

What are the key differences between the Residential School Day Scholars and Indian Day Schools Settlement Agreements?

Day Scholars Proposed Settlement Agreement
JusticeForDayScholars.com
1-888-222-6845

What does the settlement cover?

The Residential School Day Scholars Settlement Agreement provides compensation for loss of language and culture, as well as psychological harms that Day Scholars endured as students who attended Residential Schools during the day but did not sleep at these schools overnight.

Harms related to severe physical and sexual abuse are not part of the Day Scholars settlement because Day Scholars were able to make claims for these harms through the Individual Assessment Process of the Indian Residential School Settlement Agreement.

Who is eligible?

This proposed settlement is for "Day Scholars". Day Scholars are individuals who attended a Residential School during the day but did not sleep at these schools overnight. The lists of Residential Schools that had, or may have had, Day Scholars are at Schedule E to the Settlement Agreement.

Day Scholars who were alive as of May 30, 2005 (or their estates) are eligible for a compensation. The proposed settlement also provides benefit for Day Scholars' descendants in the form of a \$50 million Day Scholars Revitalization Fund.

Somebody who attended a Federal Day School and/or a Residential School as a resident could be eligible if they also attended a Residential School as a Day Scholar during a different school year.

Where are we in the process?

People cannot yet apply for compensation for this settlement. That is because the Settlement Agreement first has to be approved by the Court. The settlement approval hearing will start on September 7th and the judge will make a decision about whether to approve the settlement some time after the hearing is done.

Right now, Day Scholars and their children can review the Settlement Agreement and can provide their feedback to the Court about whether they think the agreement is fair, reasonable and in the best interest of Day Scholars and their children.

Indian Day Schools Settlement Agreement
IndianDaySchools.com
1-844-539-3815

What does the settlement cover?

The Federal Indian Day Schools Settlement provides compensation for those who suffered harm as a result of attending federally operated Indian Day Schools. This includes verbal, physical, and/or sexual abuse.

Who is eligible?

This settlement is for individuals who attended one of the identified Federal Day Schools listed on the List of Federal Day Schools (Schedule K of the Settlement Agreement) and experienced harm.

For individuals who passed away on or after July 13, 2007, the representative of the estate (executor, administrator, or trustee) can apply for compensation. The settlement also includes the creation of a Legacy Fund of \$200 million to support commemoration projects, health and wellness projects, and language and culture initiatives.

Where are we in the process?

People can apply for compensation now. The claims period started in January 2020 and will conclude on July 13, 2022. Claimants have until this deadline to submit their claims for compensation.



Residential School
Day Scholars

If I attended a Federal Indian Day School and/or a Residential School as a resident, could I also be eligible for the Day Scholars proposed settlement?

It is possible that someone could be eligible for all three settlements: the Common Experience Payment of the Indian Residential School Settlement Agreement, Federal Indian Day School Settlement, and the Residential School Day Scholar Settlement. However, nobody can receive compensation for more than one settlement for the same school year (a school year is Sept 1 – August 31). These examples may be helpful:

- A student attended an Indian Day School from September 1968 – December 1968. They then attended a Residential School as a Day Scholar from January 1969 – July 1969. In the same school year, this student attended both an Indian Day School and a Residential School as a Day Scholar. However, this student would only be able to receive compensation from one of these settlements, because you can only receive compensation from one settlement per school year.
- A second student attended an Indian Day School from September 1968–July 1969. They then attended a Residential School as a Day Scholar from September 1969 – July 1970. This person attended two different types of schools in two different school years and could be eligible to receive compensation from both the Indian Day School Settlement and the Residential School Day Scholar Settlement.
- A third student attended an Indian Day School from September 1968 – December 1968. They then attended a Residential School as a Day Scholar from January 1969 – July 1970. This person attended both types of schools in the same school year (Sept 1, 1968 – August 31, 1969), and also attended just a Residential School as a Day Scholar in a second school year (Sept 1969 – July 1970). This person could potentially receive compensation from the Indian Day School settlement for the first school year, as well as compensation from Residential School Day Scholar settlement for the second school year.

We strongly encourage anyone who attended both an Indian Day School and a Residential School as a Day Scholar to discuss their situations with Class Counsel to get the best guidance on next steps.

Residential School Day Scholar – Class Counsel (Waddell Phillips) Contact: dayscholars@waddellphillips.ca or 1-888-222-6845.

Indian Day Schools – Class Counsel (Gowling WLG) Contact: dayschools@gowlingwlg.com or 1-844-539-3815

If I went to a Day School and lived in a hostel at night, which settlement could I be eligible for?

People who attended Day Schools during the day and stayed at hostels at night are not eligible for this settlement, however they may be eligible for the Indian Day School Settlement. To learn more about the Indian Day School Settlement and to see the list of schools it covers, please visit www.indiandayschools.com

I am not sure what type of school I went to. How do I see if I am eligible for one of these Class Actions?

If you went to a school, and you are not sure if it was a Residential School or a Federal Indian Day School, you should check both lists.

To read and learn more about the Residential School Day Scholars Settlement Agreement, please check: www.justicefordayscholars.com. If you have further questions, please contact Class Counsel (Waddell Phillips) at dayscholars@waddellphillips.ca or 1-888-222-6845.

To read and learn more about the Indian Day Schools Settlement Agreement, please check: www.indiandayschools.com. If you have further questions, please contact Class Counsel (Gowling WLG) at dayschools@gowlingwlg.com or 1-844-539-3815.