



FSIN COMMUNIQUÉ

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August 29th, 2019

Indian Day School Class Action Update

(Treaty 6 Territory, Saskatoon, SK) — The Federation of Sovereign Indigenous Nations (FSIN) Executive have been an interested party since the release of the proposed settlement agreement for the sole reason of protecting the interests of vulnerable class members. Saskatchewan is expected to have the highest number of Day School claimants in the country. We have lobbied the parties - Gowling and the Federal Government - to amend the terms of the agreement to better meet the needs of Class Members. A few changes were made before the final agreement was approved by the Federal Court.

A decision was released August 12, 2019 approving the settlement agreement. The agreement and all information can be found on the website: www.indiandayschools.com or by calling 1-844-539-3815.

Gowling was the only approved Law Firm that can provide legal services to Indian Day School Survivors. Gowlings indicated that they are working with other law firms to assist in the day school file, but have not indicated any law firms that they are working with in Saskatchewan. Information will be provided when received.

There is now an Opt-Out period for the Indian Day School Class Action in effect which will end November 18, 2019.

It is expected that applications for survivors will become available on the implementation date, estimated time is December 18, 2019, 120 days after August 18, 2019 as per the settlement agreement. **Therefore although applications are online for survivors to review, the actual application date would be sometime after December 18, 2019.**

Beginning August 19th, 2019, Day School Survivors have 90 days to opt-out of the Settlement by removing themselves from the Class. Opting out is a serious and permanent decision. **Those choosing to opt-out of the Settlement will receive no compensation from this Settlement but will retain the right to bring an individual claim against Canada for harms suffered**, if they wish to do so. Anyone choosing to opt out must complete and submit the [Opt Out Form](#) by November 18th, 2019. The information and opt-out form is available on indiandayschools.com

The Settlement Agreement today covers 5 levels of abuse with claims ranging from \$10,000 to \$200,000. This is strictly a paper-filing claim that must be done by the survivors, Gowlings is required to provide legal services, they are the only lawfirm approved by the Federal Court to provide legal services. Depending on the level of abuse, it is the survivors sole responsibility to collect and submit their own supporting documentation that satisfies the 'Validation Criteria'. This essentially 'proves' the abuse happened. Survivors must send their completed applications and supporting documentation directly to the Claims Administrator. If claims are deemed ineligible or denied at a higher level, survivors can request reconsideration and a third-party assessor.

Eastates can make a claim if their deceased loved one who attended an Indian Day School passed on or after July 31st, 2007

All this information can be found on www.indiandayschools.com

If you have questions, please contact the Office of the First Vice Chief.

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