



# Draft Indigenous Citizenship and Membership Policy

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## **WHAT WAS HEARD & HOW IT WAS ADDRESSED**

Office of Indigenous Initiatives, McGill University

Last updated: March 2024



-In Fall 2022, OII presented a plan for developing an institutional policy related to validating claims to Indigeneity. Around that time, sessions took place to with faculty and staff who self-identify as Indigenous to gather their input on this plan. 22 Indigenous staff and faculty attended one of two sessions (in person and online options were provided).

Based on the Fall 2022 consultations, in January 2023, the ICVERO Working Group was formed. Its mandate was to produce a draft policy and related procedures for validating staff members' and employment applicants' claims to Indigenous citizenship at McGill. ICVERO committed to a process that was about, 'looking inward' and 'looking outward'

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## **Background: Process**



In March 2023, the Policy Working Group commenced the internal Indigenous faculty/staff dialogue sessions and hosted three (3) sessions. Each of these sessions included 9-12 faculty or staff members who self-identify as Indigenous. The summary of what was heard during these sessions was presented at the Spring OII gathering. Eighteen (18) Indigenous faculty/staff members attended this session.

- In March 2023, McGill sent a delegation of Policy Working Group members to the National Indigenous Citizenship forum co-hosted by NIUSLA and the First Nations University of Canada in Regina, SK. OII encouraged all Indigenous staff and faculty to attend this forum as there was an online component. Over 300 Indigenous faculty members, students, Elders, and administrators from across Canada attended this Indigenous-only forum, which was focused on best practices related to Indigenous membership/citizenship policy development.

## **Background: Process**



In Fall 2023, the Working Group held sessions with Indigenous faculty and staff on the core elements of the draft policy. Two In-person (Oct 27 & Nov 27) and one online group session (Nov 13) took place. These sessions provided more feedback essential to shaping the full draft. Following these sessions, full draft documents were shared with Indigenous faculty and staff. Following this, additional feedback was received and incorporated and a revised draft was re-sent to Indigenous faculty and staff with a meeting to attend an in-person session on January 23 to collectively go over the key revisions. Individual sessions were also carried out for those who requested them. - 29 chose to attend group sessions; 5 chose individual sessions. Out of the full Indigenous faculty and staff complement, 83% of self-identifying Indigenous individuals chose to participate in many of the opportunities.

## **Background: Process**



Confidential Sessions for Indigenous faculty and staff took place through a third party (February-March 2024). 7 individuals participated in this process.

Honouring principles of Indigenous territoriality and longstanding diplomacies enacted within Tio:take/Mooniyang, the documents were also shared with local/proximate Indigenous communities in Fall 2023. This was done to respect Indigenous protocols and ensure that McGill was moving forward on a specific topic (Indigenous membership/citizenship validation) in a way that was respectful of our host Indigenous nations/communities. While the work of Indigenous consultation is ongoing, to-date, there is written support from traditional and elected Indigenous governments representing sixteen (16) Indigenous communities.

Throughout these extensive consultations, the draft has been shaped and revised multiple times.

## **Background: Process**



## ***WHAT WE HEARD & HOW IT WAS ADDRESSED***

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#### What Was Heard:

The Policy overemphasized “identity fraud” and this is not attentive or sensitive to the ways in which colonial processes have impacted recognition and belonging. It is important that individuals who have been impacted by these colonial histories not be mislabeled or wrongfully perceived as “fraudulent”

#### How it was Addressed:

The revised preamble centres the policy in McGill’s institutional responsibility to preserve the integrity of Indigenous spaces and within McGill’s specific Calls to Action that call for increased Indigenous presence. These Calls, which are essential to McGill’s response to Truth and Reconciliation, outline specific targets for increasing the number of Indigenous faculty and staff, call upon McGill to recognize Indigenous excellence through designated Indigenous awards, provide specific opportunities for the inclusion of Indigenous Elders and artists within our campus community.



#### What Was Heard:

The Policy was too broad in its scope and required revisions to provide greater clarity around the circumstances when claims are subject to validation.

#### How it was Addressed:

The scope of the Policy was revised to provide clarity around who the policy applies to and to restrict the application of the Policy to cases where there is a direct link between the employment position and designated opportunities tethered to Indigenous membership/citizenship. Notably sections were revised to provide more details around the employment situations where Indigenous membership/citizenship will be validated.





What Was Heard:

Concerns related to academic freedom were raised.

How it was Addressed:

The Policy was revised to clarify that this Policy does not derogate from or supersede the McGill University Policy on Academic Freedom.



#### What Was Heard:

Concerns were raised about how this Policy would impact existing commitments to members of our academic community.

#### How it was Addressed:

This Policy was revised to clarify that it does not affect the criteria for reappointment, tenure, or promotion of current academic staff nor does it apply to any member of the academic staff already carrying out activities or holding a position, opportunity, or award enumerated by s. 3.3.1 who seeks to continue or renew any such position, opportunity, or award.



### What Was Heard:

The Policy implies that if a person does not meet validation, they will automatically be considered fraudulent

### How it was Addressed:

The Policy was revised to clarify that an individual who is subject to validation but is found to not meet the requirements outlined in the procedures will not be considered to have committed fraud. This helps us get away from the binary notion that one is either able to meet the validation requirements or is intentionally deceptive. We must be explicit that it is possible that one might not meet these requirements and not be fraudulent. In these cases, the person will be deprived of opportunities at McGill that are reserved for or that give preference to Indigenous persons, but they are otherwise unaffected by the Policy



#### What Was Heard:

Earlier versions of the draft included an appendix titled, "Relational Indigenous Hiring Practices". Several members of the university community felt that this appendix created a hierarchy that implies some Indigenous peoples are "more Indigenous" than others at McGill

#### How it was Addressed:

As this Appendix was not intended to promote these views, it was removed.



#### What Was Heard:

Concerns were raised about how earlier drafts of the Policy addressed reports of potential fraudulent claims to Indigenous membership/citizenship.

#### How it was Addressed:

The Policy was revised substantially to clarify that the Policy does not address false/fraudulent claims to Indigenous membership/citizenship and to clarify that false or fraudulent representations of Indigenous membership/citizenship by a University employee shall be addressed as a disciplinary matter in accordance with the applicable University regulation or collective agreement, as would be the case for any other false or fraudulent representation made in, and relevant to, the University context.



#### What Was Heard:

Concerns were raised about how McGill defined 'Indigenous' or 'Indigeneity' and the appropriateness of defining 'Indigenous'

#### How it was Addressed:

The Policy was revised further and does not define Indigeneity or Indigenous; rather, it specifies who falls under the scope of the policy.



#### What Was Heard:

**Concern:** Several members of the McGill community shared concerns around how McGill will determine if this Policy achieves what it is intended to do.

#### How it was Addressed:

The Policy was revised to include a section on policy reporting and review. .



### What Was Heard:

Individuals voiced concerns that this Policy suggests that McGill will not be a welcoming environment for Indigenous persons who fall outside the scope of the Policy.

### How it was Addressed:

Revisions were made to ensure its clear that this Policy does not prevent individuals who fall outside the Policy's scope from articulating their Indigeneity and to reflect that as an institution that is deeply international in character, McGill is committed to supporting the success and belonging of academic staff who are from Indigenous communities around the world.





#### What Was Heard:

Concerns were raised about ensuring that individuals who choose to self-identify understand what this means and have access to the policies and procedures.

#### How it was Addressed:

The Procedures document was revised to clarify how the procedures employed to validate claims to Indigenous membership/citizenship correspond with our existing processes related to employment equity and self-declarations. This revision was integral to ensuring that individuals who voluntarily self-identify for employment related opportunities understand what this means and what will be asked of them vis-a-vis.



#### What Was Heard:

Concerns were raised around the validation process falling upon squarely on the shoulders of the APII/OII.

#### How it was Addressed:

The Procedures document was revised to clarify that the process is collaborative, involving the chair of the hiring committee, the APII and McGill's General Counsel. Further, it is important to note that this group does not evaluate an applicant's right to claim Indigenous ancestry or identity more generally. Rather, the group is charged with assessing whether materials that an applicant has supplied suffice to meet the requirements of eligibility for positions that fall within the scope of the Policy.



What Was Heard:

Concerns were raised about the exclusion of the Haudenosaunee passport

How it was Addressed:

The Haudenosaunee passport was included in the list of documents.



#### What Was Heard:

Concerns were raised about how this relates to academic hiring.

#### How it was Addressed:

The Policy was revised to state that this Policy does not limit academic units' ability to recruit or recommend the academic appointment, in any discipline or area of study, of Indigenous faculty who do not fall within the Policy's scope.



What Was Heard:

Concerns were raised about lack of translation for words presented in an Indigenous language.

How it was Addressed:

Translations were incorporated.