

## Day School Settlement FAQs

### What is the settlement about?

In 2009, the late Garry McLean started a legal action for survivors of federal Indian Day Schools. About 200,000 Indigenous children across Canada were forced to attend these schools during the day and went home at night. Day schools were excluded from the residential school settlement. Garry McLean and his lawyers, Gowling WLG, reached an out-of-court settlement with the federal government in late 2018. The settlement must be approved by the Federal Court before the application forms are released.

### Who is eligible?

- Anyone who attended a federal Indian Day School and suffered harm from attending is eligible for compensation and ***automatically included***.
- There is a list of pre-approved Day schools, including Mount Elgin Day School (1946-1992), Beer Creek School (1868-1959), Back Settlement (1869-1970), Muncey (1877-1942) or River Settlement (1873-1959). Full list here - <https://indiandayschools.com/en/wp-content/uploads/Schedule-K-List-of-Day-Schools-002.pdf>
- Estates of Day School survivors who passed away after July 31<sup>st</sup>, 2007 will be eligible to apply.
- If someone attended a residential school and received settlement funds, they are still eligible to apply for the day school settlement if they also attended a day school.

### How much will survivors receive?

- Amounts will range from \$10,000-200,000 – depends on type and frequency of harm/abuse.
- Survivors will have to submit paper claims (with any documentation) for evaluation but there will be no further questioning or cross-examination.

### What do I do now?

If you wish to receive communications directly from the lawyers, including the application form when it is available, you can sign up here (no deadline):

<https://ca.gowlingwlg.com/dayschoolclassaction/>

Signing up is ***NOT*** the same as the application form for compensation. Everyone will have to fill out the same application form later.

You do not have to do anything now. The application form is not yet available.

## What is the process?

1. Federal Court will review the settlement in Winnipeg May 13-15. Day school survivors can choose to file letters of support or letters of objection for the May hearing. Those letters go to Gowling and are due by May 3<sup>rd</sup>. Forms are available here - <https://indiandayschools.com/en/documents/>

*Participating in the hearing is completely optional and has no impact on your compensation.*

2. If the settlement is approved, an Administrator will be appointed to receive the claims and process payments. That's when the application form will become available – probably not until the summer/fall.

3. If a survivor chooses to opt out of the settlement and pursue independent legal action against the federal government, there will be an opt out period for 60 days after the Federal Court approves the settlement.

4. If you wish to apply for compensation, you will have one year after the application form is released to submit your paperwork.

If you sign up with the lawyers (Gowling), they will send the application form to you directly. You can do that here - <https://ca.gowlingwlq.com/dayschoolclassaction/>

If you do not sign up with the lawyers, Chippewas of the Thames First Nation will still release the information and application forms to members. We are compiling a list of all members who call or email for information. There will also be info sessions to help survivors fill out the forms and provide emotional support.

You do not need to hire a lawyer or pay anyone to help you with the forms.

Gowling is being paid through the settlement to provide legal support for FREE to applicants.

## How to contact Gowling for more information:

Vanessa Lessard (Clerk)  
(844) 539-3815  
[Vanessa.lessard@gowlingwlq.com](mailto:Vanessa.lessard@gowlingwlq.com)

Other questions? Contact Jen Mills (Policy Analyst)  
(519) 289-5555 ext. 236  
[jmills@cottfn.com](mailto:jmills@cottfn.com)