

## Overview of Jurisdiction

Jurisdiction recognizes a First Nation's law making authority over their education system from K4 - Grade 12. This will allow the First Nation to pass laws regarding their education system that are in the best interest of their communities and members.

## Scope of Jurisdiction

First Nations will be able to exercise jurisdiction in all areas of K4 – Grade 12 education on their land in accordance with a Canada-First Nation Education Jurisdiction Agreement.

Some areas of jurisdiction will be jointly exercised through the First Nations Education Authority (FNEA). These include:

- Teacher Certification
- School Certification
- Graduation Requirements and approval of specific courses required for graduation
- Other (as delegated by First Nations)

## Entering into Jurisdiction

In order for a First Nation to enter into jurisdiction, the community must first provide approval by ratifying the Canada-First Nation Education Jurisdiction Agreement (Jurisdiction Agreement) and the First Nation's Education Law-Making Protocol.

After a First Nation completes the ratification process it will assume control over its education system and begin to exercise its jurisdiction.

## Frequently Asked Questions

**Q How does the First Nation ratification process work?**

**A** A First Nation completes the ratification process by having the community approve the Jurisdiction Agreement and the Education Law-Making Protocol through a community vote.

In order for ratification to be successful, [50% plus 1] of those who cast a vote must vote in favour of the agreement and the protocol.

**Q Does [50% +1] of the entire community have to vote in favour for ratification to be successful?**

**A** No. The entire community has to be given the opportunity to vote, but only 50% + 1 of those who actually cast a ballot have to vote in favour for ratification to be successful.

**Q What happens if ratification is unsuccessful?**

**A** In the event that ratification is unsuccessful, the First Nation will not be able to enter into jurisdiction. If that happens the community may attempt to ratify the agreements again through another vote, or choose not to pursue jurisdiction.

**Note:** If the First Nation wishes to vote again and it has spent all of its ratification funding on the first vote, then additional funding will have to be sought.



## First Nation Jurisdiction Over Education Ratification and Pre-Implementation Process



## Ratification Process

The ratification process starts once Lílwat Nation's appointed negotiator accepts an offer from Canada. After that point, Canada will send funds to the First Nation to support the ratification process.

Community members will vote on the *Canada-First Nation Education Jurisdiction Agreement* (Jurisdiction Agreement) and *Education Law-Making Protocol*.

Lílwat Nation Chiefs and Council is responsible for approving the *Canada-First Nation Education Jurisdiction Funding Agreement* (Funding Agreement).

Lílwat Nation will inform Canada once it has successfully completed the ratification process. Then, Canada will take the necessary steps to ratify the agreements on their part.y

Once Canada ratifies the Jurisdiction and Funding Agreements, they will initiate budget transfers for governance funding and then the parties will sign the agreements.

Lastly, Canada will pass an Order in Council to officially make Lílwat Nation a Participating First Nation (PFN).

On the effective date, Lílwat Nation will begin exercising jurisdiction over education.

## Ratification Process Chart for Lílwat Nation

This chart illustrates the steps that must be taken in order for Lílwat Nation to become a Participating First Nation with a Canada-First Nation Education Agreement and Education Law-Making Protocol in place.

