

Bylaw 200: FNMI Consultation and Engagement

01. Purpose

1. This bylaw shall govern the Students' Union's dealings with FNMI students, FNMI student leaders, and FNMI student groups.

02. Impacted Entities

1. The Students' Union, as well as those organizations who receive its delegated authority,
 - a. Shall ensure that this bylaw is followed in its dealings with FNMI students and student groups at the University of Alberta.
 - b. Shall consult and engage with FNMI students and FNMI student leaders in all its affairs which impact FNMI students in a manner materially distinct from how they impact students at large.

03. Principles

1. The Students' Union
 - a. Acknowledges and respects First Nations, Metis, and Inuit Peoples' inherent Aboriginal and Treaty rights.
 - b. Adopts the following "Principles of Reconciliation" set out by the Truth and Reconciliation Commission of Canada. The Students' Union recognizes that the following principles are not comprehensive and should not negate the advocacy of FNMI students or their representative groups. The principles are:
 - i. The United Nations Declaration on the Rights of Indigenous Peoples is the framework for reconciliation at all levels and across all sectors of Canadian society;
 - ii. First Nations, Inuit, and Métis peoples, as the original peoples of this country and as self-determining peoples, have Treaty, constitutional, and human rights that must be recognized and respected;
 - iii. Reconciliation is a process of healing of relationships that requires public truth sharing, apology, and commemoration that acknowledge and redress past harms;
 - iv. Reconciliation requires constructive action on addressing the ongoing legacies of colonialism that have had destructive impacts on FNMI peoples' education, cultures and languages, health, child welfare, the administration of justice, and economic opportunities and prosperity;
 - v. Reconciliation must create a more equitable and inclusive society by closing the gaps in social, health, and economic outcomes that exist between FNMI and non-FNMI Canadians;
 - vi. All Canadians, as Treaty partners, share responsibility for establishing and maintaining mutually respectful relationships;
 - vii. The perspectives and understandings of FNMI Elders and Traditional Knowledge Keepers of the ethics, concepts, and practices of reconciliation are vital to long-term reconciliation;
 - viii. Supporting FNMI peoples' cultural revitalization and integrating FNMI knowledge systems, oral histories, laws, protocols, and connections to the land into the reconciliation process are essential;
 - ix. Reconciliation requires political will, joint leadership, trust building, accountability, and transparency, as well as a substantial investment of resources; and
 - x. Reconciliation requires sustained public education and dialogue, including youth engagement, about the history and legacy of residential schools, Treaties, and FNMI rights, as well as the historical and contemporary contributions of FNMI peoples to Canadian society.
 - xi. The Students' Union recognizes that these Principles extend to Aboriginal student leadership and governance, and as such, must be respected.
 - xii. The Students' Union acknowledges that appreciation and recognition of consulted peoples and groups are important and hold cultural significance. This may include compensation such as:

- a. Money (recommended for consulting the student body)
- b. Tobacco (recommended for consultation with elders and FNMI organizations).

04. Consultation and Engagement Process

1. The Students' Union
 - a. Shall respect First Nations, Inuit, and Metis students in carrying out its activities, by consulting with FNMI students and student groups whose related interests may be uniquely impacted by federal, provincial, and university advocacy, as well as proposed policy, or legislative change.
 - b. Shall assess, in consultation with ARRC and FNMI students and stakeholders, how proposed activities may impact FNMI students, student groups, and their related interests.
 - c. Shall identify as a part of the aforementioned assessment when consultation should form part of its operations and ensure that consultations are initiated early in the planning, design, or decision-making processes.
 - i. Early consultations will assist the Students' Union in seeking to identify and address FNMI student and student group concerns, avoid or minimize any adverse impacts, and assess and implement mechanisms that seek to address their related interests.
2. Shall carry out consultation and engagement in a manner that seeks to balance the various interests of FNMI students and student groups. A meaningful consultation process is one which is:
 - a. Carried out in a timely, efficient, and responsive manner;
 - b. Transparent and predictable;
 - c. Accessible, reasonable, flexible, and fair;
 - d. Founded in the principles of good faith, respect, and reciprocal responsibility;
 - e. Respectful of the uniqueness of First Nation, Metis, and Inuit students; and
 - f. Includes accommodation, where appropriate.
3. Recognizes that FNMI student consultation, like general student consultation, is a requirement of fulfilling its responsibilities that flows from the Post-Secondary Learning Act.
4. Shall ensure that these emergent issues are appropriately addressed, if a consultation process grows to encompass issues beyond its original scope and mandate.
5. Shall consult with its committees and assess if additional consultation activities may be necessary, as appropriate.
6. Shall coordinate consultation and engagement activities with its external community partners. Where appropriate, the Students' Union will use consultation processes and engagement measures carried out by its partners to assist it in meeting its commitments and responsibilities.
7. Shall provide due compensation to partners whom the Students' Union coordinates consultation and engagement activities with its partner.
 - a. The form of compensation shall be determined by an agreement between the Students' Union and the consulted group during the consultation process.
8. Shall carry out its activities and related consultation processes in accordance with its commitments and processes involving FNMI student groups. The Students' Union will seek out opportunities to develop and maintain meaningful dialogue with FNMI student groups in support of building respectful relationships.
9. Shall undergo the consultation process outlined in this bylaw once every two (2) academic years regarding its yearly activities.

04. No Force or Effect

1. Any decision of Students' Council that is in conflict with federal or provincial statute or with the Common Law is of no force or effect.
2. In the event that a section of this bylaw is inconsistent with other Students' Union legislation, the D.I.E board shall weigh, on a balance of probabilities, the harm done by striking the other inconsistent bylaw against the harm done by striking this bylaw.
3. The Students Union shall not be bound by the provisions of this Bylaw in the event that FNMI students or student groups do not wish to be consulted or engaged.

4. Nothing in this bylaw shall be read to restrict the advocacy or activities of general application undertaken by the Students' Union
 - a. General application does not include situations or circumstances in which FNMI students are or would be disproportionately affected.
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