

July 24, 2018

# Day Scholar Class Action

**“Healing one heart, one mind & one spirit at a time”**



# Background

- August 25, 2012 –Class action filed in Federal Court on behalf of Day Scholars who attended residential school but did not receive the Common Experience Payment
- June 3, 2015 – Federal Court certifies Class Action for Survivor Class, Descendent Class and Band Class
- May 24, 2016 – Plaintiffs met with Minister Bennett who agreed to appoint a Ministerial Special Representative (“MSR”)
- October 31, 2016 – after months of following up the MSR is appointed
- September 5, 2017 – Memorandum of Understanding signed to find a fair settlement in a timely manner





# Presently

- After 12 meetings with the MSR from January 20, 2017 to January, 2018 the parties agreed that court facilitated mediation is necessary
- Class action is currently in the “Settlement Conference Management” stage with assistance from the Federal Court



# Class Definitions

- **Survivor Class:** any student who attended an approved Indian Residential School between 1920 and 1997
- **Descendant Class:** any child of a Day Scholar (biological, traditionally or legally adopted)
- **Band Class:** any Band with an approved Indian Residential School that taught Day Scholars on or close to band lands, or that had Day Scholars





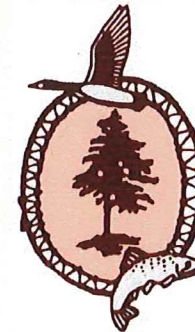
# Survivor Class Resolutions

- Priorities:
  - Day Scholars get equal treatment with Residential students who received the Common Experience Payment
  - Seek to include all individuals who were alive as of May 30, 2005
  - No cap on settlement funds



# Descendant Class Resolutions

- Priorities:
- Descendants in IRSSA were compensated by way of healing, commemoration and ability to record stories in TRC
- No individual compensation for residential students' children
- Focus on wellness and regaining of culture and heritage for descendants
- Focus on language/Culture restoration





# Band Class Resolutions

- Priorities:
  - Restoration and protection of language and culture
  - Community wellness, including impacts on children, grandchildren and great grandchildren of Day Scholars
  - Create a trust and use the interest to address issues as defined by the Bands
  - Projects determined by each community to address their specific needs



# TteS- SFN-JBC Day Scholar Class Action

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