AN ACT RESPECTING THE

SASKATCHEWAN INDIAN FEDERATED COLLEGE

MAY 26, 1994
THE SASKATCHEWAN INDIAN FEDERATED COLLEGE ACT

The Executive Council, by and with the advice and consent of the Indian Governments of Saskatchewan, enacts as follows:

Short Title 1. This Act may be cited as the

Saskatchewan Indian Federated College Act, 1994 or SIFC Act, 1994.

Interpretation 2. In this Act:

(a) "FSIN" means the Federation of Saskatchewan Indian Nations;
(b) "Executive" means the Executive of the FSIN;
(c) "Executive Council" means the Executive Council of the FSIN which includes the Tribal or Agency representative elected by representatives of the Indian Governments of Saskatchewan;
(d) "Board of Governors" or "Board" means the Board of Governors of the Saskatchewan Indian Federated College;
(e) "SIFC" and "University College" mean the Saskatchewan Indian Federated College as established under the authority of this Act;
(f) "President" means the Chief Executive Officer of the University College;
(g) "Academic Council" means all members of the SIFC faculty which shall include senior management, deans, department heads and professors;
(h) "University" means the University of Regina;
(i) "FSIN Senate" means the Senate of the Federation of Saskatchewan Indian Nations.
(j) "Elder" means the Elders of the FSIN;
(k) "Program" means a course of studies offered to students at the pre-school, N/K-12, post-school, College, University or Institute levels;
(l) "Education System" means those education programs or services that are the responsibility of the Education Council, Colleges and Institutes, as determined, from time to time, by the Indian Governments of Saskatchewan;
(m) "School" means the physical facilities, lands and programs offered to students enrolled in an education system subject to the authority of this Act.

(n) "Post-School" means other programs offered to students who are not participating in either the N/K-12, College or Institute programs;

(o) "Provincial Government" means the Government of the Province of Saskatchewan;

(p) "Federal Government" means the Government of Canada;

(q) "Band Government" means the Chief and Council of a Band.

3. The purposes and principles of this Act are:

   (a) to establish under First Nations government an autonomous degree granting University College to serve First Nations people for the purpose of providing university-level education;

   (b) to empower the SIFC to provide staff, facilities and equipment to operate university programs at the local, regional, national and international levels.

4. (1) The University College may negotiate and enter into federation or other agreements with other Universities as its Board of Governors determine to be in the interest of Indian people.

   (2) The FSIN recognizes the Federation Agreement between the University of Regina and SIFC. The University of Regina will be consulted prior to any changes to this Federation Agreement.

5. Subject to Section 4 the SIFC has been created by the FSIN for the benefit of Indian people, and shall operate under the control of a Board of Governors established under the authority of this Act.

6. (1) The Board shall consist of the following. Each appointment shall be accompanied by an official document authorized by the appointing authority:

   (a) One member appointed by the Executive;
(b) One member appointed by each of the Tribal/Agency Councils established by the FSIN. The said members representing the Tribal/Agency/Councils shall be appointed by the Tribal/Agency Chiefs’ Councils of each Tribal/Agency Council, consistent with the Tribal and Provincial Conventions with the FSIN;

(c) Two members appointed by the Senate of the FSIN, (non-voting members);

(d) one member appointed by the independent bands;

(e) two members from the Saskatchewan Indian Federated College Students’ Association who shall be appointed by the said Association (voting members);

(f) the Chief of the FSIN shall be an ex-officio member of the Board of Governors of the SIFC (non-voting member);

(g) a member-at-large who may be appointed by the Executive.

(2) The following bodies shall have the power to appoint observers to receive notice of and attend meetings of the Board of Governors, but such observers shall not be entitled to vote at meetings of the said Board, namely:

(a) one observer from the SIFC faculty who shall be elected by SIFC’s Academic Council;

(b) the Board of Governors may, by resolution, grant observer status to such other individuals representing such other bodies as the said Board may, from time to time, determine.

Term of Office

7. A person appointed as a member of the Board shall hold office at the pleasure of the appointing body.

Vacation of Office

8. A person ceases to be a member of the Board when he/she:

(a) submits his/her resignation to the appointing authority; or

(b) is removed from office by the appointing authority; or

(c) ceases to be a member of the Executive Council if appointed by the Executive Council.
Vacancies

9. (1) Vacancies in the Board of Governors shall be filled by the appropriate authority.

(2) A vacancy among the appointed members of the Board does not impair the authority of the remaining members of the Board to act.

(3) Where the vacancies on the board render the Board inoperative, as determined by the Board and the Executive Council, the Board and the Executive Council shall determine an interim arrangement.

Chairperson and Vice-Chairperson

10. (1) The Board shall appoint, from among its members of the Board, a Chairperson, who shall have an Executive function as determined by the FSIN Convention Act (1985), and who shall report to the Chiefs' Council, the Executive Council and the Legislative Assembly of the FSIN.

(2) The Board shall also, from among its members, appoint a Vice Chairperson, who, in the event of the disability or absence of the Chairperson, has the powers and shall perform all of the duties of the Chairperson.

Meetings and Other Business

11. The Board shall make by-laws and regulations respecting the conduct of its meetings and, generally, the conduct of its affairs.

Quorum and Voting

12. (1) A majority of the persons holding office from time to time as members of the Board shall constitute a quorum.

(2) A resolution, regulation or by-law passed by the majority of the members present at a meeting of the Board at which a quorum is present binds all the members of the Board.

(3) Each Board member shall have one vote except the Chair who shall have a casting or deciding vote in the event of a tie.

Appointment of the President

13. (1) The Board shall appoint, suspend or remove the President of the SIFC.

(2) The Board shall determine the duties, tenure of office and remuneration of the President.

Powers of the Board

14. The Board shall:

(1) erect, purchase, sell, lease and maintain the real property of the SIFC as it deems necessary and proper;
Duties of the Board

15. notwithstanding items (a) to (h) listed below and other sections of this Act, the Board will have the overall authority and responsibility for the direction and operation of the Board to:

(a) subject to the approval of the Treasury Board, appoint one or more auditors to audit the accounts and transactions of the SIFC at least once a year and not later than the 30th day of June for the preceding fiscal year;

(b) at least once per year conduct, or have conducted, in a manner approved by the Executive Council, an operational and program review of the SIFC and submit the results to the Executive Council;

(c) make available, upon written request, the regulations of the SIFC to other Indian Governments;

(d) encourage Band/Tribal/Agency Governments and Band/Tribal/Agency Boards of Education involvement by keeping them informed of the business and activities of the SIFC;

(e) ensure the business and affairs of the SIFC are conducted in accordance with this Act and its accompanying regulations;

(f) subject to the authority of Treasury Board, secure protective coverage in the form of property and liability insurance;

(g) formulate policies and regulations for the SIFC concerning its organization, administration, and operation. This shall include, but not necessarily be limited to:

i. establishment of a code ethics for the Board;

ii. relations with the Band/Tribal/Agency boards of Education, Indian Governments, Boards of Directors of Indian controlled Colleges and Institutions, Provincial and Federal Governments and/or their agencies and representatives;

iii. relations with parents, guardians, and students;
iv. establishment of professional development activities.

(h) ensure the SIFC operates within the guidelines of the SIFC Act and represents the interests of SIFC’s various constituents.

Remuneration 16. The members of the Board:

(a) may be paid remuneration for the performance of their duties as members of the Board;

(b) may be paid traveling and living expenses while absent from their ordinary places of residence and in the course of their duties as members of the Board; and

(c) Rates shall be prescribed by the policy of the SIFC.

Action 17. No action shall be brought against the Board on account of anything done or omitted to be done by them in the performance of their duties as prescribed under the authority of this Act.

Taxation 18. Based on the authority of, and the understanding of our Treaties with the Crown, and the Principles of Indian Government, the Board and its programs of study shall not be liable to taxation for provincial, municipal or school purposes, for property, real and personal of the SIFC.

Amendment 19. The Saskatchewan Indian Federated College Act may be reviewed for necessary amendment from time to time by resolution at a duly called Legislative Assembly of the Federation of Saskatchewan Indian Nations.

Superceding Legislation 20. The Saskatchewan Indian Federated College Act will be superceded only by the Federation of Saskatchewan Indian Nations Convention Act (1985) and by the Saskatchewan Indian Education Act.