

Federal Indian Day School Class Action Settlement

Kó:ra Onkwehón:we enhnísera Ionterihwaienhstákhwa
Ronwatihatonhserá:wi wahaterihwahserón:ni



July 2020

NEWSLETTER

Edition 1

The Claims Process is Open Until July 13, 2022

In 2009, the late Garry McLean initiated a Class Action Suit against the federal government of Canada for harms and abuses suffered through attending Indian Day Schools. About 200,000 Indigenous children across Canada were forced to attend these schools during the day and went home at night. Day schools were excluded from the residential school settlement. Garry McLean and his lawyers, Gowling WLG, reached an out-of-court settlement with the federal government in late 2018. The settlement was approved by the Federal Court on August 19, 2019 and the Claims Process

was opened January 13, 2020. We urge all those to become informed about the proposed settlement and their rights relating to it.

The settlement includes everyone who attended a Federal Indian Day School. Compensation ranges from \$10,000 for verbal/physical abuse to a maximum of \$200,000 for repeated sexual abuse and/or physical assault leading to long-term injury.

The settlement also includes a \$200M Legacy Fund to support commemoration projects, health and wellness programs, as well as language and culture initiatives for communities.

INDIAN DAY SCHOOLS CLASS ACTION SETTLEMENT

Caution:

Filling out this Claim Form may be emotionally difficult or traumatic for some people.

If you are experiencing emotional distress and want to talk, free counselling and crisis intervention services are available from the Hope for Wellness Help Line at 1-855-242-3310 or online at www.hopeforwellness.ca.

The toll-free number and website are available 24 hours a day, 7 days a week.

Free legal assistance with the Claims Form is available from Class Counsel, Gowling WLG at 1-844-539-3815.

If you attended a Federal Indian Day school in Kahnawà:ke between 1920 and 1988, you may be eligible

Estates of Day School survivors who passed away on or after July 31st, 2007 will also be eligible to apply*

* According to Estate law, estates can only make claims as far back as two years prior to the filing of the action. The Indian Day School class action was filed in 2009 so the cut-off date is July 31, 2007 for this case.

Forms (pictured left) can be downloaded at home by accessing on www.indiandayschools.com

Claim Form (page 2)

Former Day School students are collectively identified as Survivor Class Members. If you believe you are a member of the Class, please complete the Claim Form to the best of your ability.

Part 1	Your name, contact details and date of birth	page 3
Part 2	Day School(s) and the years you attended	page 4
Part 3	Consent and Signature Page	page 5
Part 4	IF claiming Level 1 Verbal / Physical Harm	page 6
Part 5	IF claiming Level 2, 3, 4, or 5 Sexual / Physical Harm	pages 7-11
Part 6	Complete <u>only</u> if you are missing required document(s)*	page 12
Part 7	Complete <u>only</u> if you are a legal representative of a Claimant	page 13

Before sending, please review the Retention Policy and Submission Process on pages 14 and 15

Part 7 Legal Representative/Estate Executor

If you are applying as a **Legal Representative/Estate Executor** of a Claimant and are missing Identification (band card/number) - please contact the MCK Membership Office at 450-638-0500 and make an appointment.

To become appointed as an administrator /executor for the estate of a deceased Claimant that lived in Kahnawà:ke, please contact INAC/CIRNAC at 450-638-1372.

Please note: According to Deloitte FAQ, the Social Insurance Number can be left blank if without this info.

Retention of claim form and documents (page 14)

Retention of Claim Form and Documents

You can choose to have your Claim Form and supporting documents attached to the form:

Please check one:

A) Securely Destroyed; Or

Destroy

B) Returned to you; Or

Return

C) Delivered to the Legacy Fund*

Legacy*

* Under the Settlement Agreement, the McLean Day Schools Settlement Corporation will be established to promote Legacy Projects for commemoration, wellness/healing, and the restoration and preservation of Indigenous languages and culture. The Corporation will be managed by Directors (to be appointed by the Parties to the Agreement), with input from an Advisory Committee (representative of Indigenous survivors and their families). For more information, refer to the Agreement and visit [www.indiandayschools.com].

Q & A

Q: Who is eligible?

A: 1. Anyone who attended a federal Indian Day School and suffered harm is eligible for compensation.

2. Estates of Day School survivors who passed away on or after July 31st, 2007 will be eligible to apply.

3. If an individual attended a residential school and received settlement funds, they are still eligible to apply for the day school settlement if they also attended a day school.

4. People as young as 36 or 37 may be eligible.

Q: Where can I get Application Forms?

A: You can call MCK Main Reception at 450-632-7500 for delivery until offices reopen (deliveries will occur weekly) OR download online at www.indiandayschools.com

If you wish to apply for compensation, you will have from January 13, 2020 to July 13, 2022.

Never give out your banking information

Assistance is free

If you need help completing your forms there is **no charge** for this service.

Checklist (page 15)

Submission Process	
Claim Due By: July 13, 2022	
Before sending, please make sure your Claim Form package includes the following:	
<input type="checkbox"/>	Claimant name and contact information in Part 1
<input type="checkbox"/>	Attached a photocopy of government issued piece of identification (e.g. Indian Status Card, Driver's license, Social Insurance Card, etc.), <u>or</u> if unavailable, had a guarantor sign the claim form (page 12) in Part 6
<input type="checkbox"/>	Names and details for School(s) attended by the Claimant in Part 2
<input type="checkbox"/>	Signatures of Claimant and Witness in Part 3
<input type="checkbox"/>	Selected ONE claim Level 1-5:
<input type="radio"/>	Level 1 – Verbal/Physical Abuse/Harm: <ul style="list-style-type: none">ticked the box on page 6 in Part 4
OR	
<input type="radio"/>	Levels 2, 3, 4, or 5 – Sexual/Physical Abuse/Harm: <ul style="list-style-type: none">ticked one box on page 7 andcompleted Part 5 including written narrative (page 9), andattached documents or had a guarantor sign the claim form in Part 6 (page 12)
<input type="checkbox"/>	For Representatives, completed Part 7 <u>only</u> if you are a representative submitting this claim on behalf of Claimant
PLEASE SEND YOUR CLAIM PACKAGE:	
To: Indian Day Schools Class Action Claims Administrator, c/o Deloitte	
By Mail: PO Box 1775, Toronto, ON, Canada, M5C 0A2, or	
By Fax: 416-366-1102, or	
By Email: indiandayschools@deloitte.ca	
Please make a copy of your Claim Form and any attached documents for your personal records.	
Original photographs or records are not required.	
For questions or to report an address change, contact 1-888-221-2898	

Claimants are strongly encouraged to carefully complete and take time to review their Claim Form before submitting it.

Please submit the entire form (even the pages that were not used)

“Witness” can be anyone you know over the age of 18.

When sending your claim, be sure to send the entire Claim Form, even if there are unused pages.

Only send copies, keep your original documents. If Deloitte needs more information for your claim, they will send a letter.

You can also email any questions to idsclaims@mck.ca.

Do you need a Guarantor?

A Guarantor is only needed if you are missing any required documentation **according to your claim level**. The Guarantor only needs to see the Claimant sign the Sworn Declaration on page 12. Guarantors, are not required to read the Form or verify the accuracy of the events described in the Form.

Sworn Declaration is a statement signed by the claimant and any one of the following Guarantors, with Titles:

- Notary Public
- Elected Official or Community leader (e.g. Chief, Councilor)
- Other Professional (e.g. lawyer, Doctor/Physician, Accountant (CPA), Police Officer)

Claimants are strongly encouraged to carefully complete and take time to review their Claim Form before submitting it. If anything is missing or needs to be changed/added after it is submitted, the claim will be cancelled and you will need to file your claim again. Please call Class Counsel at 1-844-539-3815 or email dayschools@gowlingwlg.com if you would like one-on-one support filling out your Claim Form.

Eligible Kahnawà:ke Schools List

School name to be used in form ↓	Name Variants	Locally known Names (for reference only)	Opening Date	Closing or Transfer Date	Location	Religious Affiliation
Caughnawaga - Bush	Sacred Heart Bush School	Bush School (Mohawk Trail Area)	July 1, 1906	June 30, 1946	Three miles from the village of Caughnawaga, now Kahnawà:ke, in the farming section towards the southeast end of the reserve	Roman Catholic
Caughnawaga - St. Isidore	Caughnawaga St. Isidore Road	Bush school (207)	September 1, 1911	September 1, 1949	Located at the farming community in the western portion of the Caughnawaga (now Kahnawà:ke)	Roman Catholic
Caughnawaga Continuation	Caughnawaga Senior		September 1, 1920	September 1, 1924	Caughnawaga reserve, Quebec	Roman Catholic
Caughnawaga	Caughnawaga - Mission	Protestant (now KOR)	February 18, 1924	June 30, 1969	Caughnawaga Reserve, on the south shore of the St. Lawrence River	Methodist United Church
Caughnawaga - Boys			1868	September 1, 1924	Caughnawaga village, now Kahnawà:ke, on the St. Lawrence River, opposite Lachine, Quebec	Roman Catholic
Caughnawaga - Girls			1891	September 1, 1924	Caughnawaga village, now Kahnawà:ke, on the St. Lawrence River, opposite Lachine, Quebec	Roman Catholic
Caughnawaga - R.C.	Kateri School (girls section) Eastern School (boys section)	Kateri Tekakwitha school, Tekakwitha school	September 1, 1924	August 31, 1969	The school site was described as occupying lots 85, 92, 93, and 94 in the village of Caughnawaga, Quebec (now Kahnawà:ke)	Roman Catholic
Karonhianonha	Karonianona	Up the hill school/school up the hill	September 1, 1966	September 1, 1988	Caughnawaga Reserve No. 14	Roman Catholic
Kateri			September 1, 1969	September 1, 1988	Village of Caughnawaga, Caughnawaga Reserve No. 14 (now Kahnawà:ke)	Roman Catholic
Kawennanoron			September 1, 1969	September 1, 1988	Caughnawaga Reserve No. 14 (now Kahnawà:ke)	Anglican Church



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1-855-242-3310
www.hopeforwellness.ca

Kahnawà:ke Shakotii'a'takehnhas Community Services
450-632-6880



Free legal assistance is available from
Class Counsel, Gowling WLG at 1-844-539-3815
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