

Whispered Gently Through Time: First Nations Quality Child Care

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Introduction

We must look to our past for the lessons our grandmothers and grandfathers have taught, and to the future for our children.

Customs and traditions that manifest the unique beliefs and values of Aboriginal peoples are passed on from generation to generation-through child-rearing practices. Children are the heart of the family and community. Child rearing is a sacred and valued responsibility.

Traditional Aboriginal life provided the conditions for a solid childhood foundation. Babies and toddlers spent their first years within the extended family where parents, grandparents, aunts and uncles, brothers and sisters all shared responsibility for protecting and nurturing them. Traditional Aboriginal child-rearing practices permitted children to exert their will with little interference from adults. In this environment, children were encouraged to develop as thinking, autonomous beings. At the same time, they acquired language and were integrated into the rhythm of daily life in the family and community.

In this early stage of development, children learned how to interpret and respond to the world. They learned how to walk on the land, taking in the multiple cues needed to survive as hunters and gatherers; they were conditioned to see the primacy of relationships over material possessions; they discovered that they had special gifts that would define their place in and contribution to the family and community. From an early age, playing at the

edge of adult work and social activities, they learned that dreams, visions and legends were as important to learning as practical instruction in how to build a boat or tan a hide. (*Report of the Royal Commission on Aboriginal Peoples, Vol. 2, 1996, p. 446-447*)

Many of these traditional child-rearing practices still exist in aboriginal families today despite the impact of five generations of residential schooling followed by decades of child welfare apprehensions. Elders, parents and community members talk about the need for childcare services to reflect the customs, traditions, values, and beliefs of Aboriginal peoples. Children must know who they are; they must be grounded in their culture, language and traditions (Assembly of First Nations, 1995).

Childcare services for aboriginal people across Canada began in 1994 with the announcement of the *First Nations/Inuit Child Care Initiative* and *Urban and Northern Head Start Program*, a commitment born out of the Liberal Party's pre-election "Red Book". These programs were changed with creating spaces and providing services to Aboriginal peoples, on and off-reserve, where in the past there were virtually none. The need for Aboriginal childcare services was reiterated in the 1996 *Report of the Royal Commission on Aboriginal Peoples*.

A second *Head Start Program* was announced in 1997, this time for on-reserve children. In the same year the *National Children's Agenda* was announced. This multi-year agenda represents a unique collaboration between the federal, provincial, and territorial governments in their common desire to support the well-being of Canada's children. Since the announcement, a document entitled, *National Children's Agenda, A Shared Vision* (1998) has been presently to focus groups across the country. *Section IV* of this document presents an Aboriginal perspective. It speaks to the constitutional rights of First Nations, Metis and Inuit people and the diversity of Aboriginal peoples in Canada. Likewise it speaks to the needs of Aboriginal children. This initiative continued throughout the year 2000 with new strategies and initiatives to be implemented in the years to come.

While the *National Children's Agenda* comes into being, Aboriginal people are in the midst of developing and implementing formalized childcare services. In four short years, over 16,000 new childcare spaces were created largely through the implementation of the *First Nations Inuit Child Care* and *Aboriginal Head Start Programs*. The expediency of these initiatives did not allow for development time in which First Nations communities could define the care of their children and the form those ideas would take in service delivery. Early in the development of the *First Nations Inuit Child Care Initiative* an Elder asked, "are we developing residential schools in the hearts of our communities for our little

ones?" This fear of re-establishing residential schools along with its underlying goal of assimilation is a constant one, one that whispers gently throughout this research, reminding us of the necessity for our work. The need for defining First Nations quality child-care remains despite implementation of programs. To that end, a study was designed to provide a vehicle for communities to articulate the nature and structure of childcare in their community. The primary goals of this study were to provide First Nations communities with recommendations for consideration in the development of First Nations quality child care program implementation models; and options for First Nations jurisdiction in child care.

Methodology

Inherent in this research study is a desire to give voice to communities. Along with this desire comes a responsibility to conduct research that is useful to the community. (Gilchrist,1997) suggests that it is likely that the only form of research that will be acceptable to Aboriginal people is action research because they are not inclined to participant in research unless they see some community benefit to it (pp. 69-85). Action research explicitly connects knowledge with action (Maguire, 1987). Often times, the action component is not emphasized, yet within a context of change this component becomes the main thrust of the research. This is particularly relevant for First Nations communities as they move toward self-sufficiency and self-determination.

Project Participants

Participants for the study originated from three provinces in Canada: British Columbia, Saskatchewan, and Ontario. These three regions were selected for their unique context. Contextual considerations include: 1) current provincial legislation; 2) duration of childcare services on reserve; 3) development of First Nations standards and regulations; 4) existence of treaties; and 5) geographic locale.

Study participants included First Nations Elders, politicians, band administrators, childcare administrators, childcare workers, parents, and community members. They all had a vested interest in childcare yet brought very diverse viewpoints and perspectives to the study. Participants were identified and selected through the use of personal and professional networks and existing regional infrastructures, i.e., child care associations and members of specific communities.

The three data collection phases of the project are described in detail below, including the participants for each particular phase.

Date Collection

Several methods were used to meet the goals and objectives of this study. They included: a literature review, key informant interviews, focus groups, and case studies (site visits). Data collection was undertaken in stages so that each stage could inform the next, thereby ensuring sensitivity to community needs and enhancing the overall value of the study.

The literature review was comprehensive and used throughout the study. It informed the development of the questionnaires, formed the basis of the educational booklets prepared for focus group participants and case studies, as well as providing comparative data for this report.

There were 26 key informants selected from the three regions involved in the study, that is, ten in Ontario, eight in Saskatchewan and eight in British Columbia. Key informants were selected from throughout their region based on geographic location. They served a variety of roles in their communities or region and included politicians, policy-makers, administrators, service providers, and parents.

Many key informants were identified using existing personal and professional network systems of individuals involved in childcare in a variety of capacities. Once contacted, some of these individuals identified other possible key informants. These potential key informants were more likely to become involved in the study because they were recommended by someone they knew. Relationships with the key informants also supported the implementation of the stage three focus groups.

There were several steps in the process of undertaking the key informant interviews. A list of potential key informants was generated based on personal and professional network systems. Potential key informants were contacted by telephone. The project was described including its purpose and utility for First Nations communities. Individuals were then asked if they would consider being involved in the study. All contacts agreed and letters of invitation were sent to them.

Face-to-face interviews were conducted with each key informant. Semi-structured interviews employed questions derived from the study's goals and literature review. At the onset of the interview, the study, its goals, objectives and purposes of the key informant stage was reviewed with each individual. Confidentiality processes for ensuring accuracy and permission for use of the information collected were also discussed. Responses were recorded in writing as close to verbatim as possible by both principal researchers.

The interviews were then transcribed by one of the principal investigators and cross referenced by the other to ensure maximum accuracy and clarity. Once transcribed and reviewed by both researchers, the transcriptions were sent to key informants to review and make any

additions, deletions, or changes they felt necessary. All changes received were incorporated into the transcriptions. The edited transcriptions were then sent out to key informants along with a form requesting consent to use their responses in the study. A second request asked for permission to use direct quotes where appropriate. Affirmative consent forms were received from a majority of key informants.

The most important follow-up to this stage was the presentation of cultural gifts to each of the key informants in recognition of their contribution to the project. Monetary honorariums were not given because they do not carry the same cultural meaning that an individually selected gift does. Key informants received copies of the final report upon completion.

Focus groups were also held in each of the provinces. The focus groups were designed to include as many representatives from First Nations communities as possible. The number of focus groups varied for each province. In Ontario there were two: one held in conjunction with the annual *Native Early Childhood Education Association of Ontario* conference in the summer and one at the *Native Early Childhood Education Supervisors Information Session* held in early September, 1999. One large focus group was held in Saskatchewan as part of the *Caring Under One Sky Conference*. In British Columbia, three focus groups were held in conjunction with the *BC Aboriginal Child Care Society's* annual conference. In total 187 individuals representing over 130 different First Nations communities participated in the focus groups.

Regional-specific booklets were developed that contained specific childcare information for each region. Information contained in each booklet was based on the literature review; key informants questionnaire responses specific to each region, and child care legislation and statistics unique to each region. These booklets served a dual purpose: 1) a way to give back to the community in the form of a tool to assist them in the development of their child care services; and 2) to offer a context for the focus group questions. The focus group questions, although fewer in number than the key informant questionnaire were flexible enough to cover similar categories and topics.

The process for undertaking the focus groups was similar to that of the key informant interviews with identification of focus group hosts, contact with hosts through mail, e-mail and telephone, implementation of focus groups, transcription, and returning of focus group information to participants.

One site visit per region (Ontario, Saskatchewan and British Columbia) was scheduled. Questions were designed to generate information in the same topic areas as the previous stages as well as questions about the community, child care services offered or desired, options developed and

delivered to ensure quality child care services, and how communities addressed jurisdiction in child care. Multiple questionnaires were developed to meet these needs as well as accommodate the diversity of community members. Implementation of the site visits followed the same process as that of the key informants and focus groups.

Participation Rates

There was a 100% participation rate in the key informants and focus group stages of the project and a 66% rate of participation in the case study stage. In this stage, one of the site visits failed to materialize despite pre-visit arrangements and on-site visit. Many factors can impact research undertaken in communities, for example, lack of adequate relationship with researchers, death, illness, change in community politics, community events and so on.

In the Words of the People

Responses from community members covered a vast number of topics which may be divided into three areas: 1) First Nations quality child care; 2) historical, social and political influences on First Nations child care services; and 3) supports and barriers presented by current legislation along with jurisdiction and authority in First Nations childcare.

First Nations Quality Child Care

First Nations quality childcare is multifaceted and embedded in a context that is inherent to each characteristic of quality care. Characteristics offer both individual and community views of quality childcare and may be categorized into: context and intent, community and parent involvement, environment, caregivers, and children's programs.

Context and Intent

The essence of First Nations communities is passed on from generation to generation through the care of children. (Mary Thomas, 1995) says:

...though we live today, the teaching of our ancestors is what preserves us as individuals and nations.

We cannot live in the past. History moves forward. We move but we take with us the beliefs and values of the past. These are the beliefs and values of our people that

our people lived by, that we live by. Teach these things to our children. (Mary Thomas, Personal Communication, 1998.)

Study participants spoke of children as special beings who possess gifts to be cherished and nurtured. The children, with their gifts, are the essence of the nation. It is through them that the generations learn and are taught. These underlying beliefs exemplify a fundamental worldview where all things, all life, are connected. By contrast a “tabula rasa” view of children compares them to “blank slates” that need to be written on and filled on over time.

First Nations communities have a unique history in Canada. They are the original peoples and cultures of Canada. Today they exist alongside a broader society. In developing childcare services for the purpose of passing on culture and language from generation to generation we must consider the context of First Nations within broader society. This includes looking at the social and political relationships First Nations people have had with the federal and provincial governments for the past 150 years. Examination of childcare services outside a cultural, political and social context is to misrepresent it’s meaning (Smith, 1999). This context along with First Nations values and beliefs underscores a need for First Nations communities to be actively involved in all aspects of program development including participation at national, provincial, regional, and community levels.

Of equal importance is the need for First Nations communities to articulate how the socialization and care of children in their communities occurs. This is not without complication. Tension arises between traditional and contemporary child-rearing practices where behaviours that exemplify the values and beliefs of the community have changed over time. Likewise theses practices vary between families and bands within nations.

Community and Parent Involvement

Study participants view the childcare centre as an integral part of the community where the whole community can work together for the good of the children and everyone, including children, Elders, parents, caregivers, and community members can learn. Several participants stated that attendance and participation by community members in the centre affirms its role in the community and serves to keep it accountable to everyone involved.

In some cases, the childcare centre and its services are viewed as an extension of the family, a place where children may learn things that parents aren’t able to teach them, for example, and specific reading skills. This view reinforced the need for parents to be directly involved in childcare

services and administration not only for the children but also for themselves.

The most significant challenge to community and parental involvement is the difficulty of ensuring consistent involvement. Many parents who work or attend school do not have time to participate directly in the childcare program. Some study participants are of the opinion that childcare centres should provide learning opportunities for parents which would encourage greater parental participation. Others saw this as the responsibility of other agencies.

Another challenge identified by study participants is the potential for family relationships to impact upon delivery of services. Some participants described situations in which only members of specific families could access services or where only certain family members received employment in the childcare setting or where negative relationships between families prevented children from attending the child care centre. Likewise, caregivers employed in the childcare centre may be restricted by family dynamics.

Frequent elections of Chief and Council can also affect the delivery of services. With the election of a new Chief and Council, commitments from the past Council may not necessarily be fulfilled. This ongoing change often causes uncertainty and instability for caregivers and childcare administrators.

Environment

Study participants spoke of different kinds of environments including the physical environment and the atmosphere within the childcare centre itself. Equipment and materials that reflect the physical environment of the community in which the children live provide them with enhanced opportunities for learning their history and culture. Study participants stated, "Including the natural environment in the childcare centre promotes Wholistic learning, a reflection of who we are." (Personal Communication, Archibald, 2000.)

Ideally the childcare setting equipment and materials would be gathered from the community's natural surroundings by community members. One of the challenges to this is a provincial licensing requirement that all equipment and materials used by children in a public facility must be government and/or Canadian Standards Association approved.

Study participants also identified the need for equipment and materials to be age appropriate and culturally appropriate. Other resource identified as necessary for a quality physical environment included: safety and emergency equipment, educational aids that support formal schooling, a well-equipped kitchen, staff room, and resources/toy lending library.

According to study participants a safe, nurturing, and relaxing atmosphere where children learn, have fun, and feel loved describe the ideal childcare setting. This is the caring part of the environment. Some participants referred to this kind of atmosphere as being "home-like." Open door policies where staff interacts positively with children, parents, and each other support this type of environment as do trained staff, low staff/child ratios, and small groups sizes.

Caregivers

In an ideal situation Aboriginal caregivers from the community who speak the language would be found working in First Nations childcare centres. These caregivers would have a natural desire and ability to work with children. The care of children would be regarded as life work. In many communities the majority of people speak English as their first language rather than their traditional language. Likewise many individuals leave reserve lands for employment outside the community. As a result, the pool of Aboriginal caregivers is small.

Further reducing this already limited number of caregivers is the prescribed Early Childhood Education (ECE) training required by provincial standards and regulations. Prior to 1995, there was a very limited need for trained Early Childhood Educators on-reserve because there were virtually no formalized childcare services. With the introduction of the federal government's *Aboriginal Head Start Programs* (1995 & 1997) and the *First Nations Inuit Child Care Initiative* (1994) and the subsequent requirement for First Nations communities to adhere to provincial licensing the need for individuals trained in Early Childhood Education skyrocketed. This increased need gives rise to two specific debates: one being whether or not childcare services on reserve should be licensed by the provincial government and the other a debate focusing on the nature of the training itself.

The first debate is discussed at length under the childcare legislative regimes section of this article. The second focussed on such questions as: Who writes the curriculum? How are culturally sensitive or specific ideas and concepts incorporated into the curriculum? For whose culture is the curriculum written? (i.e., what values, beliefs and assumptions underlie current Early Childhood Education (ECE) programs and whose are they?) Who teaches the courses? Study participants criticize current ECE training programs for not being culturally appropriate, community appropriate, or relevant to community-based services. In fact there are very few, if any, ECE training programs developed for First Nations people by First Nations people. Study participants suggested that First Nations people must develop their own programs and include accreditation for their personal experiences and skills.

Despite these criticism of Early Childhood Education (ECE) programs the majority of study participants felt it is important for caregivers to be educated in ECE and have ongoing opportunities for professional development and training. Most study participants supported the idea that ECE training in a mainstream college is not enough. Training in native studies, special needs, first aid, food safe and counselling skills were also viewed as necessary.

According to study participants, if caregivers do not speak the language, it is important for them to be open to learning it, as well as listening to Elders for advice on what to teach children. Likewise, it is important for caregivers to be culturally aware and sensitive to the values of the community they are working in. Healthy lifestyles, good standing in the community, well developed interpersonal skills, life skill training, and the ability to communicate their positive life experiences are equally important attributes for a caregiver.

In addition to early childhood caregivers there are other individuals involved in the childcare centre. They include: Elders, parents, language teachers, practicum students, administrators, resource people, siblings, extended family members, local politicians, cooks, janitors, and other community members. Study participants saw them as equally important to the care and education of the children.

Children's Programs

Study participants identified traditional values and beliefs as the fundamental building blocks of a children's program. These values and beliefs can be taught to children by incorporating traditional seasonal activities, for example, berry picking in the summer and basket making in the winter. Ceremonial activities, on the other hand, were viewed as sensitive areas that require caution in implementation. Diverse opinion exists amongst study participants. Some believe that these ceremonies should only be implemented if parents and community are agreeable while others believe ceremony should be incorporated into programming as a way to restore culture.

Contemporary activities and routines for children that reflect their community and home life are also found in a quality First Nations childcare setting. Study participants were clear that these activities and routines are only acceptable if they are healthy and positive. Parent and community participation in the childcare centre's activities is also seen as desirable for quality care. This participation assists in restoring a sense of community while reinforcing the collective values of the community.

The study participants were unanimous in their desire to see the incorporation of Elders into the children's program. Elders are seen as critical to teaching young children the ways of the community and Nation.

Payment of Elders and licensing requirements are two issues that arose for study participants. First, how much do you pay an Elder and how do you pay them? In educational institutions Elders are often likened to professors and paid accordingly, in other instances they are given an honorarium, which is often dependent on what the group or organization can afford. In some First Nations communities there are set rates for Elder participation in community programs. How an Elder is paid is dependent upon the tradition of the community, for example, in Cree communities one would offer tobacco or cloth along with the initial invitation to participate. In many cases Elders receive both a gift and money as payment. Gifts represent a token of honour, respect, and appreciation for the Elder's wisdom and willingness to give to others.

Provincial licensing requirements stipulate certain processes that must be undertaken for individuals other than staff to work with children. For example, in some jurisdictions, if an Elder attends a centre more than three times in a year, licensing requires them to have a criminal records check, doctor's note, and three personal references on file with the child care centre. Some participants saw provincial requirements as intrusive, while others welcomed measures directed at ensuring healthy Elders were involved with childcare centre activities.

Besides learning the ways of the community, First Nations children are also expected to learn skills and knowledge that will assist them in succeeding in the formal education system, that is, education within broader society. This expectation is not the same for the majority of children in broader society. They are born and socialized into a society of power and therefore do not have to learn about others to be successful. This challenge of learning two ways of being can be overwhelming and confusing for many young First Nations children, yet necessary to their well being.

Children learn in many ways. Study participants agreed on the need for a variety of activities and consideration of different learning styles to meet children's learning needs. Activities should include traditional indoor and outdoor activities such as storytelling, music and dance, food gathering, weaving, painting, and any other activity traditional to the community. Activities that focus on school readiness skills such as science, math, and English are also important. All activities should support the development and enhancement of physical, social, cognitive, emotional, language, and spiritual development.

Many study participants saw learning through play as important for children. Storytelling, role modelling and practice are also viewed as important techniques for teaching First Nations children. For example, in traditional times children would first hear about making baskets through the oral tradition or storytelling. By listening they could picture in their minds what a basket might look like. They also learned the language that goes

with basket making. Then would come time to practice. Children were often given small pieces of cedar root or bark to work with as adults made baskets nearby. Children observed and practiced the stitches or weaving techniques until they mastered them. These ways of teaching and learning are just as important today. They teach us that children should have ample time and practice to learn new skills, and those role models should be available for them to observe, that is, caregivers, Elders, community resource people, siblings, and peers.

Influence on First Nations Quality Child Care

There are numerous influences that impact the development and delivery of First Nations quality childcare services. Historical, social, and political influences must be considered when developing policies and initiatives to support First Nations quality child care services.

Historical Influences

The single most significant historical impact on First Nations childcare is the residential school experience, often referred to as the 'residential school syndrome'. The forced placement of more than five generations of First Nations children in residential schools throughout every region of this country since the late 1800s has had a profound impact on First Nations families and communities.

The marginalization and devaluing of First Nations languages, traditions, values, and belief systems during the residential school experience crippled First Nations communities. The separation of children from parents, extended families, and whole communities negatively impacted on family structures and social institutions such as the potlatch in First Nations communities.

First Nations have responded to the impacts of the residential school syndrome by insisting that services in childcare centres do not reflect policies of assimilation similar to the residential school experience. First Nations therefore argue for control over the development and delivery of childcare services in their communities. Childcare is understood to be an Aboriginal right where First Nations governments maintain self-governing authority over the implementation of all aspects of child care services.

Social Influences

The social state of First Nations communities directly impacts how and what type of childcare services is developed in communities. Unprecedented levels of child and family poverty (i.e., poverty based on the inability to provide basic sustenance rather than poverty based on

accumulated wealth), violence, and alcohol or drug each uniquely impact childcare services in First Nations communities.

Caregivers in First Nations communities face challenges posed by the social state of First Nations communities in the areas of childcare programming, the childcare environment, child/staff ratios, and services to children with special needs. Poverty, family, violence, and abuse of alcohol or drugs by parent's impacts negatively on the developmental process in children. These social considerations weigh heavily on all aspects of developing quality childcare services in First Nations communities.

Fiscal, human, and environmental resources already stretched to the limit for delivering basic child care services, become ever more stretched when attempting to deliver services in communities where the number of children with Fetal Alcohol Syndrome (FAS) or Fetal Alcohol Effect (FAE) is high, or where the levels of unemployment and dependence on social assistance has reached epidemic levels. In many cases children with special needs simply do not receive services because the cost associated with this type of specialized childcare is too prohibitive for many First Nations childcare centre administrations.

The rapid increase of First Nations populations, estimated to be at the rate of 2% per year or 1.8 times that of the Canadian population, will continue to place strains on the development of quality childcare services. Young parents under the age of 18 years are significantly represented and the need for parenting skill support only adds to these strains. The overall demand for quality childcare services will increase relative to the increase in population rates. Current levels of childcare services in First Nations communities do not even meet 10% of the need identified by working parents or parents pursuing educational programs.

Political Influences

National, regional, and local political institutions and policies impact on First Nations quality childcare services. There is no national policy dedicated to First Nations or Aboriginal childcare services. The federal government has failed to take any responsibility for First Nations children despite the fact that it has the constitutional ability to do so, and may in fact have a constitutional responsibility to do so.

Current federal programs lack coordination and consistent approaches to quality services for First Nations children. Programs designed for First Nations children are housed in different ministry offices. For example, Human Resources Development Canada is responsible for the childcare initiative, while Health Canada is responsible for the Head Start on-reserve and off-reserve programs. Each ministry office maintains distinct objectives, and has completely separated and unique funding

formulas and application processes. As a result, First Nations communities developing childcare services are faced with numerous bureaucracies.

National funding policies for childcare services require First Nations childcare centres to comply with provincial childcare legislation and regulations. Yet, no provincial government in Canada maintains a policy for First Nations childcare services, except for those provincial governments that state they are not responsible to develop these services because the federal government has a constitutional responsibility for 'Indians and lands reserved for Indians'. First Nations' efforts for community controlled, locally accountable, and First Nations driven childcare services are thereby thwarted by provincial legislation and childcare regulatory schemes.

While it is generally accepted that local First Nations governments are supportive and in some cases instrumental in achieving quality childcare services in First Nations communities, local governments can also present barriers for community-driven accountable services. Given that First Nations communities are very much organized by family groupings and that family groupings historically held the balance of power in First Nations communities, childcare services are influenced by family dynamics.

In some cases, family dynamics determine which First Nations children are serviced, and who is employed in childcare centres. While this may not necessarily be a negative influence on childcare services, there is the potential to exclude children that need the service the most, or to overlook the best qualified and dedicated personal for culturally relevant, community driven and accountable childcare service.

The fact that local First Nations governments are elected generally for a two-year term also impacts on childcare services. Caregivers and childcare administrators in First Nations communities are often faced with uncertain and occasionally unstable commitments from local governments to childcare. The commitment by one Chief and Council, more often than not, will not be reflected in the commitment of a new Chief and Council. A relatively young population and the ever-changing face of the First Nations community translate to a frequent turnover of elected Chief and Council members. We can expect the result to translate into an on-going unstable commitment by local First Nations governments to childcare services for the next several years.

Child Care Legislative Regimes

It is accepted in First Nations communities that childcare regulatory schemes are an important component of quality childcare services. Childcare regulatory schemes not only establish standards for the health of children, safety in childcare settings, and qualifications of child

caregivers, they also offer an opportunity for First Nations governments to develop child care administrative and governance structures that are community driven and accountable.

Many research studies support the idea that quality childcare services involve setting standards for various aspects related to the care of children. While it is beyond the scope of this research to examine, there is no doubt that there is much debate over whether childcare regulatory schemes ought to be centralized or regionally based, driven by public or private industry, or whether such schemes ought to emulate punitive or permissive measures of enforcement.

In First Nations communities childcare services are so new that the primary focus is simply to create sustainable services over time. There has been almost no debate among First Nations government representatives or First Nations childcare authorities around the application of provincial childcare regulatory schemes in their communities. In Ontario and British Columbia, First Nations communities have resigned themselves to the fact that provincial licensing authorities (whether it be licensing officers or consultants) are expected to license childcare services in their communities.

This does not suggest, however, that First Nations governments and communities in these regions of the country are content with the application of provincial laws in their communities. Many participants in the study expressed concern about the fact that provincial laws were applied to the development and delivery of childcare services in their community. In some cases the local Chief and Council clearly advised the provincial licensing authority that their presence in the community was considered an intrusion on the community's legal authority for childcare services, and that the application of provincial law in this instance was clearly an exception and not understood to be the rule.

In parts of the country where provincial childcare authorities refuse to enter Indian reserve lands, First Nations community leaders have welcomed the opportunity to develop their own childcare regulatory scheme. Such enthusiasm has not been without barriers and difficulties. First Nations childcare regulatory initiatives have been fraught with unrealistic time constraints, limited resources, and serious impediments to effective implementation of the regulatory scheme.

In Saskatchewan, where the provincial government had refused to enter Indian reserve lands, First Nations leaders and First Nations government organizations have struggled with meeting federal government expectations and deadlines for a province-wide childcare regulatory scheme. In the guise of requiring assurances that childcare services will be safe and healthy for children, the federal government has insisted that such services be licensed before much needed funding can be released to communities developing these services. The result has meant delay for

communities desiring to develop childcare services in ways that meet the needs identified by parents in their communities.

Outlined below is an overview of the supports and barriers presented by current childcare regulatory models, including those models developed by First Nation governments.

Supports Created by Child Care Regulatory Models

Current childcare regulatory models, although prescriptive in nature do provide a number of supports for First Nations quality childcare services. As noted above, the obvious supports are that it ensures healthy care for children, safe childcare environments, and standards for child caregivers that are consistent with appropriate developmental services.

Participants in our study also identified childcare regulatory schemes as supporting effective administration of individual childcare centres and services. Provincial childcare legislation requirements and supportive government policies for internal childcare centre policies, for example, provide caregivers and childcare administrators with guidelines for accountable services. Some internal policies supported by legislation that were identified by participants in the study include a behaviour management policy, authorization for medication and treating emergency injuries, along with names of persons to contact who are authorized to pick up and drop off children.

Childcare legislation is seen as encouraging centres to have policies for parent accountability, staff qualifications, and administration procedures for effective management of the centre. In the case of parent accountability, participants noted that legislation and licensing officer policies (in particular in Ontario) require procedures for parental involvement in the centre. This requirement has in some cases resulted in production of a parent newsletter, brochures on services provided, a parent handbook for all users of the services, and parent nights or open house.

In the case of caregiver qualifications, participants were not unanimous in their understandings that childcare legislation and policy supports First Nations desires for culturally relevant services. While almost all participants in the study noted that standards and minimum qualifications for caregivers were important for quality services, not every one agreed that current educational programs for early childhood educators necessarily resulted in employing the best childcare providers in their centres.

In the case of administration procedures, all participants noted that current childcare legislation and policies effect administration of childcare services in local community settings. Administration policies supported by legislation include codes of conduct, wage scales *although it was generally agreed that wage scales for early childhood educators reflected an under

valuation of this service in the community), time management of employees, involvement of community in the delivery of services, and staff participation in the development and implementation of effective services.

Participants also noted that childcare regulations and policy are instrumental in ensuring that the number of children cared for in centres is kept at manageable levels. This in turn was viewed as supporting conducive working environments for caregivers.

Of particular interest, is participants' view that compliance with childcare regulations and policies result in greater access to financial resources from funding agencies. While generally this is true, compliance with regulations do not always necessarily translate to more funding for the delivery of services. At the very least, participants said that requiring compliance with regulatory standards before being able to access funding is an effective way to monitor and enforce childcare legislation and policies.

Barriers Created by Childcare Regulatory Models

While childcare regulatory models for the most part offer a sense of security for caregivers and children, there are numerous barriers created by childcare legislation for community driven, culturally relevant and First Nations specific childcare services. The most commonly cited observation about barriers created by childcare legislation and regulations for First Nations childcare services was that they imposed standards that set the service apart from the community.

Physical requirements intended to ensure childcare services centres are safe environments for children are often perceived as a barrier to community members accessing the service. The more institutional the appearance of a child care centre, the less likely it is that members of the community will feel comfortable approaching the centre to care for their children. The correlation between fear of reinventing the residential school experience and the physical attributes of childcare centres cannot be understated. Centres that reflect the local community and culture, such as long houses or pit houses, tee pees and smoke houses on the grounds of the centre make all the difference. Community members identify with the service as belonging to the community and are therefore comfortable leaving their children at the centre to be cared for.

Standards for staff/child ratios and segregated age groupings in child care legislation and regulations also set child care services apart from the community. While ratios and age groupings are considered important aspects of First Nations quality child care services, First Nations view these standards as imposing on traditional child rearing practices. Caring for children in segregated age groupings often translates into an inability to transmit information and culture to children in ways that have always been practised. For example, teaching preschoolers the importance and value of

life by showing them how to care for infants is not possible in settings where children are segregated by age.

Similarly, teaching siblings about respect and sharing cannot be undertaken in ways that have been practised for generations when children are separated by age groupings. On the other hand, setting ratios for children and caregivers results in setting standards that become the norm in child care settings, precluding any consideration for greater numbers of caregivers in child care settings is important to providing a service that is consistent with the care a child receives in a First Nations home, where extended family, relatives, and grandparents are pivotal to rearing children.

Caregivers in this situation are faced with the added burden of addressing community perceptions that their own members are not adequate caregivers for the children. Similarly, community members are faced with the responsibility of having to ensure that caregivers from outside the community understand the community and culture that ought to be passed on to children at the centre. Of great concern, however, is the ability of persons from outside a community to fully understand and be expected to teach children about the values and belief systems of a particular community.

Another commonly cited burden to developing quality First Nations childcare services is the level of funding dedicated to these services, and how funding is connected with the type of service that is delivered. In other words, while compliance with the regulations allows for greater access to services, the focus of regulation is on services that are not necessarily inclusive of all children's needs in the community. For example, children requiring special services because of special needs maybe overlooked altogether or not receive service due to a lack of funding to train staff to become workers.

In a similar vein, subsidy programs tend to dictate the type of services that are delivered in childcare centres. The result is that only those parents who are working or pursuing their education are able to access the service. Many other children whose parents are not working or in school lose out and cannot participate in services offered at centres simply because their parents cannot afford it. There are no subsidies or programs where funding is made available for the development of specific, culturally relevant programming where children are exposed to and cared for in a cultural setting.

Of particular concern to the principal researchers is the fact there is no central, organized effort for the development of First Nations quality childcare services. Individual communities are currently required to develop childcare services with little or no help from outside helping agencies. The myriad of bureaucracy's communities must face and the numerous federal and provincial standards (funding, building, programming

and the like) that must be met, do not support the on-going development of childcare services in First Nations communities across the country.

First Nations Legal Responsibility for Child Care

Policies for First Nations childcare services in Canada are disparate, lack coordination and do not support quality care for children in First Nations communities. The federal government has failed to take a lead role in ensuring that services for children in First Nations communities are accessible, affordable and culturally relevant. Moreover, by refusing to accept constitutional and legal responsibility for First Nations children the federal government has perpetuated the long-standing jurisdictional dispute between federal and provincial governments over who is responsible for First Nations children.

Provincial governments, on the other hand, have continued to either refuse service to children in First Nations communities or insist that services in First Nations communities mirror services that are delivered to children in other parts of their province. Provincial childcare legislative and regulatory schemes overlook the importance of culture to the healthy development of children. Most importantly, provincial policies do not support community-based, culturally relevant, and language-based programming as key components of quality care for children.

In a similar vein, First Nation governments faced with extreme demands to develop and respond to initiatives for their members do not have the adequate resources to take up the childcare cause.

First Nations Jurisdiction in Child Care

First Nations people agree that responsibility for childcare necessarily involves an exercise of legal authority in all areas related to childcare. Some First Nations are proponents of childcare as an Aboriginal right, where the ability to exercise law-making authority in the area is an inherent right.

These First Nations argue that they have made laws related to the care of children for years and the ability to continue to make these laws is protected as an Aboriginal right in section 35 of the *Constitution Act, 1982*. This argument raises the issue of whether government (federal and provincial) has extinguished the Aboriginal right to make childcare laws because of laws passed pursuant to the widely accepted constitutional division of powers, where the provincial governments are empowered to make laws of a local nature, including childcare.

It is not accepted in First Nations communities that the right to pass childcare laws necessarily requires federal or provincial government approval, whether by delegation, legislation, or memorandum of understanding. These modes of exercising childcare law-making authority

are considered an intrusion on the First Nations right to make childcare laws.

Participants were clearly of the view that any exercise of childcare authority would involve local governance structures. They were also unanimous in understanding that a First Nations authority in childcare would be based on the needs of children and the reinforcement of healthy traditional child-rearing practices.

Not all First Nations will desire to exercise law-making authority in childcare. For a whole variety of reasons, First Nations may want to continue to be licensed by provincial child care regimes. Yet others wish to develop their childcare law-making authority over time, and in the interim operate under provincial licensing schemes. Many participants noted that this latter option was precisely what occurred with the implementation of the *First Nations/Inuit Child Care Initiative*. In each case, however, there is a need to review provincial childcare legislative regimes so that they are reflective of First Nations desires in quality childcare.

Scope of First Nations Authority in Child Care

Advocates for First Nations jurisdiction and authority over childcare view the opportunity to exercise law-making authority in this area as enabling communities to enact and enforce community-based childcare standards. The community standards participants seek to support are entrenched within the values and belief systems of First Nations communities. The lived experience of First Nations people are thereby acknowledged, respected, and celebrated. In this regard language plays a pivotal role, where the spoken word is an expression of several generations of lived experience and the values of a community come alive.

It is important to underscore that the values and belief systems of First Nations vary from community to community. It cannot be assumed that the values in one community are necessarily transportable to another community. In a similar vein it would be inappropriate to suggest that the scope of First Nations authority in child care will necessarily be constant from one community to the next.

It has been well documented that First Nations values, belief systems, and traditions have been recorded in oral ways. The same is true for legal systems and laws historically enforced by First Nations governments. It goes without saying that these systems are in direct contrast to the legal systems Canada as a Nation relies on. Indeed, there has been a time in recent history when First Nation legal systems were banned by the Canadian government.

The fact that First Nations values, belief systems, traditions, and legal systems are oral presents difficulties for First Nations desiring to exercise law-making authority in childcare. The exercise of law-making

authority within the Canadian constitutional regime necessarily involves the codification of First Nations values, beliefs, and traditions. The very fact that an exercise of law-making authority involves the codification of values, beliefs, and traditions, flies in the face of oral tradition where the transmission of information from generation to generation is intended to accommodate the evolution of First Nations societies.

The dilemma of codifying orally transmitted values and belief systems is not a new phenomenon. Theorists in almost every society debate the utility of rigid codification of community values and belief systems. Invariably the debate involves an examination of the ethics involved with codifying community values and beliefs.

Assuming that contemporary legal systems are able to accommodate oral-based legal systems or that oral-based legal systems are able to survive alongside a rigid codified legal system, there is an obvious potential for each legal system to conflict with the other. Where the two legal systems conflict with each other, there must be processes in place to ensure that the conflict is resolved. To do otherwise would result in polarization that promotes mistrust, lack of understanding, and escalated conflict.

The very nature of First Nations legal system suggests that there is a need for flexibility in the recognition and exercise of First Nations law-making authority. In relation to childcare this necessitated a process that will support the diverse perspectives of achieving quality childcare services. It is conceivable that every First Nations community will have their own perspective on the development of quality childcare services. In this sense it is necessary to ensure that law-making powers are reflective of community value and belief systems.

Whether First Nations develop their law-making authority on the basis of language affiliation, geographic association, or traditional territory is the prerogative of each First Nations government. It is important that efforts to support the development of First Nations authority in childcare respect the wishes of affiliations that First Nations create toward this end.

Recommendations

The recommendations arising from this study were very comprehensive: over fifty-four recommendations divided into eleven categories and indicated an intense level of interest regarding First Nations childcare. See the attached appendix entitled *Recommendations at a Glance* for a complete listing. The recommendations can be roughly divided into three themes: recommendations pertaining to programs and services, recommendations regarding regulations, and recommendations concerning First Nations jurisdiction and authority.

Six areas arose in the recommendations for programs and services. In the first area, children's programs, it was recommended that Elders be encouraged to participate in children's programs and that appropriate protocols be determined with the community including monetary payment. Another suggestion was the development of relevant and meaningful children's activities and the incorporation of skills that would be useful both in a school and community setting. The second area pertained to special needs and here participants noted the need to incorporate resources specifically earmarked for special needs, developmental difficulties, and language and culture. Thirdly, program and service recommendations concerned caregiver training; here participants voiced the need to lobby provincial governments to include specific First Nations and cross-cultural courses as mandatory in early childhood education programs. The fourth area of program and service recommendations concerned language and culture. Here participants not only spoke of recognizing the experience and expertise found in Aboriginal communities, they also wanted resources to be made available for the development of culture and language that were specific and locally based. In addition, participants supported the reinforcement of First Nations cultures and language by identifying each as a legitimate indicator of quality childcare. In the fifth area, the study highlights recommendations pertaining to First Nations agencies, noting the need to support national and regional First Nations childcare agencies dedicated to quality childcare services. Finally, the sixth area of program and service recommendations pertained to subsidy. Participants stated the need to redefine eligibility to subsidy programs so that the special social, economic, and political considerations of First Nations people are accounted for and are not limited to parents who are working or going to school.

With regards to regulations, participants in the project recommended the development of specific early childhood accreditation processes for community members and Elders that are respected of their life experiences and their desire to care for children. A new category entitle 'community certified caregivers' should also be developed, and this category would extend to formal Early Childhood Education Systems.

The final theme of recommendations pertained to First Nations jurisdiction and authority. Participants spoke of recognition of First Nations childcare, as an Aboriginal right protected by Section 35 of the *Constitution Act (1982)* and enforceable by law as a legitimate right of First Nations government. In addition, the need for endorsement and support of community-based governance structures focusing on the needs of children and reinforcing healthy traditional child-rearing practices was noted. The primary goal for the development of First Nations Child Care legislation as stated by the participants is the preservation and retention of values, beliefs,

and traditions of the community. In this sense, the law-making authority of First Nations in childcare must be flexible and adaptable to individual First Nations.

In addition to a series of recommendations, research participants had numerous suggestions regarding future program development, all of which centred on what government programs should consider when directed toward First Nations peoples. Participants stated that governments must include communities directly in the development of programs and that incorporating time-lines would allow communities the opportunity to consult with their specific childcare program. In addition, it was noted that government should facilitate the development of a community statement with respect to the care of children and there should be the incorporation of flexible opportunities for communities to define and develop administration and governance structures.

Areas for future research was a final topic considered in this research on First Nations childcare. Participants agreed that research was needed on traditional and contemporary child-rearing practices, in addition to research on First Nations values, beliefs, and traditions. Family and community kinship systems, children's development from a First Nations perspective, and best practices in service delivery were three other areas identified as needing further research. Finally, First Nations early childhood education programs, care in specialized settings, alternate processes for standards and regulations, and evaluation methods for First Nations' programs and individuals were also topics considered in need of future research.

A comprehensive research foundation and extensive recommendations coupled with suggestions for future program development and future research have all combined to ensure that "Whispered Gently Through Time: A National Study on First Nations Childcare" offers consideration of the unique needs of Canada's Aboriginal families, children and communities.

Recommendations at a Glance

Context and Intent of First Nations Childcare

- *Government programs intended for First Nations people consider: 1) including communities directly in the development of the program; 2) incorporating time-lines that would allow communities the opportunity to consult with their members in determining and defining their specific childcare program; and 3) incorporating flexible opportunities for communities to define and develop administration and governance structures.*
- *Develop childcare services that are accessible to all families, Ensure that community is consulted in the development of the children's program. Develop and implement children's programming that incorporates school readiness skills presented in a developmental and meaningful way.*
- *Lobby government and educational institutions for the delivery of community-based education programs. Explore existing and develop new educational opportunities for community members.*
- *Ensure that community consultations are inclusive of all community constituents and ideas. Facilitate the development of a community statement with respect to the care of children. Support the development of childcare service components, infrastructure, and administration that reflect the community's direction.*

Community and Parent Involvement

- *Provide parents and community members with opportunities for direct and indirect involvement in administration and service delivery. For example, parents and community members may: provide financial and advisory support, facilitate field trips and participate in fund-raising activities, participate on parent advisory committees, participate in policy and procedure development, provide program support through such activities as: sewing children's costumes, participating in field trips, attending special events and parent nights and participating in meetings.*

- *Develop learning opportunities for parents that may include: parenting classes, mother/tot reading sessions, workshops and information sessions.*
- *Develop linkages between other programs and agencies within and outside the community.*
- *Develop policies that ensure children and families are treated equitably and have equal access to child care services. Develop personal policies that ensure equal access to employment opportunities, for example, implementing a formal hiring process.*
- *Ensure that newly elected Chief and Council members are well informed about childcare. Band politicians could be invited to the childcare centre on a regular basis, for special occasions and activities and/or for participation in the direct administration of the childcare services (for example, participating on a child centre advisory committee).*

Environment

- *Incorporate materials and equipment from the community that are safe for children. Encourage community members to participate in the gathering and creation safe equipment and materials.*
- *Ensure that toys, materials and equipment “meet or beat” legislated safety requirements. Standards set by the Canada Standards Association must be reviewed with First Nations people with a view to creating a First Nations Standards Association dedicated to the accreditation of materials and equipment created by the community.*
- *Ensure that there are adequate financial resources to meet the equipment and materials needs of the child care setting.*
- *Develop and implement community-based policies that ensure the physical and psychological safety and well being of children.*

Caregivers

- *Lobby provincial governments to include specific First Nations and cross-cultural courses as mandatory components of Early*

Childhood Education Programs. Support First Nations educators in developing a First Nations specific Early Childhood Education training curriculum. Support the development of First Nations institutions. Take on licensing. Identify mechanisms for assessing previous learning experiences that may be applied towards a certificate, diploma, or degree.

- *Offer cultural training and community orientation to caregivers new to the community.*

Children's Programs

- *Invite parents to collaborate in the development of children's learning activities.*
- *Encourage Elders to participate in the children's program, e.g., sharing expertise, storytelling, visiting etc. Determine appropriate protocols with the community including monetary payment.*
- *Develop activities that are relevant and meaningful for children while incorporating skills useful both in a school setting as well as in the community.*

Historical Influences

- *A National Federal First Nations Child Care Policy that supports, endorses, and adequately resources First Nations driven childcare services is a necessary component of any government initiative directed at First Nations self governance. The federal policy should clearly recognize that First Nations quality childcare services must be community-based and controlled.*

Social Influences

- *The federal government must dedicate significant additional resources for the development of First Nations childcare services that address individual needs of communities and the social and economic inequities that are pervasive in First Nations communities.*
- *First Nations childcare services must support extended family structures, the needs of young parents and overall community*

enhancement, community enhancement, rather than limit childcare services for parents in the workforce or attending educational institutions.

- *Federal government support for First Nations child care services will have to be significantly increased if there is to be equity in the level of support provided to First Nations communities as compared with other communities in Canada. Resources should be earmarked as that childcare services in First Nations communities are at levels equivalent to communities in broader society.*
- *The federal government commitment to First Nations childcare services will also have to increase at rates that are concomitant with the increase in First Nations population, and not based on population statistics that are dated. The delivery of childcare services in First Nations communities will otherwise be static, under-resourced and over extended.*

Political Influences

- *A national First Nations childcare agenda must be established that clearly identifies the federal government has exercised the constitutional authority and responsibility bestowed on it and thereby eliminating the federal/provincial dispute over who is responsible for First Nations childcare services. The jurisdictional battle between levels of government (federal and provincial) have crippled First Nations communities far too long, and must be resolved if First Nations people are to take their rightful place in Canadian society.*
- *The national First Nations childcare agenda must also endorse First Nations governments as the constitutional legal entity responsible for First Nations people and make provision for the transfer of resources for the development and delivery of child care services in First Nations communities. This will necessitate a re-negotiation of current federal/provincial transfer agreements so that First Nations governments are granted their proportionate share of funding for childcare services.*
- *First Nations governments must be supported in their efforts to assume responsibility for developing and delivering childcare*

services in their communities, which will necessitate the recognition of a First Nations jurisdiction over childcare matters.

- *Concurrent with a commitment to First Nations jurisdiction over childcare matters, is the need for support of community-driven advocacy organizations that are dedicated to achieving quality childcare services for First Nations children, families and communities. This support will help ensure that First Nations governments are held accountable to their commitments and that First Nations standards for quality childcare are developed and implemented in a systematic organized manner.*

Regulatory Supports

- *Create a funding program specifically for the development of First Nations childcare laws and regulatory schemes. Key components of the funding scheme should include:*
 - *Support for community values,*
 - *Reinforcement of First Nations beliefs and child rearing practices,*
 - *Opportunity for ratification by community, regional and local governance structures,*
 - *The development of enforcement mechanisms that are community driven.*
- *Realistic and flexible time frames are necessary for effective First Nations childcare legislative and regulatory schemes. This will ensure that such schemes are reflective of parental, community, and First Nations values and belief systems.*
- *Examine alternative regulatory schemes that will determine if a central or regional approach to enforcement is the best mode of delivering quality childcare services. Research dedicated to this area of study should support the identification of standards developed in cooperation with the childcare private sector.*
- *Support the reinforcement of First Nations cultures and languages by identifying each as legitimate indicators of quality childcare.*
- *Make resources available for the development of culture and language-specific curriculum that is locally-based and supportive*

of the diversity of First Nations languages and dialects within each First Nations language.

- *Coordinate the development of accreditation standards for language and culture instructors with local First Nations education authorities ensuring that community-based instructors are supported and life experience is properly accredited.*
- *Incorporate in all funding programs targeted at First Nations childcare, adequate resources earmarked for special needs, developmental difficulties, and language and culture.*
- *Redefine eligibility to subsidy programs so that the special social, economic, and political considerations of First Nations people are accounted for.*

Regulatory Barriers

- *Support the development of First Nations childcare regulations that set standards for the incorporation of First Nations historical and contemporary buildings and structures into the physical environment of childcares centres.*
- *In consultation with First Nations communities, implement a moratorium on the enforcement of provincial regulatory staff/child ratios and care giving in segregated age groupings.*
- *Pilot several First Nations childcare centres across Canada where staff/child ratios are lower than the provincial regulatory standard, and where children are cared for in multi-age group settings. Include the pilots in a national longitudinal First Nations childcare study that will assess the viability of caring for children in these specialized childcare settings.*
- *Develop specific early childhood accreditation processes for community members and Elders that are respectful of their life experience and desire to care for children. The accreditation process ought to include a new category of 'community certified caregivers' that extend to a formal Early Childhood Education Diploma and bachelor degree in First Nations childcare.*

- *Establish links with post-secondary institutes across Canada that will be committed to developing unique First Nations childcare certificate, diploma and degree programs. Ensure that the national children's agenda include adequate resources for the development of First Nations driven childcare program.*
- *Re-examine subsidy programs with a view to creating new subsidies for First Nations parents that are not limited to parents working or going to school. New subsidy programs should specifically address social, economic, and historical considerations in First Nations communities.*
- *Support national and regional First Nations childcare advocacy agencies dedicated to quality First Nations child care services. This should include core funding for operations, specific research initiatives to be spear-headed and administered by First Nations childcare advocacy agencies, and the creation of national tables dedicated to First Nations child care issues.*

First Nation Jurisdiction

- *The National Children's Agenda must acknowledge and recognize First Nations childcare as an Aboriginal right protected by section 35 of the Constitution Act, 1982 and enforceable in law as a legitimate right of First Nations government.*
- *A First Nations childcare agenda must be established that adopts as a principle the recognition of First Nations legal authority in childcare.*
- *The national federal childcare agenda must endorse community-based governance structures that have as a focus the needs of children and the reinforcement of healthy traditional child-rearing practices.*
- *The national First Nations childcare agenda involve participation from all stakeholders in the development and delivery of First Nations childcare services, including Elders, caregivers, parents, community leaders, regional advocacy groups, and regional/national First Nations leadership.*

- *The national First Nations childcare agenda adopt as its guiding principle quality childcare services that are affordable, accessible, culturally appropriate, and dedicated to language and culture retention.*
- *Provincial childcare regulatory schemes be reviewed in each region for the purpose of identifying appropriate amendments to provincial legislation that will ensure the legislation is respected and inclusive of First Nations desires in childcare services.*
- *The review of provincial child care regulatory schemes be conducted in cooperation with First Nations, including Elders, caregivers, parents, community leaders, and advocacy agencies from First Nations interested in amending provincial legislation.*

Scope of First Nations Authority

- *The primary goal for the development of First Nations childcare legislation should be the preservation and retention of values, beliefs and traditions of the community. In this sense, the law-making authority of First Nations in childcare must be flexible and adaptable to the desires of individual First Nations.*
- *Research must be undertaken to examine traditional child rearing practices, and First Nations values and belief systems related to the care of children. One objective of the research would be examine ethical considerations associated with the codification of oral systems for the purpose of exercising law-making authority. Another objective of the research would be to consider the ability of contemporary legal systems to accommodate oral-based legal systems and visa versa.*
- *Research be undertaken to examine the conflict of laws between contemporary legal systems and Aboriginal legal systems, and in particular the ability of common-law legal principles and First Nations laws to resolve disputes arising from the conflict of these legal systems.*
- *A national First Nations childcare agenda support the creation of First Nations licensing processes that include: regulating caregivers qualifications, the child care environment, monitoring, subsidy programs, and community/regional standards.*

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