

FOUR PILLARS SOCIETY

Language, Culture, Heritage, and Well-being

Nomination Opportunity



HISTORY:

In 2012, members of the Tk'emlúps te Secwépemc and shíshálh Nation led by Shane Gottfriedson and Garry Feschuk launched a national class action lawsuit for day scholars who were left out of the original Indian Residential Schools Settlement Agreement from 2006. After 9 years, a \$2.8-billion-dollar settlement was awarded in 2021 for the class action lawsuit concerning Day School Scholars. Initially filed by the Tk'emlúps te Secwepemc and shíshálh Nation in British Columbia, plaintiffs in the case have developed a disbursement plan for the funds. There are 325 Indigenous Nations across Canada that are represented in this class action lawsuit. This plan initially combined the band reparations claim (referred to as the band class) and the residential school day scholars claim. Day scholars, survivors who were compelled to attend institutions during the day but returned home at night, were excluded from the 2006 residential school settlement.



PURPOSE OF THE FOUR PILLARS SOCIETY

Each of the 325 First Nations that joined the lawsuit will receive an initial one-time payment of \$200,000 for the purposes of developing a plan to carry out a 10-year plan for the revitalization of their language and culture, structured around the four pillars. The fund will operate for a period of 20 years.

The Four Pillars:

1. The revival and protections of Indigenous language
2. The revival and protection of Indigenous culture
3. The protections and promotion of heritage
4. The wellness of Indigenous communities and their members.



OPPORTUNITY

Calling for Nominations for 5 Regions - each Region will be notified of the nomination date set by the Board of Directors. Nominations are to appoint a director from your region to the Four Pillars Society. **Nominations are due March 25, 2024.**

The 5 Regions are indicated as the following:

Five regional directors, with one director from each of the following regions:

- (i) British Columbia and Yukon
- (ii) Alberta and Northwest Territories
- (iii) Saskatchewan
- (iv) Manitoba
- (v) Quebec, Ontario, and the Atlantic Provinces



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NOTICE TO BAND CLASS MEMBERS OF THE FOUR PILLARS SOCIETY

This is to advise that you have an opportunity to nominate a director from your region to the Four Pillars Society. This Society was established as a part of the Band Class Settlement.

The purpose of the Society is set out in the Band Class Settlement Agreement.

The individuals appointed as directors by the Band Class members will ensure funds received are invested and distributed to the 325 Band Class Members who opted-in based on the Four Pillars:

1. Revival and protection of Indigenous languages
2. Revival and protection of Indigenous cultures
3. Protection and promotion of heritage
4. Wellness for Indigenous communities and their members

Any Band Class member is eligible to be nominated.

The qualifications required in order to become a director are set out on “Schedule B” of this notice.

The individuals appointed as first directors and their immediate successors will:

1. appointment/hire an interim executive director of the Corporation
2. engage financial and legal advisors of the Corporation
3. establish a trust for the holding, management and use of the funds received under the Band class Settlement Agreement (the “Fund”) and the income earned on or accretions to the fund
4. open a bank account to facilitate the receipt of the fund
5. invest the fund in accordance with the Investment policy as defined in the Settlement Agreement
6. disburse Planning Funds (as described in Schedule E to the Settlement Agreement) in accordance with the Disbursement Policy (as defined in the Settlement Agreement); and
7. organize the election of Regional Directors of the Corporation in accordance with the by-laws and the nomination and election policy of the Corporation

The nominations form for directors of the Four Pillars Society is attached as schedule C in this notice.

“SCHEDULE A”

Nomination & Election Policy



Executive Summary

On the (month and date), the Band Class members will be given an opportunity to nominate potential Band Class members to represent their respective region as identified in the Settlement Agreement.

This policy will be followed in the nomination and the election of directors for the Four Pillars Society. The purpose is to ensure that the administration of the nomination and the elections or appointment of directors occur in compliance with the Act, the by- laws and this policy.

Background

The Governance and Nominating Committee (GNC) was established by the Four Pillars Society and its work is guided by by-law #1 approved and adopted on May 29,2023 by the in-term Board of the Four Pillars Society.

As provided for in the **By-law #1 Sec.5.8:**

The process for the nomination and election of the full board of directors will be overseen by a Governance and Nominating Committee which is responsible for formulating a Nomination and Election Policy and ensuring that elections are carried out in accordance with that policy.

The duties of the Governance and Nominating are stipulated in section 11(c) as follows:

Subject to the Bylaws, the Governance and Nominating Committee’s duties include:

- (i) the formulation of the Nomination and Election Policy.
- (ii) administering the Nomination and Election Policy.
- (iii) ensuring that elections or appointments of Directors occur in compliance with the Act, the Bylaws and the Nomination and Election Policy; and
- (iv) such other duties as the Board may by resolution direct it to undertake.

Application

This policy applies to all appointments of directors, committee members to the Monitoring Committee and to the Governance and Nominating Committee.

Board Composition

The composition of the Board of the Four Pillars Society is 9 directors (as provided for in the Settlement Agreement). The full board of nine directors will consist of:

- one director whose nomination must be approved by the Government of Canada;
- one director whose nomination for election or appointment as a director will upon recommendation of the shíshálh Nation;
- one director whose nomination for election or appointment as a director will be upon recommendation of the Tk'emlúps te Secwépemc;
- one director whose nomination for election or appointment as a director will be upon recommendation of the Grand Council of the Crees (Eeyou Istchee)
- one director whose nomination for election or appointment will be from among only nominees who are members of a Band Class Member located in either BC or the Yukon;
- one director whose nomination for election or appointment will be from among only nominees who are members of a Band Class Member located in Alberta or the Northwest Territories;
- one director whose nomination for election or appointment will be from among only nominees who are members of a Band Class Member located in Saskatchewan;
- one director whose nomination for election or appointment will be from among only nominees who are members of a Band Class Member located in Manitoba; and
- one director whose nomination for election or appointment will be from among only nominees who are members of a Band Class Member located in either Ontario, Quebec, Nova Scotia, New Brunswick, or Prince Edward Island.

For greater clarity, the 3 directors nominated by the three Nations - these directors must first be nominated by their respected Nations. Three Nations will follow their own rules and regulations in appointing representatives to directorships. As for Canada's director, - no person shall be nominated as the Canada director without first being approved or designated by the Minister.

Term of Office

A director shall hold office for three years (need to discuss in light of "rotation" provisions where members will elect one third of the number of directors elected shall be elected for a term of one year, ...one third of the number of Directors elected shall be elected for a term of two years ...section 5.1(c)) ...a director is eligible for a re- election for three consecutive terms

Eligibility

Any Band Class member is eligible to be nominated as a director unless that director is;

- (a) anyone who is less than 18 years of age;
- (b) anyone who is incapable;
- (c) a person who is not an individual;
- (d) a person who has the status of a bankrupt;
- (e) anyone who is not an Aboriginal Person;
- (f) anyone who is a chief or councillor of a Band;
- (g) anyone who has not been nominated in accordance with Section 5.8, except for the persons who are the first Directors of the Corporation; and
- (h) anyone who is an Ineligible Individual.

Qualification as a Director

No person shall be appointed as a director unless they are:

1. knowledgeable regarding the responsibilities of a director and corporate governance
2. Of Indigenous descent as defined in the Settlement Agreement
3. Agreeable to be guided by the by-laws and policies of the Corporation
4. Knowledge or has experience in promoting and reviving indigenous Language, culture, heritage and wellness.
5. A member of the Band Class member of the region
6. Knowledge or has extensive experience in financial management and investments
7. Community based Aboriginal traditional knowledge in aboriginal governance

Call for Nominations:

Nominations are called by Board resolution that sets out:

- (a) the director positions for which nominations are being call for
- (b) the commencement date and duration of the nomination period
- (c) the approval of the “nomination forums”
- (d) the approval of “Qualification of Directors”
- (e) the name, address, telephone and fax numbers, email address or website where nominations forms will be forwarded.

The nomination period shall not exceed 10 business days, unless it is extended by the Directors. Immediately upon receiving the Board resolution calling for nominations, the Executive Director or the Governance and Nominating Committee will send out the Notice to Band Class Members and the Nomination form stating the commencement date and the duration period.

The Notice of Nomination must be posted immediately onto the website of the Four Pillars Society and electronically sent to all 325 Band Class Communities.

Calling for Nominations for 5 Regions - each Region will be notified of the nomination date set by the Board of Directors; the nomination period will commence not less than 5 business days and not more than 10 business days from the deadline of the nomination period Nominations can be extended by the Board of Directors.

Nominations

Only eligible class members from a Band Class community may make a nomination. Any Band Class member can be nominated providing it meets the eligibility and the qualification criteria. The only acceptable form to be used will be the Nomination Form in Schedule C, as adopted by the Board.

A class member may nominate only one nominee as a director from their region.

A nomination from a class member from a different region will be considered invalid.

Every nomination form must be in the form of Schedule A. The Nomination Form must be completed by the nominee indicating name, address, email, telephone number and his/her membership of a Band Member Class Community. The form should have the name of the person nominated along with his/her signature of acceptance, address, email, telephone number, copy of CV, front and back copy of Indian Status card and his/her Band Member Class Community.

The duly completed nomination forms must be delivered by hand, mail, Fax or by electronic means to the office of Four Pillars Society, C/O Executive Director on or before the close of Nominations.

The Executive Director or any assigned employee of the Society must date stamp each completed form received.

The Executive Director or any assigned employee of the Society must reject any nomination;

- (a) that is received after the close of the nomination period
- (b) that does not bear the signature of the nominee accepting the nomination
- (c) for which a nominee has nominated more than one person for directorship

The Executive Director or any assigned employee of the Society must notify in writing any nominee for whom the nomination form has been rejected at the address indicated on the nomination form. A nominee so informed may resubmit the nomination form, with the necessary corrections, provided the Executive Director or any assigned employee receives the nomination form before the close of the nomination period.

Upon close of the nomination period, the Executive Director or assigned employee shall declare the names of the nominees for each region and provide a list to the Governance and Nominating Committee for their review and for said Committee to make recommendations to the Board for approval of nominees for each region.

If at the close of the nomination period, the Executive Director or assigned employee of the Society has not received a nomination from a region, then the Executive Director or assigned employee shall extend the nomination period for that region. The nomination period for all other positions will be closed.

Nomination by Acclamation

If, at the close of the nomination period there is only one nominee for that particular region, then the Governance and Nominating Committee shall declare the nominee to be appointed by acclamation to the Board.

No further nominations will be held in respect of the region that is filled by acclamation.

The Executive Director or assigned employee shall post a notice on the Society's website or email to the Band Class community of the region setting out the name of the nominee who got in by acclamation and stating that nominations will not be held for that region.

In addition, the Executive Director shall post on the Society's website the list of all directors appointed in each region.

Withdrawal of Nominee

A nominee may withdraw at any time on or before the end of the nomination period by filing with the Executive Director or assigned employee a statement to that effect, signed by the nominee and witnessed by one other person.

The death, incapacity or subsequent ineligibility of a nominee has the same effect as a withdrawal.

The Executive Director or assigned employee shall make reasonable efforts to ensure the name of any nominee who has withdrawn does not appear on the list of nominees to be presented to the Governance and Nominating Committee.

If after the withdrawal of the nominee there remains only one nominee for that region, then the remaining nominee will be declared to be appointed by acclamation.

Recommendation Procedures

The Governance and Nominating committee has the duty and responsibility to review the list of nominees by regions prepared by the Executive Director or assigned employee and to provide recommendations to the Board for final appointments.

In its recommendations, the Committee must consider the following:

- (a) that the nominee has met the qualification criteria
- (b) that the nomination form is complete with all the correct information
- (c) that each region has a nominee for a director
- (d) that there is a gender equality
- (e) that different experience in different fields of each nominee be considered for each region

In making its recommendations on nominees to be appointed for each region, the committee will use a consensus approach rather than following a voting procedure.

As the Board will make the final appointments of directors to the Society, it will follow its own election and voting process.

Final Results

Immediately after the appointment of nominees for each region, the Executive Director or assigned employee must publicly declare on its website or by electronic media to all Band Class communities on selection of Directors for each region.

The Executive Director or assigned employee shall prepare within 2 days of the appointment of directors for each region, a statement of results including:

- (a) the number of;
 - (i) nominees from each region
 - (ii) nominees who withdrew
- (b) the names of Directors appointed for each region

The statement of results must be signed by the Executive Director.

Coming into Force

This policy shall come into force upon approval by the in-term of Directors of the Four Pillars Society.

“SCHEDULE B” Qualifications of a Director



No person shall be appointed as a director unless they are:

1. Knowledgeable regarding the responsibilities of a director and corporate governance
2. Of Indigenous descent as defined in the Settlement Agreement
3. Agreeable to be guided by the by-laws and policies of the Corporation
4. Knowledgeable or have experience in promoting and reviving Indigenous language, culture, heritage and wellness.
5. A member of the Band Class Member of the region to which they are nominated
6. Knowledgeable or have extensive experience in financial management and investments or
7. Community based Aboriginal traditional knowledge keepers in Aboriginal governance

The following persons are disqualified from being a director of the Corporation:

- (a) anyone who is less than 18 years of age;
- (b) anyone who is incapable;
- (c) a person who is not an individual;
- (d) a person who has the status of bankruptcy;
- (e) anyone who is not an Aboriginal Person (within the meaning of the Settlement Agreement);
- (f) anyone who is a Chief or Councillor of a Band (within the meaning of the Settlement Agreement);
- (g) anyone who has not been nominated in accordance with the by-laws of the Corporation, except for the persons who are the first directors of the Corporation; and
- (h) anyone who is an Ineligible Individual (within the meaning of the by-laws of the Corporation).

The Settlement Agreement provides that the board of directors of the Corporation will be governed by nine directors, all of whom must be indigenous and cannot be elected officials of any of the Band Class Members. The nine directors will be chosen as follows:

- a) three first directors to be chosen, one each by Tk'emlúps te Secwépemc, Shíshálh Nation, and the Grand Council of the Crees (Eeyou Istchee)
- b) Five regional directors, with one director from each of the following regions:
 - (i) British Columbia and Yukon
 - (ii) Alberta and Northwest Territories
 - (iii) Saskatchewan
 - (iv) Manitoba
 - (v) Quebec, Ontario, and the Atlantic Provinces
- c) one director chosen by Canada

“SCHEDULE C” Nomination Form



Name of Nominator: _____

Membership of Band _____

Member Class Community: _____
First Nation community, Province/Territory

I, _____ of _____
Name Address of Nominee

hereby nominate _____, to be considered for the
Name of Nominee

position of director of the Four Pillars Society.

Name of Nominated: _____

Membership of and Class Community: _____

Address: _____

Email: _____

Mobile: _____

Reasons why this person would be a good director:

I consent to this nomination and confirm I am a member of the above mentioned First Nation Community.

_____, _____
Nominee's Signature Date

Submission Information for Nominee:

Please attach Schedule C Nomination Form with resume and front and back copy of your Indian Status Card. In the absence of a status card please provide a signed letter from Council confirming your membership with Status number. Please send all documents by mail, fax or email to the following address.

Email: nominations@fps-lchw.ca

Fax: 1-250-769-1557 - Attn: Cliff Fregin, Executive Director Four Pillars Society

Mailing Address: #102B-1979 Old Okanagan Highway Westbank, BC V4T 3A4

If you have any questions, please contact **Cliff Fregin at Tel: 604-505-0500 or**

Email: cfregin@fps-lchw.ca

**Office Use Only:* _____ resume attached _____ Copy of Indian Status card attached
_____ Region Represented



**DEADLINE FOR NOMINATIONS:
MONDAY, MARCH 25, 2024**

Note: Please be advised that we will **not** consider applications received after this date.

Important Dates:

- March 25, 2024- Deadline for nominations
- April 25, 2024 – Submit nominations to Board of Directors
- April 30, 2024 – Board of Directors elect 5 new Board of Directors • May 6, 2024 – Officially inform new Board of Directors
- May 9, 2024 – Announce new Board of Directors



Cliff Fregin - Executive Director

Transforming the community requires bold and courageous action by many dedicated people. As a not-for-profit executive leader, I'm committed to building teams and setting organizational vision that not only embraces but also embodies diversity, inclusion, and collaboration. It's through these values and this engagement, and by eliciting the thoughts, ideas, and opinions of all involved that my teams and I have done great work.



Shane Gottfriedson – Interim Director, Tk'emlups

Shane Gottfriedson, a native of Tk'emlups te Secwepemc, is a distinguished figure who has dedicated 14 years to serving his community through various political roles, including council member and Chief. Throughout his political career, Shane's primary focus has been on upholding and advocating for the Aboriginal Rights & Title of his people and community, with a clear vision of enhancing their quality of life. His commitment to balancing traditional ways with the demands and challenges of modern times has been a cornerstone of his approach.

A notable achievement in Shane's career is the landmark case of Gottfriedson/ Feschuk vs. Canada, culminating in one of the country's largest class action settlement agreements, benefiting Indigenous people with a staggering \$2.8 billion settlement. This achievement underscores his dedication to his community and adeptness in navigating complex legal and political landscapes.



Sherry Boudreau – Interim Director, shishálh Nation Sherry Boudreau is a member of the shishálh Nation. She has been appointed to the board by the shishálh Nation and brings extensive experience in government policy and relations. Having obtained a B.Sc. and M.Sc. at the University of British Columbia Ms. Boudreau is currently a sessional instructor with the University of the Fraser Valley. Her background includes supporting governmental, public, and not- for-profit understanding in various areas (e.g., impacts of colonialism, traditional ecological knowledge, and water policy development). Her work as a facilitator and facilitation trainer brings experience in the areas of policy relating to union-management human resource challenges.

Roderick Pachano – Interim Director, Grand Council of the Crees (Eeyou Istchee)

Roderick Pachano born out on land in a teepee where I spent the first few years of my life before I went to residential schools for 8 years and 4 more boarding in private homes during high school. I have worked for the Cree Nation since the mid 70s on several boards of Cree entities including Cree progovernment entities, handling of money, investments and external investment managers, auditors and legal counsellors, I have been chair and president of several with a hands experience capacity.

I have also been involved in negotiations of treaties, funding and implementations of the same. I have practical experience in politics dealing with our members including being chief of our community being the largest. I now work with our elders on protecting and preserving our language and culture for at least 15 years. I speak fluent Cree.