

SAULT COLLEGE OF APPLIED ARTS AND TECHNOLOGY

SAULT STE. MARIE, ON

COURSE OUTLINE

COURSE TITLE: LEGISLATION I

CODE NO.: NSA 102-3 SEMESTER: THREE

PROGRAM: NATIVE COMMUNITY WORKER

AUTHOR: HAZEL KANE

DATE: SEPTEMBER 19 9 0

PREVIOUS OUTLINE DATED: SEPT. 1989

APPROVED:

  
DEAN

DATE

COURSE: riegislation I NSA 102-3

INSTRUCTOR: Hazel M. Kane

PREREQUISITES: 3

LENGTH: 48 HOURS

MONDAY: 2:30 p.m. - 4:30 p.m.

FRIDAY: 11:30 a.m. - 12:30 p.m.

**PHILOSOPHY/GOALS :**

This course is designed to heighten the students' awareness of past and present legislation pertaining to First Nations. This will include the structure and process of Band government.

The goals of this course are to provide the students with an overview of the development of Band government and provide a general knowledge of the stages of the development. Customary-Law, Treaties, Indian Act, Aboriginal Rights and Band structure are specific areas which will be studied. With this knowledge the students should be more effective in their work in their community and place of employment.

**STUDENT PERFORMANCE OBJECTIVES:**

The objectives of this course are to:

1. provide the students the opportunity to delve into a complicated ever-changing area of Native life, both on and off the Reserve;
2. to allow the students the opportunity to develop an understanding of present day issues which affect them, such as aboriginal rights and the impact of Bill C-31;
3. to develop the students' learning skills pertinent to the application and interpretation of laws as it affects their lives.

**REQUIRED STUDENT RESOURCES:**

Drum Beat, Summrhill Press (Available in Bookstore)

Reference: In Learning Resource Centre

Aboriginal Peoples and the Law, Carleton University Press

Pathways to Self Determination, University of Toronto Press

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**EVALUATION:**

Attendance and Participation	20%
Written Assignments	10%
Mid-Term Test	20%
Project (To Be Discussed)	30%
Final Exam	<u>20%</u>
<b>Total</b>	<b>100%</b>

Students will be expected to write the mid-term test and final exam on the prescribed date.

Assignments are due on time or marks will be deducted.

**TOPICS TO BE COVERED:**

- 1. Aboriginal and Constitutional Rights**  
Origins of Aboriginal rights - International Law, Royal Proclamation,  
The Constitution, the First Ministers Conferences, and Meech Lake.  
Court decisions, federal, provincial and First Nations views on Aboriginal rights.
- 2. Treaties**  
Legal status and significance of treaties.  
"Spirit and Intent" - the interpretation of treaties.  
Treaty harvesting rights - First Nations, governments and judicial views.
- 3. The Indian Act**  
Historical development of the Indian Act.  
Bill C-31 and First Nations Citizenship codes.  
Band Councils - elections and structures.
- 4. Band Council Powers**  
Overview.  
Surrenders and leases of reserve lands.  
Taxation of individuals and businesses.  
By-law powers.  
Election.
- 5. Application of Federal and Provincial Laws on Reserve**
- 6. Self-Government**  
Existing arrangements.  
Current options for Bands, child welfare; economic development; natural resources and food harvesting; education; courts, policing and corrections.

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**COLLEGE GRADING SYSTEM:**

A+ = 90 - 100%

A = 80 - 90%

B = 70 - 79%

C = 60 - 69%

R = Under 60 (Must Repeat Course)