

SAULT COLLEGE OF APPLIED ARTS AND TECHNOLOGY

SAULT STE, MARIE, ON

COURSE OUTLINE

COURSE TITLE: Legislation I

PROGRAM: Native Community Worker

COURSE CODE NSA102-3

SEMESTER; Three

DATE September 1994

AUTHOR Native Education and Training

NEW:

REVISED: X

APPROVED;

DATE

Dean, School of Arts
and General Education

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PHILOSOPHY/GOALS:

The "inherent right to self-government" is quickly becoming a household phrase within communities in Indian country as we move into a new era of Canada's history and politics. This course will provide the students with an in-depth analysis of what Indian self-government will mean for future generations of First Nation people. As we look at the past and present systems of governing and how legislative acts have been a barrier to native self determination, the emphasis will be finding and understanding a link to customary Indian Law.

Resources will include recommended readings as suggested by the instructor and any reference material will be made available in the Learning Resource Centre.

STUDENT PERFORMANCE OBJECTIVES:

After completion of this course, the student will:

1. Be able to discuss the development of band government and various legislative acts imposed on such governments
2. Understand and have the ability to discuss present day political and legal issues affecting native people such as land claims and the concept of self-government
3. Be able to use research skills and make analysis on the application and interpretation of laws affecting Anishnabe life

TOPICS:

1. Treaties:
 - legal status (native and non-native perspectives)
 - treaties verses federal/provincial laws in terms of hunting and fishing
2. Indian Act:
 - historical development
 - amendments/Bill C-31
 - application to present system of government
3. Band Government Structure And Functions:
 - elections verses hereditary chieftainship
 - powers of band council/by-law powers
 - taxation (G.S.T. and P.S.T.)
4. Land Claims:
 - types and processes
 - Supreme Court decisions on various cases, i.e. Sparrow, Agawa, etc.

TOPICS: (continued)

5. Self-government:

- constitution (First Ministers Conferences, Meech Lake)
- aboriginal rights (international law, Royal Proclamation)
- models of self-government in existence today

INSTRUCTIONAL METHODS:

A variety of methods will be used including: lecture presentation, group discussion, audio visual presentation, guest speakers and field trips.

EVALUATION:

Attendance and Participation	10%
Written Ass. or Field Trip	20%
Mid-Term Test	20%
Project	30%
Final Exam	20%
TOTAL	100%

COLLEGE GRADING SYSTEM:

Letter grades, for transcript purposes, will be calculated as follows:

90% - 100%	A+
80 - 90%	A
70 - 79%	B
60 - 69%	C
Less than 60%	= R (Repeat of the course)

SPECIAL NOTES:

Students with special needs, e.g. physical limitations, visual impairments, learning disabilities are encouraged to discuss required accommodations confidentially with the instructor.

Your instructor reserves the right to modify the course as he/she deems necessary to meet the needs of the students.

All students must attend 60% of the classes to obtain a passing grade.

SPECIAL NOTES: (continued)

All assignments are to be handed in on the due date and are to be typewritten. Any late assignments will be penalized 1% per each day late.

Tests - cannot be rewritten in order to obtain a higher grade. Tests may be rescheduled, at the instructor's discretion, for substantial and substantiated reasons for absence on test day. Students who miss a test **MUST** make re-scheduled arrangements directly and immediately with the instructor.