



GOVERNMENT SERVICES BUILDING
AND CULTURAL CENTER

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22 Winookeedaa Street
Curve Lake, ON K0L 1R0

NEWSLETTER

DECEMBER 23, 2014

NOTE: UNLESS OTHERWISE SPECIFIED, NOTICES AND/OR ARTICLES CONTAINED IN THE CURVE LAKE FIRST NATION NEWSLETTER ARE AT THE REQUEST OF INDIVIDUALS. IT SHOULD NOT BE ASSUMED THAT THESE ISSUES ARE SUPPORTED BY, OR REPRESENT THE VIEWS OF CHIEF AND COUNCIL. UNLESS OTHERWISE SPECIFIED, SERVICES LISTED IN THE CURVE LAKE FIRST NATION NEWSLETTER ARE SPECIFICALLY FOR CURVE LAKE MEMBERS ONLY.

COUNCIL MEETING

THE NEXT COUNCIL MEETING WILL BE
HELD ON MONDAY JANUARY 5, 2015
@ 9:00 A.M. IN THE COUNCIL CHAMBERS
OF THE GOVERNMENT SERVICES

SOCIAL SERVICES

WILL BE OPEN TUESDAY DECEMBER 30TH
FROM 8:30 AM – 10:30AM
FOR JANUARY CHEQUE DISBURSEMENT.

USED HOCKEY EQUIPMENT

HOCKEY EQUIPMENT AND STUFF WAS
DONATED TO RECREATION. FIRST
NATION MEMBERS CAN COME AND PICK
UP ITEMS THEY MIGHT NEED ON
JANUARY 4, 2015 AT THE 1ST BUILDING AT
THE PUBLIC WORKS YARD.

IT'S ALL FREE.

ARNOLD TAYLOR 705-760-6730

CHRISTMAS SHUTDOWN

THE CURVE LAKE FIRST NATION
ADMINISTRATION BUILDING,
HEALTH CENTRE, DAY CARE,
AND PUBLIC WORKS
WILL BE CLOSED FROM WEDNESDAY
DECEMBER 24TH AT 12:00 NOON AND
WILL REOPEN FRIDAY JANUARY 2ND.
THE WASTE TRANSFER HOURS WILL
REMAIN THE SAME AND THEY ARE:

SATURDAY DEC 27 8:30 – 3:00

SUNDAY DEC 28 8:30 – 3:00

CURBSIDE PICK-UP

WEDNESDAY DEC 24

WEDNESDAY DEC 31

HAVE A SAFE AND HAPPY HOLIDAY.



Curve Lake Community

Christmas Eve



Candlelight Service

December 24th, 2014

At 7:00 p.m.

In the Community Church.

Lots of Music!!!!

Everyone is welcome!!!

Pastor George Budd will be conducting the service

Merry Christmas

***Curve Lake First Nation
Chief, Council and Staff
would like to wish
everyone in the community
a very Merry Christmas
and a Happy New Year!***



Government Services Building
22 Winookeedaa Road
Curve Lake, Ontario K0L1R0



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Monday, December 15, 2014

Curve Lake First Nation Chief and Council Retains Maurice Law

Chief and Council of the Curve Lake First Nation are pleased to announce that we have retained Maurice Law, Barristers & Solicitors to serve as general legal counsel to represent the rights and interests of our community. This was conducted by way of a Request for Proposals (RFP), in accordance with the Curve Lake First Nation Financial Policy in the summer of 2014. After close scrutiny, Maurice Law was the successful law firm.

Whetung Law as you know have served this community in various capacities for many, many years and we commend all the good work that had been done while serving us. Also, former legal counsel, *Stephen Aronson*, who represented the Flooded Land Claim retired this summer, after a long legal career and served Curve Lake well for many years. *Hutchins Legal Inc.* (Peter Hutchins) remains to be our legal counsel for the Williams Treaty litigation, still in courts currently, and represents our interests within the collective of 7 Williams Treaty First Nations.

Maurice Law is an Aboriginal owned national law firm specializing in First Nations law with a particular focus on land claims negotiations, Aboriginal and treaty rights advocacy, corporate and commercial law, energy and infrastructure projects, oil and gas transactions, taxation, trusts, economic development, alternative dispute resolution, and consultations and negotiations with government and industry on major commercial and industrial developments, including connection with impact benefit agreements. The firm has 19 lawyers and articling students who are dedicated professionals located in Calgary, Saskatoon, Toronto, Ottawa, Vancouver, and Thunder Bay.

Maurice Law is the first and only, Aboriginal owned national law firm in Canada. For more information please visit: www.mauricelaw.com.

Please join us in welcoming Maurice Law to Curve Lake.

Sincerely,

Chief Phyllis Williams



DEC 11 2014

Dear Chief and Council:

The *Family Homes on Reserves and Matrimonial Interests or Rights Act* (the Act) received royal assent on June 19, 2013. The first part of the Act – First Nation law-making – came into force on December 16, 2013, and provides specific law-making authority to certain First Nations (those whose reserve lands continue to be governed by the *Indian Act*), to create their own matrimonial real property laws.

The second part of the Act comes into force on December 16, 2014, and sets out provisional federal rules which will apply until a First Nation matrimonial real property law is enacted under this Act or other federal legislation. The provisional federal rules will not apply to First Nations currently operating under the *First Nations Land Management Act* or to First Nations with self-government agreements which include land management provisions.

Section 15(1) of the Act establishes that the written consent of the spouse or common-law partner is required, whether or not that person is a First Nation member or an Indian, prior to disposing of or encumbering an interest in or to the family home.

Consequently, when the provisional federal rules come into force, it will be necessary that a Matrimonial Real Property Assessment Form be completed by the applicant, or proponent, of the land transaction. The Matrimonial Real Property Assessment Form and related documents are available on the Department's website and form part of the Indian Land Registration Manual which may be accessed at:
<http://www.aadnc-aandc.gc.ca/eng/1100100034806/1100100034808>.

The purpose of the Matrimonial Real Property Assessment Form is to establish whether the interest in or to the family home is encumbered by the proposed transaction and, if necessary, to obtain the free and informed consent of the other spouse or common-law partner in order to proceed with the following transactions:

1. Assignments of Mortgages, Leases and Sub-Leases
2. Administrative Transfers
3. Transfers
4. Permits

.../2

After December 16, 2014, none of the aforementioned documents will be acceptable for registration in the Indian Land Registry unless they are accompanied by a duly completed and executed Matrimonial Real Property Assessment Form.

The Act provides new rights for survivors. A survivor, in relation to a deceased individual, means their surviving spouse or common-law partner. As the attached document explains, this Act provides entitlement to survivors in a manner that is consistent with most provincial family and succession laws related to matrimonial real property.

The survivor of the estate has two options:

1. The survivor may choose to apply to court for an amount equal to half the value of the deceased's interest in or right to the family home and other matrimonial interests or rights under the provisional federal rules in the Act; or,
2. The survivor may choose to inherit from the deceased's will or under the estates provisions of the *Indian Act* in respect of the family home and other matrimonial interests.

In both cases, the option is specific to the matrimonial home or other matrimonial interests or rights. It does not preclude the survivor from inheriting other assets from the deceased, such as personal items.

A Desk Book: Estates, Reserve Lands Management and Implementation Support for the *Family Homes on Reserves and Matrimonial Interests or Rights Act* for Aboriginal Affairs and Northern Development Canada officials related to above impacts on the respective processes, is posted on the main Matrimonial Real Property on Reserves web page. For more information on the Act or to view the Desk Book, please visit the Department's website at:

<http://www.aadnc-aandc.gc.ca/eng/1100100032553/1100100032557>.

I trust that this information is useful.

Yours sincerely,



Colleen Swords

Encl.

Family Homes on Reserves and Matrimonial Interests or Rights Act **A Survivor's Entitlement**

The *Family Homes on Reserves and Matrimonial Interests or Rights Act* (Act) provides new rights for survivors. A survivor, in relation to a deceased individual, means their surviving spouse or common-law partner. This Act provides entitlement to survivors in a manner that is consistent with most provincial family and succession laws related to matrimonial real property.

The survivor of the estate has 2 options:

- 1) The survivor may choose to apply to court for an amount equal to half the value of the deceased's interest in or right to the family home and other matrimonial interests or rights under the provisional federal rules in the Act; or,
- 2) The survivor may choose to inherit from the deceased's will or under the estates provisions of the *Indian Act* in respect of the family home and other matrimonial interests.

In both cases, the option is specific to the matrimonial home or other matrimonial interests or rights. It does not preclude the survivor from inheriting other assets from the deceased, such as personal items.

Option 1

To claim survivor rights and interests under the provisional federal rules, a survivor has to make an application to the court within ten months of the death of their spouse or common-law partner. Survivors may be entitled to an amount equal to half the value of the deceased's interests in or right to the family home. A court can extend the ten-month period under the following three considerations:

1. the survivor did not know of the death until after the period expired;
2. circumstances existed that were beyond the control of the survivor; or,
3. it was only after the period expired that the survivor became aware of eligible interests or rights.

The applicant for survivor entitlement must send copies of their application to certain individuals who could be directly affected if the court grants the order. In the case where the applicant is the survivor, the applicant must, without delay, send a copy of the application to the Minister of Aboriginal Affairs and Northern Development Canada and to the executor of the will or the administrator of the estate, if known. In the case where the applicant is the executor of a will or an administrator of an estate, the applicant must, without delay, send a copy of the application to the Minister and to the survivor.

Further, the executor of the will or administrator of the estate who receives notice of such an application must notify beneficiaries of the will or heirs to the estate. If neither an executor nor an administrator has been appointed, the Minister must make the notification.

Notes:

- Once the family home and matrimonial rights or interests have been distributed, the remainder of the estate will be distributed to the remaining heirs or beneficiaries as per the will or section 48 of the *Indian Act*.
- The *Indian Act* estate provisions will apply if the survivor's application is not made to the court within the ten-month period.

Option 2

The survivor can inherit pursuant to the deceased's will or estate without making an application to the court under the *Family Homes on Reserves and Matrimonial Interests or Rights Act*. The *Indian Act* estate process must withhold distribution of assets until the ten-month period expires. Alternatively, distribution can occur within the ten-month period where the survivor indicates in writing that he or she chooses to inherit under the will and not under the *Act*.

Note:

- If the family home (or other property) is held by the spouses or common-law partners in "joint tenancy" there is a right of survivorship which allows the deceased's interest in the home to transfer directly to the survivor upon death¹. Such property does not flow through the estate (i.e. will, intestacy or the provisional federal rules of the *Act*).

¹ Joint tenancy is not available in Quebec. Some joint tenancies remain on the Quebec side of the Akwesasne Reserve but no new joint tenancies are being created there.

WHAT'S HAPPENING



An update from the Curve Lake Early Learning Centre

December 2014

A time of change

It has been a very busy year for the staff of the O'shkiigmong Early Learning Centre. Since joining the education department in 2012, we have been participating in a great deal of professional development in relation to student directed learning and pedagogy.

Pedagogy is the art or method of teaching. We are learning to be reflective of our practice and about ways to support how learning happens. We have been working with the support of Lorrie Baird, Associate Executive Director from Kawartha Child Care Services and are fortunate to have access to her wealth of knowledge in these areas. We are currently in the process of exploring and developing our value statements.

Improvement Planning

The program supervisors have been working with Aricka Fleguel, Student Success Coordinator on the development of a plan for success. This plan is complete and describes a variety of child development indicators in the areas of physical, emotional, mental and spiritual. The plan outlines the skills in relation to the activities that are provided in programming. Supervisors will be revisiting the plan annually to determine areas of strength and need.



*"Learn from yesterday,
live for today,
hope for tomorrow.
The important thing is to
never stop questioning.*

- Albert Einstein

In This Issue

- How does learning happen
- Staging & Documentation
- Program updates
- How can I get involved?



Staging & Documentation

The staff have been creating learning zones to invite children into play. “Staging” different areas in the play-rooms to enhance or make more inviting, instead of keeping materials such as blocks on shelves.

Staff are now documenting when children are engaged in play. This involves taking pictures and writing learning stories about them. Children and parents can see this documentation posted in the buildings. Teachers are then able to challenge the children’s thinking by adding more materials or levels.

How Does Learning Happen?

“How Does Learning Happen” is a ministry document that outlines four foundations, or ways of being as a vision for all children’s future potential and a view of what they should experience each and every day. The four foundations are: **Belonging, Well-Being, Engagement and Expression.**

- Every child has a sense of **belonging** when he or she is connected to others and contributes to their world.
- Every child is developing a sense of self, health, and **well-being.**
- Every child is an active and **engaged** learner who explores the world with body, mind, and senses.
- Every child is capable communicator who **expresses** himself or herself in many ways.

This is what the O’shkiigmong Early Learning Centre is striving for and one thing we know for sure is that “it takes a lot of slow to grow!”.

Infant Toddler Program

It has been an engaging adventure for this program over the past year. We have been learning and changing to implement an emergent curriculum. Our children are experiencing play based learning. This is where educators follow our children’s interests and build on them by offering materials to match these interests. This program is also using photographs and documentation to highlight these interests.

Our room environment has changed to provide experiences with lights, shadows, natural materials and blocks.

We have been learning from Lorrie Baird through “side by side” experiences. This is an opportunity for Lorrie to demonstrate some of the skills we are working on.



The School age has made noticeable changes to their environment based on the principals of an emergent curriculum. Educator Lori McCue is a keen decorator and has made the space a beautiful one.

Children thrive in spaces that invite them to investigate, think, create, solve problems and make meaning from their experiences. The program is using open ended materials that the children can use in many ways.



School Age Program

The School Age program has been emerging into a learning place allowing the children to express and explore their interests. They want every child who attends to feel welcomed and to develop relationships with their peers and the adults who work beside of them. As a school age child we encourage independence and it helps them to develop a sense of self, health and well-being.

The program will assist the child to provide experiences that engage the child and allows them to explore their fantastic ideas. Changes to routines have also allowed for longer periods of uninterrupted play with fewer transitions. We have noticed children to be calmer and more engaged in their play and when it's time for them to leave, sometimes they are just not ready.

Luanne Jacobs is the new School age Supervisor/Educator and is enjoying the children and learning so much from these outstanding members of Curve Lake First Nation!

Preschool Program

The preschool room has begun the process of transforming our environment into a more natural calming space for our children. We are providing materials for the children to explore and we are documenting and taking pictures of how the children explore the materials provided.

Each child has a binder which describes the child's interests, day to day activities and pictures. You may have noticed that we are allowing our children to freely express themselves in their art and making what they want—which is different from the days of having them create what we want them to.

How can I get involved?

Parents are welcome to spend time in their children's classroom. Take time to look over your child's binder or the documentation on the wall. Ask questions!

Contact Us

19 Winookeedaa St.
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K0L 1R0

705-657-3672

MichelleL@curvelake.ca

Language and Cultural Programming

Claudia Irons is the Native Language teacher at O'shkiigmong Early Learning Centre. Claudia spends time in each of the programs. Her role is to enhance language and culture in to the emergent learning program. This is accomplished by introducing natural materials in the environments such as the birch trees and block/animal activity zone in the School Age program.

Claudia is dedicated to enhancing the language and culture for our children and the emergent learning program has sparked her passion to accomplish a meaningful curriculum for a loving and decent community.

