

McGill Policy on Indigenous Membership/Citizenship Validation Frequently Asked Questions

1. Why does McGill Need a Policy to Validate Claims of Indigenous Membership/Citizenship in Employment Contexts?

In 2016-2017, McGill's Provost struck a Task Force on Indigenous Studies and Indigenous Education. It resulted in 52 Calls to Action, which include specific calls focused on increasing Indigenous representation throughout our workforce, notably among our academic staff (see especially calls #44 and #45).

McGill's efforts to respond to these calls require a robust and equitable policy on Indigenous citizenship and membership. Such a policy is an institutional imperative. McGill has a responsibility to ensure that it is, in fact, meeting its stated Calls to Action.

2. Is McGill the Only University to Proceed with a Policy on Indigenous Membership/Citizenship?

No. McGill is not alone in its efforts. Through the National Indigenous University Senior Leaders' Association (NIUSLA), and U15, McGill has worked alongside other institutions that have similar interim or final policies in place (e.g., Saskatchewan, University of Alberta, Queen's and Wilfrid Laurier). Our work also tracks with the 2024 report of the federal Tri-Agency (CIHR, NSERC, SSHRC) Ad Hoc Working Group on Indigenous Citizenship and Membership. This report states:

“[S]elf-identification alone is now insufficient to support claims to Indigenous citizenship/membership where such claims result in material advantage, either financially or, in some cases through engagement, reputationally.”

This assertion extends to all Canadian universities, including McGill.

3. What was the extent of Indigenous participation in the development of this Policy?

This policy is the result of ongoing extensive consultative work with members of the Indigenous community internal and external to McGill.

-In **Fall 2022**, the Office of Indigenous Initiatives 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**, a 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. The Working Group committed to a process that was about, 'looking inward' (to seek the perspectives of internal Indigenous faculty and staff), and 'looking outward' (to relate internal perspectives to important external academic materials, Indigenous leadership, existing draft/final policies belonging to partner universities, etc.).

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- In **March 2023**, the ICVERO 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 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 Indigenous all staff and faculty to attend this forum as there was an online option. **Over 300 Indigenous faculty members, students, Elders, administrators attended this Indigenous-only forum**, which was focused on best practices related to Indigenous membership/citizenship policy development.
- In **May 2023**, the Working Group held a retreat in Akwesasne, which also included the Indigenous-led committee tasked with overseeing the Indigenous student identification validation policy and procedures. This retreat ensured key coordination of activities between both groups. It also provided a space for focused dialogue on key findings from both the consultation sessions and the review of secondary source materials.
- During the **Spring/Summer 2023**, the Working Group met regularly to develop the draft policy and accompanying procedures.
- From **October 2023 to March 2024** members of the Working Group consulted Indigenous faculty and staff on the core elements of the draft policy. Two In-person (**October 27, 2023 & Nov 27, 2023**) and one online group session (**November 13, 2023**) took place. These sessions provided more feedback essential to shaping the documents. 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, 2024** 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. Total Indigenous faculty/staff participation- 83%
- During **February and March 2024**, OII organized confidential feedback sessions through an independent Indigenous third party. 7 out of 40 Indigenous faculty/staff participated in one of these sessions.
- As members of the McGill community continued to provide key advice regarding both the policy and procedures documents, OII shared subsequent drafts on **January 1, 2024, February 2, 2024 and March 26, 2024** with all Indigenous faculty and staff. In an effort to support transparency and demonstrate that ongoing feedback was being incorporated, OII created a “What Was Heard and How It Was Addressed “ report that incorporated feedback from the confidential and non-confidential sessions available [here](#). All of these activities were integral to ensuring McGill was being transparent in its efforts and ensuring that Indigenous faculty and staff had ongoing access and opportunities to engage with the policy draft as it evolved.

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In addition to these engagements, the Working Group also consulted key reports available on this topic. These reports were the result of research conducted with a wide range of Indigenous community members across this country involved in academia and the arts.

McGill has many significant relationships and responsibilities to Indigenous partners internal and external to our University. The final policy and its accompanying procedures is the product of many hours of thoughtful and careful discussions of how McGill would enact a policy that honours our existing institutional commitments to Truth and Reconciliation and to upholding the constitutional rights of First Nations, Inuit, and Métis peoples.

4. Will this Policy prevent International Indigenous peoples from self-identifying or working at McGill?

Absolutely not. There are thousands of Indigenous groups (e.g. tribes, nations, etc.) across the globe. This policy is not intended to prevent *any* Indigenous individual from being employed at McGill. Individuals are free to self-identify and we recognize that individuals should be able to communicate to their peers that they have some form of Indigenous ancestry without immediately being called a “fraud”. There are sections in the policy that affirm this. Rather, this policy is established to ensure that McGill is operating in a way that is consistent with Truth and Reconciliation, Sec. 35 of the Canadian Constitution, and longstanding Indigenous diplomacies and geographies that continue despite the creation of the US/Canada Border.

5. How does this policy address individuals who may have rights as Indigenous people?

We understand that there are presently political and legal disputes between existing Sec 35 rights bearing groups and collectives/organizations that are seeking aboriginal rights. Universities do not have a role in intervening in such disputes. If universities should take great care not to involve themselves in political and legal disputes regarding Indigenous membership/citizenship, the only way they can do so is to wait for the outcome of said disputes as it is not the place of universities to correct or compensate for alleged discrimination in federal or provincial legislation or a lack of judicial recognition. Having said this, as the Indigenous legal landscape changes, McGill must ensure that its existing policy and procedures are revised to align with any changes.

6. Is the Policy aligned with the United Nations Declaration on the Rights of Indigenous Peoples?

It is important to keep in mind the source of authority of UNDRIP. While representatives of some Indigenous peoples did have input into the content of UNDRIP, ultimately whatever authority it has stems from its adoption by the member States of the UN. Canada, where McGill resides, is a member State of the UN.

McGill’s Policy is aligned with Bill C-15, An Act respecting the United Nations Declaration on the Rights of Indigenous Peoples, S.C. 2021, c. 14. With regard to the definition of ‘Indigenous’ in

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UNDRIP, federal Parliament explicitly defined ‘Indigenous’ as having the same meaning as “Aboriginal peoples of Canada” in s. 35(2) of the Constitution Act, 1982:

It is important to note that UNDRIP is not an international legal instrument that affords all of the worlds Indigenous Peoples the same rights no matter where they happen to live or work. Rather, UNDRIP is land/territory based in that it calls upon settler states (e.g. Canada) to respect and uphold the rights of modern day successors of Indigenous societies that existed and occupied what became Canadian territory at the time of European contact.

7. Will a person automatically be labelled a fraud if they do not meet the validation process outlined in the procedures?

No. Failing to meet validation does not mean a person is automatically committing fraud and this is clearly articulated in the policy.

8. Does this Policy address false or fraudulent representations of Indigenous membership/citizenship?

No. 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.

9. Does this Policy affect the right of non-Indigenous peoples who are teaching on/researching with Indigenous topics/peoples?

No. This Policy does not derogate from or supersede the McGill University Policy on Academic Freedom. As such, this Policy does not preclude any member of the University’s academic community to engage with topics about Indigenous issues, regardless of their identity.

10. Why did McGill proceed with support from local/proximate Indigenous Nations?

Honouring principles of Indigenous territoriality and longstanding diplomacies enacted within Tio:take/Mooniyang, the policy drafts were shared with local/proximate Indigenous communities. While the work of Indigenous consultation is ongoing, to-date, the draft policy and procedures has received written support from traditional and elected Indigenous governments representing many Haudenosaunee and Algonquin Anishinaabe communities with historical and present day relationships with Tio:take/Mooniyang (Island of Montreal).

11. This policy is non-retroactive. Does this mean that McGill does not care about its existing Indigenous employees that fall within the scope of the policy?

No. The non-retroactive component honours that we are operating from a position that individuals are operating in good faith and that we are not here to, “weed people out.” Several reports on Indigenous validation stressed that policies should be forward thinking (e.g. CAUT’s

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Indigenous identity substantiation discussion paper). Having said this, there is a section in the policy that clarifies when existing employees will be subject to validation.

12. This policy is related to faculty and staff but what about students?

When we commenced this process, we realized that the existing frameworks supporting our relationship with students is different. We also heard that if we wanted to pursue a collaborative approach, students required their own spaces to discuss this issue and that it was important that students play a more active role in leadership. This is why we convened a second working group to lead the student policy and its work is still in progress. As our intent was never to develop alternative criteria for students, we have strived to create opportunities where the two working groups have come together. While our procedures may differ considerably, we will ensure that there is an alignment with the core principles and key elements of the policies

13. Where can I access relevant reports on Indigenous Membership/Citizenship Policy Development including the Tri-Council's 'What was Heard' Report?

Please visit the following links:

[What We Heard: A Report from the Three Federal Research Funding Agencies' Ad Hoc Working Group on Indigenous Citizenship and Membership](#)

[The First Nations University of Canada and the National Indigenous University Senior Leaders' Association's Indigenous Voices on Indigenous Identity: What Was Heard Report](#)

[The First Peoples Group's 'GII-IKIDONAANIWAN/It Has Been Said': Queen's University Indigenous Identity Project - Final Report](#)

[Indigenous Identity Fraud: A Report for the University of Saskatchewan](#)

[CAUT's Discussion paper on Indigenous Substantiation Policies](#)