chiefs' Assemblies (UBCIC Resolution 2022-51, FNS Resolution 1022.05, & BCAFN Resolution 31/2022), the Chiefs in BC directed UBCIC, FNS, and the BCAFN, working as the FNLC, to continue engaging with the provincial and federal governments, along with the First Nations Education Steering Committee (FNESC) and the BC Aboriginal Child Care Society (BCACCS), as appropriate, on ways to best support First Nations with early learning and child care in their communities and with regard to any implications for First Nations education; and
- K. FNESC and BCACCS are experts in the education, early learning, and childcare sectors, and provide advice to FNLC and First Nations in promoting and developing high-quality education and community early learning and child care services, and have supported the FNLC in negotiating the draft tripartite MOU.

THEREFORE BE IT RESOLVED THAT:

- 1. The BCAFN Chiefs-in-Assembly supports-in-principle the draft tripartite memorandum of understanding (MOU) on First Nations Early Learning and Child Care between BCAFN, the Union of BC Indian Chiefs (UBCIC), and the First Nations Summit (FNS), working together as the First Nations Leadership Council (FNLC), the Government of Canada (represented by Employment and Social Development Canada), and the Government of British Columbia (represented by the Ministry of Education and Child Care and the Minister of State for Child Care);
- 2. The BCAFN Chiefs-in-Assembly directs the Regional Chief to work with the UBCIC and FNS, as the FNLC, to prepare a finalized tripartite MOU, with Canada and BC on Indigenous Early Learning and Child Care, with the assistance of the First Nations

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Education Steering Committee (FNESC) and the BC Aboriginal Child Care Society (BCACCS);

3. The BCAFN Chiefs-in-Assembly directs the Regional Chief to sign the finalized tripartite MOU, if there are no significant changes to the principles or content of the draft tripartite MOU, and work with the UBCIC and FNS, as the FNLC, and with the assistance of FNESC and BCACCS, work on an implementation work plan;
4. The BCAFN Chiefs-in-Assembly calls on the federal and provincial governments to provide permanent, reliable, and appropriate funding for the FNLC, FNESC, and BCACCS, to be full and equal partners in this MOU, and for funding to support First Nations for their participation in implementation; and
5. That the BCAFN Chiefs-in-Assembly directs the Regional Chief to work with other members of the FNLC, FNESC, and BCACCS to provide regular reports to the BCAFN Chiefs-in-Assembly on implementation of the MOU.

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