



Seabird Island Education Law

Seabird has traditional laws and teachings including:

éy kw's hákw'eleschet te s'í:wes te siyó:lexwalh,
xáxéstexw te mekw'stám
ewe chexw qelqelit te mekw'stám éy kw'es li hókwex yexw lámexw kwú:t,
s'ólh téméxw te íkw'elò xólhmet te mekw'stám ít e kwelát

These cannot be exactly translated into English but they include the following concepts:

It is good to remember the teachings of our ancestors;

Respect all things;

Don't waste, ruin, destroy everything, only take what you need;

This is our land we have to take care of everything that belongs to us;

Whereas:

WHEREAS the Province entered into the Education Jurisdiction Framework Agreement with the government of Canada and the First Nations Education Steering Committee on July 5, 2006;

AND WHEREAS the Province also entered into the British Columbia First Nation Education Agreement with the First Nations Education Steering Committee on July 5, 2006;

AND WHEREAS the government of Canada has enacted the *First Nations Jurisdiction over Education in British Columbia Act*, S.C. 2006, c. 10;

AND WHEREAS section 9 (1) of the *First Nations Jurisdiction over Education in British Columbia Act* (Canada) authorizes, to the extent provided by an individual agreement between the government of Canada and a participating First Nation, the participating First Nation to enact laws respecting education on First Nation land;

AND WHEREAS Seabird Island ratified education jurisdiction in December 2021,

AND WHEREAS Seabird Island has assumed jurisdiction over education on the Seabird Island as of July 1, 2022,

Now therefore:

Seabird Island Chief and Council hereby enact the Seabird Island Education Law.



Seabird Island Education Law



Contents

GENERAL.....	4
Definitions.....	4
Principles.....	4
BOARD OF EDUCATION	6
Board of Education duties and powers	6
Approval of policies, procedures and rules.....	8
Obligations of Members of Board of Education.....	8
Conflict of interest	9
COMMITTEES.....	9
PARENTS' RIGHTS AND RESPONSIBILITIES.....	9
PARENTS' COMMITTEE.....	9
Standards for locally developed courses.....	10
School calendar	11
Enrollment.....	11
Registration	12
STUDENTS	12
Duties of students.....	12
Breach of student code of conduct.....	12
Inclusivity policy	13
Attendance	13
Liability for damage to property	13



Seabird Island Education Law



MAINTENANCE AND OPERATION OF BUILDINGS AND FACILITIES	13
APPLICATION OF FNEA TEACHER CERTIFICATION AND PROFESSIONAL CONDUCT REGULATION.....	13
SCHOOL CERTIFICATION.....	13
APPEAL OF ADMINISTRATIVE DECISIONS.....	14
FIRST NATIONS EDUCATION AUTHORITY	15
Participation of Seabird Island in First Nations Education Authority	15
FINANCIAL MATTERS	15
General financial matters	15
Indemnification for civil claims and legal proceedings	15
Indemnification for criminal charges.....	16
POWER TO MAKE REGULATIONS.....	16
SEVERANCE.....	16
SIGNATURE PAGE.....	17



Seabird Island Education Law



General

Definitions

1. In this Act:
 - a. **Chief and Council** means the Chief and Council of Seabird Island;
 - b. **Board of Education** means the Board of Education established by Section 3;
 - c. **Member** means a Member of Seabird Island;
 - d. **School Age** means the age between the date on which a person is permitted under this law to enroll in an educational program provided by Seabird Island and the end of the school year in which the person reaches the age of 19 years.
 - e. **Seabird Island** means Seabird Island as recognized by the Members and the laws of Seabird Island;
 - f. **Lalme'Iwesawtexw or the School** means Seabird Island Community School.
 - g. **Student with diverse learning needs** means a student who has a disability of an intellectual, physical, sensory, emotional or behavioural nature, has a learning disability or has exceptional gifts or talents.
 - h. **Parent** means a biological parent, guardian, foster parent, caregiver or any individual through court order who has guardianship over a child.

Principles

2. Seabird Island recognizes the following principles with respect to its education system:
 - a. Students will have access to educational opportunities that:
 - i. ensure students are supported in a safe environment that fosters their academic, social, cultural, linguistic, emotional, technological and physical success;
 - ii. respect, promote and build students' unique Indigenous cultures including family, self-identity, traditions and values;
 - iii. give students the skills they need to thrive in contemporary society, including 21st century technological skills; and
 - iv. prepare them to access any opportunities they choose for higher learning, employment, and life choices.



Seabird Island Education Law



- b. The Seabird Island education system will align with Seabird Island's Comprehensive Sustainable Community Plan and the Strategic Plan, including all elements of leadership, environment, culture, healing, health and wellness, and infrastructure.
- c. Seabird Island's education system will link students with other community resources such as social, health, economic, youth and other services as a demonstration of a commitment to complete student wellness and an integrated system of supports.
- d. Students have a right to education which respects Stó:lō language and culture. Seabird Island will respect the range of Indigenous cultures and approaches to culture - which vary from family to family - and treat this diversity as an opportunity for learning and respect.
- e. The education of students is recognized to be a shared responsibility between the school, student, parent/guardian(s), family, and community. Accordingly, the School will work collaboratively with all stakeholders to ensure the success of students.
- f. Regular and on-going communication and dialogue between the student, parent, guardian and school are essential for student success. In ensuring positive communication, the School will consider parental capacity and utilize appropriate outreach, communication, and, where appropriate, communicate with other family members.
- g. Foundational skills are recognized as key to student success, including literacy and numeracy, and educational programming will reflect this principle.
- h. Seabird Island places significant importance on kindergarten readiness and will ensure efforts with community partners to maximize early success as a building block for school success and adult life.
- i. Seabird Island is committed to the transitional success of all graduating students to post-secondary education or work.
- j. Seabird Island's education system will promote and build student independence and self-reliance, creating strong role models for future generations.
- l. Seabird Island's education system will provide a learner-centered education program that addresses the unique needs of individual students.
- k. Education standards incorporate and support the importance of the Seabird Island's language, culture and knowledge.
- l. The value of life-long learning is recognized.
- m. A multi-generational approach will be incorporated as part of the learning environment at Lalme'Iwesawtexw.



Seabird Island Education Law



- n. The uniqueness of the learning environment at Lalme'Iwesawtexw must be respected.

Board of Education

3. The Seabird Island Board of Education is hereby established.
 - a. The Board of Education shall be comprised of such number of members as Chief and Council determine from time to time by resolution.
 - b. Chief and Council shall appoint no fewer than three (3) Seabird Island Council members and such other members as Chief and Council may appoint by resolution to the Board of Education.
 - c. Board of Education members shall serve for terms aligned with the Chief and Council election cycle.
4. The Board of Education is appointed as the School Governing Authority with respect to the operation of Lalme'Iwesawtexw.
5. Subject to the terms of this law, the Board of Education shall be subject to oversight by Chief and Council.
6. The Board of Education shall abide by such standards of governance as may be established for it by Chief and Council.

Board of Education duties and powers

7. The Board of Education is responsible to:
 - a. lead Seabird Island's education strategy, policy and planning and to determine priorities and allocate resources to meet Chief and Council's objectives for the operation of the Seabird Island education system;
 - b. ensure that policies and procedures for the effective and efficient operation of Lalme'Iwesawtexw are developed and implemented;
 - c. approve and monitor the annual Lalme'Iwesawtexw budget;
 - d. provide such information and reports as Chief and Council may require, including as to how Lalme'Iwesawtexw is meeting the educational, operational and financial expectations of Chief and Council;
 - e. approve the terms of reference for any committee established by the Board of Education pursuant to this Law and ensure adherence thereto;



Seabird Island Education Law



- f. approve the terms of reference for the Parents' Committee and ensure adherence thereto; and
 - g. report to the Community at the quarterly and annual meetings.
8. The Board of Education may:
- a. make or approve policies and procedures for the effective and efficient operation of Lalme'Iwesawtexw;
 - b. make rules for the internal governance of the Board of Education;
 - c. set or approve policy which permits people other than students to utilize Lalme'Iwesawtexw facilities, equipment and personnel;
 - d. evaluate and recognize education activities of an education program undertaken by a student outside of Lalme'Iwesawtexw;
 - e. approve the development and offering of local courses for use in the Lalme'Iwesawtexw, in accordance with the requirements of the First Nations Authorized Courses process, where applicable;
 - f. approve an education assessment mechanism for students or groups of students;
 - g. establish committees and specify the functions and duties of those committees, provided that committees or individual members of the Board of Education may not exercise the rights, duties and powers of the Board of Education; and
 - h. delegate specific and general educational, administrative and management duties to one or more of Seabird Island employees.
9. The Chief Administrative Officer of Seabird Island shall, under the general direction of the Board of Education, and under the oversight of Chief and Council, have responsibility for the general supervision, direction and operation of the Seabird Island educational system and may, to that end, delegate such powers and duties as they consider appropriate to other employees of Seabird Island. The Chief Administrative Officer is responsible to the Board of Education for the operation of the Seabird Island educational system.
10. The Board of Education must:
- a. at least annually, prepare and submit reports and statements to Chief and Council in the form, with the information and at the times required by Chief and Council;
 - b. at least annually, at a meeting of Chief and Council or of the Board of Education that is open to all Members, students and parents of Lalme'Iwesawtexw and members of the Parents' Committee



Seabird Island Education Law



- i. provide updates on the Board of Education and Lalme'Iwesawtexw's annual activities; and
- ii. provide a financial report on the most recent fiscal year;
- c. develop or approve written policies concerning reporting for child protection purposes;
- d. develop or approve written policies concerning student discipline, bullying and harassment, anti-racism and illicit drug use; and
- e. and make available to Members an aggregate outcome report on Lalme'Iwesawtexw student performance to parents of school age students.

Approval of policies, procedures and rules

11. All of the powers of the Board of Education may be exercised by resolution.
12. The Board of Education must provide Chief and Council a copy of any resolution, policy, procedure or rule within 60 business days of adoption.
13. Chief and Council may, by resolution, disallow any policy, procedure or rule adopted by the Board of Education within 60 days of receipt from the Board of Education if the policy, procedure or rule is inconsistent with the principles established for the operation of the education system, inconsistent with a policy or law adopted by Chief and Council, inconsistent with the Canada First Nation Education Jurisdiction Agreement, or if the Board of Education has acted unreasonably.

Obligations of Members of Board of Education

14. A member of the Board of Education must:
 - a. act honestly and in good faith and in the best interests of Seabird Island;
 - b. exercise the care, diligence and skill of a reasonably prudent person;
 - c. demonstrate strong governance and financial skills, and
 - d. maintain confidentiality
- in exercising the powers and performing the functions as a member of the Board of Education.



Conflict of interest

15. Unless other applicable rules with respect to conflict of interest are established by Chief and Council, the Board of Education must adopt conflict of interest rules and procedures. All members of the Board of Education must abide by any such rules and procedures as are applicable.

Committees

16. The Board of Education may establish committees with such composition and terms of reference as the Board of Education may determine, including to provide advice or input with respect to the operation of Lalme'Iwesawtexw or as otherwise set out in the applicable terms of reference.
17. Any committee as may be established must abide by the terms of reference established for it.

Parents' rights and responsibilities

18. A parent of a student of School Age attending Lalme'Iwesawtexw is entitled:
 - a. to be informed of the student's attendance, behaviour and progress in school in a timely manner;
 - b. to provide input, if the student is a non-Member attending Lalme'Iwesawtexw, with respect to programs or services where decisions directly and significantly affect the rights of students who are non-Members or their parents; and
 - c. to belong to a parents' committee, if one has been established.
19. A parent of a student of school age attending Lalme'Iwesawtexw:
 - a. has a right and responsibility to consult with the teacher or principal with respect to the student's education program; and
 - b. must, at the request of a teacher or principal, meet with the teacher or principal regarding the student's educational program.

Parents' Committee

20. Parents of students attending Lalme'Iwesawtexw may apply to the Board of Education to establish a parents' committee for Lalme'Iwesawtexw,
21. On receipt of an application under section 20, the Board of Education must establish a parents' committee for Lalme'Iwesawtexw (the "Parents' Committee").



Seabird Island Education Law



22. Parents of non-Member students are entitled to participate as full members on the parents' committee.
23. The Parents' Committee must establish an Executive Committee in accordance with the Parents' Committee Terms of the Reference.
24. Any person appointed or elected to the Executive Committee of the Parents' Committee must, as a condition of their membership on the Executive Committee, agree to abide by the Parents' Committee Terms of Reference, any policies or agreements incorporated therein, the Seabird Island Respectful Workplace Policy and Confidentiality Agreement.
25. Subject to the terms of the Parents' Committee Terms of Reference approved by the Board of Education, the Parents' Committee may:
 - a. provide a forum for parents and students, including off-reserve students, to have a voice and representation with respect to the Seabird Island education system;
 - b. encourage parent involvement in school activities, and support programs that promote parent involvement;
 - c. support teachers and staff in the delivery of educational programs to students;
 - d. organize fundraising events and activities to support parents' committee activities and school events;
 - e. organize parents' committee activities and school events, and provide parent education;
 - f. communicate with parents and promote co-operation between the home and the school in providing support for the education of children;
 - g. assist parents in accessing the education system and advocate on behalf of parents and students; and
 - h. provide feedback to the principal and Board of Education about school programs, policies, plans and activities.
26. The Board of Education must provide the parents of all students who attend Lalme'Iwesawtexw with the opportunity to have input into program or service decisions where that decision(s) directly and significantly affect(s) their rights as parents or the rights of their children as students.

Education Program

Standards for locally developed courses



Seabird Island Education Law



27. Any locally developed courses that may be used to satisfy the graduating requirements for a First Nations Education Authority Graduation certificate for a required or elective course, or a Seabird Island Graduation certificate must be authorized by the Board of Education and approved by the First Nations Education Authority in accordance with the *First Nations Education Authority Rules for Courses Required to Graduate*, as amended from time to time.

School calendar

28. The Board of Education must develop or direct the principal to develop a school calendar for each school year in accordance with any requirements that are set out in a policy adopted by the Board of Education. Any school calendar must comply with any rules, policies or directives of the First Nations Education Authority.

Enrollment

29. A person is eligible to enroll in an education program provided by Lalme'Iwesawtexw if:
- the person meets the Board of Education's enrollment criteria, consistent with the provisions of this Law and the Canada-First Nation Education Jurisdiction Agreement;
 - the person is aged 4 to 18 as of July 1st of the school year or 19 and older as a graduated or non-graduated adult; and
 - the Board of Education, through its designated employees, determines that space, facilities and educational resources are available for the person at Lalme'Iwesawtexw.
30. Priority for enrolment at Lalme'Iwesawtexw shall be as follows:
- Seabird members;
 - other First Nations students;
 - other students.
31. A Member must:
- enroll their child in an education program provided by the Board of Education, a public school, a school operated by or on behalf of another First Nation, an independent school or an education program otherwise provided by the Province of British Columbia on the first day of the school year, if, on or before December 31 of that school year, the student reaches the age of five years of age).



Seabird Island Education Law



- b. ensure their child participates in an education program provided by Seabird Island, a public school, a school operated by or on behalf of another First Nation, an independent school or an education program otherwise provided by the Province of British Columbia until they reach the age of 16.
- 32. Subject to receiving funding in accordance with agreements with Canada or the Province of British Columbia, the Board of Education will provide an education program to students who meet the requirements of those funding arrangements and are enrolled to attend the Lalme'Iwesawtexw.
- 33. Seabird Island will contribute to the education of eligible students enrolled in a BC Public School or a BC Independent School in accordance with the requirements of the Canada-First Nation Education Jurisdiction Agreement.

Registration

- 34. The Board of Education must ensure the establishment of written procedures respecting the registration of students.

Students

Duties of students

- 35. Students must comply with the policies and procedures approved by the Board of Education with respect to students enrolled at Lalme'Iwesawtexw, including with respect to student conduct.

Breach of student code of conduct

- 36. The Board of Education must ensure establishment of a policy respecting the discipline, suspension or expulsion of a student enrolled at Lalme'Iwesawtexw.
- 37. Unless otherwise prohibited by the policy respecting the discipline, suspension or expulsion of a student enrolled at Lalme'Iwesawtexw, the principal may suspend a student or refuse to enroll or continue to provide an education program to a student if that student has failed to comply with the student code of conduct or other rules, policies or procedures applicable to students enrolled at Lalme'Iwesawtexw.
- 38. The policy respecting the discipline, suspension or expulsion of a student enrolled at Lalme'Iwesawtexw must include a provision for an appeal or review of that decision, if the decision significantly affects the education, safety or welfare of the student.



Inclusivity policy

39. The Board of Education must ensure the development and implementation of a policy respecting the provision of an education program to students with diverse learning needs.

Attendance

40. The Board of Education must ensure the development and implementation of a policy respecting student attendance and in particular promoting student attendance at school.

Liability for damage to property

41. If property of Seabird Island is destroyed, damaged, lost or converted by the intentional or negligent act of a student, that student and that student's parents are jointly and severally liable to Seabird Island for the act of that student.

Maintenance and operation of buildings and facilities

42. The Board of Education, through its designated employees, is responsible for the management of Lalme'Iwesawtexw and for the custody, maintenance and safekeeping of all property owned or leased by Seabird Island.
43. The Board of Education may, through its designated employees, temporarily close Lalme'Iwesawtexw if the health or safety of the students is endangered.
44. Only Chief and Council may permanently close Lalme'Iwesawtexw. Prior to any permanent closure of Lalme'Iwesawtexw, Chief and Council must consult the Members.

Application of FNEA Teacher Certification and Professional Conduct Regulation

45. The First Nations Education Authority Rules for the Certification and Regulation of Teachers, as amended from time to time, apply to teachers employed by Seabird Island.

School certification

46. The First Nations Education Authority Rules for the Certification of Participating First Nations Schools, as amended from time to time, apply to Seabird Island, the Board of Education and Lalme'Iwesawtexw.



Diplomas

47. The Board of Education may issue a Seabird Island Graduation Certificate to:
- a. a student attending Lalme'Iwesawtexw who has met the graduation requirements established by the Board of Education and approved by the First Nations Education Authority in accordance with the First Nations Education Authority Rules Establishing Graduation Requirements, as amended from time to time; and
 - b. a Member attending a provincial public school or independent school who has met the graduation requirements established by the Board of Education and approved by the First Nations Education Authority in accordance with the First Nations Education Authority Rules Establishing Graduation Requirements, as amended from time to time.
48. The Board of Education may request that the First Nations Education Authority issue a First Nations Graduation Certificate in respect of:
- a. a student attending Lalme'Iwesawtexw who has met the graduation requirements established and approved by First Nations Education Authority in accordance with the First Nations Education Authority Rules Establishing Graduation Requirements, as amended from time to time; and
 - b. a Member attending a provincial public school or independent school who has met the graduation requirements established and approved by First Nations Education Authority in accordance with the First Nations Education Authority Rules Establishing Graduation Requirements, as amended from time to time.
49. The Board of Education may request that British Columbia issue a British Columbia Certificate of Graduation (Dogwood) or a British Columbia Adult Graduation Diploma (Adult Dogwood) for a student having completed an education program at the grade twelve level at Lalme'Iwesawtexw and having achieved learning outcomes substantially comparable to those required for graduation by the British Columbia Ministry of Education.

Appeal of Administrative Decisions

50. Chief and Council must establish procedures for the appeal or review of administrative decisions of the Board of Education, or its designated employees, where those decisions directly significantly affect the education, health or safety of the individual or student.



First Nations Education Authority

Participation of Seabird Island in First Nations Education Authority

51. Seabird Island will appoint two directors to sit on the board of directors of the First Nations Education Authority for an initial term of up to two years, and thereafter for terms of appointment to be established by the board of directors of the First Nations Education Authority.
52. One of the directors appointed by Seabird Island to the board of directors under section 54 must be a Member.

Financial Matters

General financial matters

53. The Board of Education must ensure the preparation of, and must approve, an annual budget to support education programs and services for Seabird Island and submit it to Chief and Council for approval by a date specified by Chief and Council.
54. Estimated expenditures in the annual budget shall not exceed the funding approved by Chief and Council.
55. The Board of Education may make amendments to the annual budget should circumstances warrant and forward such amendments to Chief and Council for approval.

Indemnification for civil claims and legal proceedings

56. Chief and Council may, by resolution, provide that Seabird Island will indemnify:
 - a. any member of the Board of Education,
 - b. any member of the any member of a committee established by the Board of Education, or
 - c. any Seabird Island employee involved in delivering or supporting services to Lalme'Iwesawtexw,against
 - i. a claim for damages against the individual arising out of performance of their duties;



Seabird Island Education Law



- ii. legal costs if they are involved in an inquiry or other legal proceeding related to the management or operation of Lalme'Iwesawtexw; and
- iii. any other legal costs arising from such claims or proceedings.

Indemnification for criminal charges

57. If:

- a. any member of the Board of Education,
- b. any member of a committee established by the Board of Education, or
- c. any Seabird Island employee involved in delivering or supporting services to Lalme'Iwesawtexw,

is criminally prosecuted as a result of actions taken while carrying out their official duties in good faith, Chief and Council may, with an affirmative vote of at least two-thirds (2/3) of all Council members, approve payment to cover any costs needed to defend the individual.

58. Notwithstanding section 57, Seabird Island will not cover any fines or penalties if the individual is convicted of the offence.

Power to Make Regulations

59. Chief and Council may make regulations pursuant to this Law respecting the following matters:

- a. defining any expression that is used but not defined in this Law;
- b. respecting the procedures for appointing or delegating authority to the Board of Education and any committee established pursuant to this law; and
- c. respecting any matter or thing that Chief and Council consider necessary or advisable to facilitate the functioning of the committees and the operation of the Seabird Island education system.

60. This Law comes into effect upon adoption by Chief and Council or such later date as Chief and Council may determine.

Severance

61. If any provision of this Law is held to be invalid, void or unenforceable by a court of competent jurisdiction, such invalidity shall not affect the remaining provisions of this Law.



Seabird Island Education Law



Signature page

Coming into Force

65. This Law comes into force on July 1, 2025.

66.

BE IT KNOWN that this Law entitled Seabird Island Education Law 2025 is hereby:

Enacted by a Resolution of Council on the _____ day of _____, 2025.

(A quorum is 5)

<div></div> <div></div> <div>Chief</div>	<div></div> <div></div> <div>Councillor</div>
<div></div> <div></div> <div>Councillor</div>	<div></div> <div></div> <div>Councillor</div>
<div></div> <div></div> <div>Councillor</div>	<div></div> <div></div> <div>Councillor</div>
<div></div> <div></div> <div>Councillor</div>	<div></div> <div></div> <div>Councillor</div>