



# National Indigenous Youth Council on HIV and AIDS (NIYCHA) Terms of Reference

*Current to 1 December 2014*

## 1. Background

**Indigenous Youth:** refers to First Nations, Inuit and Métis people under thirty years old living in Canada. In Indigenous cultures, youth hold a special and sacred role in carrying culture and traditions and learning valuable lessons to improve the health and wellness of our future generations.

NIYCHA recognizes that there are diverse and unique Indigenous youth strengths, social determinants of health and approaches to lowering HIV and AIDS levels. While we are seeking to lower the rates of HIV and AIDS among Indigenous youth, we also recognize that this intersects with other concerns within our communities and cannot be separated. The Council promotes human rights to information, education, programs, and approaches that embrace and speak to our unique and different Indigenous youth cultures and realities.

### ***Youth peer-to-peer education:***

- Because the voices of Indigenous youth must be involved in the design and development of HIV prevention messages; peer education strategies are effective; and Indigenous youth need to be trusted to deliver HIV prevention messages, the Canadian Indigenous AIDS Network (CAAN) announced the launch of the National Aboriginal Youth Council on HIV and AIDS (NAYCHA) in December 2009, renamed to National Indigenous Youth Council on HIV/AIDS (NIYCHA) on November 29<sup>th</sup>, 2014.
- NIYCHA is a place for Indigenous youth to lead and guide strategic planning and action for Indigenous youth HIV and AIDS issues, including other sexually transmitted and blood borne infections (STBBIs), sexual health, and harm reduction.
- NIYCHA is in partnership with the Native Youth Sexual Health Network (NYSHN) to ensure national Indigenous youth lead responses and peer mentorship and support

## 2. Vision

Indigenous youth across Canada will enjoy holistic lives unified in action to prevent HIV/AIDS for all Indigenous youth living with and affected by HIV and AIDS and other sexually transmitted and blood borne infections (STBBIs). We will also work to stop any associated stigma, shame and discrimination.

## 3. Philosophy

Indigenous youth deserve the right to protect ourselves against communicable disease. Indigenous youth are encouraged to learn about the realities of HIV and AIDS and protect ourselves accordingly. NIYCHA seeks to motivate Indigenous youth to empower themselves with accurate and up-to-date information about the nature of HIV and AIDS and other sexually transmitted and blood borne infections (STBBIs), sexual health and harm reduction. This also includes the issues of culturally safe



# National Indigenous Youth Council on HIV and AIDS (NIYCHA)

## Terms of Reference

care, treatment and support.

### 4. Goals

**To guide and strategize:** To guide CAAN and its partners in the development of a 5 year strategic plan on HIV and AIDS for Indigenous youth.

**To represent and promote:** To become informed leaders in the HIV/AIDS movement in Indigenous communities by encouraging and supporting others to be leaders in this challenge.

**To network:** To work towards establishing partnerships in individual, regional, national and international networks.

**To advocate:** To raise awareness that Indigenous youth have an Indigenous right to receive education about HIV and AIDS, other STBBIs, sexual health, harm reduction and to lower shame, stigma and discrimination that people living with HIV and AIDS and other STBBIs face.

**To educate:** To increase access to care by participating in creating youth targeted messaging for Indigenous youth, regardless of residence, that prevents, educates and informs about activities leading to HIV and AIDS, and treatment/care/support for HIV and AIDS and other STBBIs.

### 5. Principles

**Active Youth Involvement:** Indigenous Youth's voices and strategies have an important role in guiding the HIV and AIDS movement. NIYCHA believes this role is best brought forward in a framework that is anti-oppressive i.e. the voices of all Indigenous youth will be included (regardless of their sex, sexual orientation, age or any other characteristic).

**Right to Education and Information:** Indigenous youth have a right to all levels and forms of education in Canada; free of discrimination i.e. this includes access to education about safer sex & sexual health (Article 14.2 UN Declaration on the Rights of Indigenous Peoples).

**Right to Improvement of Health:** Indigenous youth have a right to improve their economic and social conditions, free of discrimination, including, inter alia, their health i.e. accessing proper prevention, care, treatment and support for HIV and AIDS and other STBBIs (Article 21.1 UN Declaration on the Rights of Indigenous Peoples).

**Effective partnership & public engagement:** Indigenous youth benefit from establishing strong partnerships at all levels: Individual; Community; Provincial & Territorial; Organizational; and, Other Youth Councils.

**Cultural Safety:** Every Indigenous youth is from a different background and experience lending NIYCHA valid and unique skills, abilities and gifts to contribute to a youth strategy in the HIV and AIDS movement.

**Flexibility:** In fulfilling the responsibilities set out in this Terms of Reference, NIYCHA youth recognize the importance of listening and considering other points of view in order to improve



# National Indigenous Youth Council on HIV and AIDS (NIYCHA) Terms of Reference

youth strategies and the lives of Indigenous youth living with and/or affected by HIV and AIDS.

## 6. Resources and Budget

NIYCHA is:

- Funded through the Canadian Aboriginal AIDS Network (CAAN).
- Supported with resources from Native Youth Sexual Health Network (NYSHN).
- Guided and coordinated through a National Indigenous Youth Coordinator position that is funded by CAAN.
- Actively seeks other funding and grants and diversify funding opportunities to fulfill its mandate, vision, goals & strategic objectives.
- Aims to hold several face-to-face (in person) meetings and will also be supported through teleconferencing and social networking technologies (Facebook, Google Groups etc).
- Strives to fully support its members for child-care, with per diems, and for partners and families to accompany members to attend face-to-face meetings where possible.
- Consists of members that are also involved on other networks, committees, organizations and councils; and will be enhanced by their participation, information and partnership. However, when representing NIYCHA, CAAN, and NYSHN the members will be guided by this Terms of Reference and respect the values and principles of CAAN and NYSHN that speak to supporting and meeting young people where they are at.

## 7. Accountability

NIYCHA has a unique role in that it is a national, cross-cultural Council. The youth members are accountable to:

- The members of the NIYCHA according to the Terms of Reference;
- Indigenous communities;
- Youth Coordinator established by CAAN; and,
- CAAN, NYSHN and their partners – this includes AIDS Service Organizations (ASOs), Indigenous AIDS Service Organizations (AASOs) and Community Service Organizations (CSOs).

## 8. Governance



# National Indigenous Youth Council on HIV and AIDS (NIYCHA)

## Terms of Reference

The initial setup and development of the National Indigenous Youth Council will be the responsibility of CAAN and NYSHN.

NIYCHA has the status of a Standing Committee under CAAN.

It is recognized that in some cases facilitation and mentoring by more experienced members of CAAN and its partners will be helpful in balancing the contribution of the NIYCHA members and ensuring that the perspectives of youth are heard i.e a Board representative.

Decisions of NIYCHA will be made according to the Terms of Reference and reflected in records of meeting minutes.

Decisions will be made by consensus. On certain matters, NIYCHA may decide that a vote will be conducted for a particular decision i.e. election of Executive members.

### **8.1 Partnerships and Allies**

NIYCHA has a unique role in that it is a national, cross-cultural Council. The Council and youth members strive to work in partnership and ally with CAAN, NYSHN, their partners and regional ASOs.

When face-to-face meetings are held, every effort will be made to engage youth, including outside of the specified age range of 17-29 years, in the communities that the face-to-face meetings are held in during non-Council business times (i.e. dinner, outings, etc)

- People in the community can put names forward in advance of the meeting; the Council will attempt to make arrangements for funding for those youth to participate.

### **9. Reporting**

The executive members of NIYCHA will ensure that reporting is consistent with the Terms of Reference.

- An agenda will be prepared for all meetings and be attached to the record of meeting minutes by the Chair and with the support of the Vice-Chair where necessary.
- Minutes of all meeting and proceedings will be recorded and distributed to NIYCHA and the National Youth Coordinator by the Secretary.
  - The minutes will be available to CAAN Leadership and other stakeholders for publication on the CAAN website and to satisfy reporting requirements.
  - The minutes will reflect decisions that have reached consensus.
  - A list of attendees will be included within the record of meeting minutes.
- NIYCHA will seek to provide a updates to the National Youth Coordinator on activity by:



## National Indigenous Youth Council on HIV and AIDS (NIYCHA) Terms of Reference

- Brief updates on his/her region at each monthly meeting, when necessary;
- Information to input into CAAN newsletters; and,
- Annual reports that may follow a template attached to this Terms of Reference.

If possible, publications and updates will be translated into appropriate Indigenous language of the communities that NIYCHA represents. This is to ensure our elders and others are informed of our activities and to honour our proud heritages.

### 10. Membership

#### *Term:*

- Youth Council members will be appointed for a 3 year term from CAAN AGM to CAAN AGM.
- Youth Council members in good standing may be appointed for back-to-back terms.
- Youth Council members will be appointed for 3 year terms unless a representative ages out (turns 30 years old) before the term is finished.

#### *Regular Meetings:*

- Members will meet monthly by teleconference; and,
- Face-to-face (in person) at CAAN Annual General Meetings (AGM) and during Aboriginal AIDS Awareness Week (AAAW) when funding allows.

#### *Notice & Reasonable Cause:*

- A member may miss a meeting, or be late for a meeting, with notice and reasonable cause.
  - Reasonable cause includes illness, or financial difficulty in accessing the meeting.
  - Notice is considered 24-hours' notice given to the Chair and/or National Youth Coordinator
- If a member misses 3 consecutive meetings without notice or reasonable cause, then they must resign from NIYCHA.
  - This clause does not include APHA members.
- If a member is over 10 minutes late to a meeting, without giving notice and reasonable cause, then the member will be considered to have 1 missed meeting.
- The Executive members will keep a record of NIYCHA members' attendance; and notify the National Youth Coordinator and Chair of members' who have missed meetings without notice or reasonable cause.

#### *Removal from NIYCHA*



## National Indigenous Youth Council on HIV and AIDS (NIYCHA) Terms of Reference

- If a member is not in good standing, they receive a notice letter and phone call regarding their absence. If they further do not respond or do not attend another meeting they then receive a letter and phone call of their removal from NIYCHA (with an open invitation to return if circumstances allow)

### *Regular Communication:*

- Members, especially Executive members on behalf of the other members, will maintain regular and consistent communication with the National Youth Coordinator and Chair, and respond to requests for feedback within deadlines discussed.
- Members will maintain contact with each other and the National Youth Coordinator through social networking technologies (Facebook, Skype, Google Groups), email and telephone.
- This also includes sharing responsibility for NIYCHA social media accounts (Facebook and Twitter); keeping them regularly updated and current

### *Good Standing:*

- A member of the NIYCHA will be in good standing if the member is:
- Indigenous (First Nations, Inuit and/or Métis);
- 18-29 years old inclusive; or 17 with parent/guardian consent;
- Attends regular meetings as defined by this Terms of Reference;
- Maintains regular communication as defined by this Terms of Reference;
- Is within their term.

### *Indigenous Persons Living with HIV/AIDS (APHAs):*

- Efforts will be made to ensure that there are “Members at Large” on NIYCHA who are Indigenous youth living with HIV and AIDS.
- The voices of youth APHA’s will be prioritized and supported consistently within the NIYCHA.

### *APHA Youth Mentor*

- There is a position on the council reserved for an APHA youth, peer or Elder to support NIYCHA in a mentorship role

### *Regions:*

- NIYCHA will make best efforts to maintain representation for every province and territory in Canada.



# National Indigenous Youth Council on HIV and AIDS (NIYCHA) Terms of Reference

## *Executive Members:*

- There will be 3 executive members appointed to NIYCHA annually at the CAAN AGM. The Chair, Vice-Chair and Secretary.
  - The executive members of the NIYCHA will be members of good standing.
  - Chair
    - This position is a 2 year term
  - Vice-Chair
    - This position will be a 1 year term from 2012-2013
    - At the 2013 AGM this position will become a 2 year term.
  - Secretary
    - This position is a 1 year term.
  - When it is not possible to hold elections for these positions in a face-to-face meeting, elections will be done by telephone or through e-mail.
  - In the event that the Chair resigns or ages out, the Vice-Chair will have the opportunity to take over the Chair position, if the Vice-Chair does not wish to take over as Chair, a bi-election will be held to fill the role.
- If an Executive Members ages out or cannot finish their term for some other reason, a bi-election will be held to fill the position for the remainder of the term.

## *Elections:*

- Whenever possible elections for NIYCHA Executive positions should be held during an in-person meeting. When not possible elections will happen over the phone
- NIYCHA members will give their notice of running for Executive positions at the scheduled time during the meeting. They will then have a maximum of 5 minutes to state their reasoning for running for the position
- NIYCHA members will vote by anonymous ballot in person, in an e-mail or over the phone. Ballots or emails will be collected by the National Youth Coordinator, who will then share the final results

## *Former Members*

- When a member of good standing leaves or ages out a letter or certificate of recognition will be available to acknowledge their time on the Council, as well as an honoring ceremony where possible
- Former members may remain connected and involved with the Council if they choose.

## **10.1 Recruitment**

### *APHAs*

- Priority for vacant positions will be given to youth living with HIV and at all times NIYCHA will actively recruit Indigenous youth living with HIV and AIDS.
- There will be two Members at Large positions for APHAs.





# National Indigenous Youth Council on HIV and AIDS (NIYCHA)

## Terms of Reference

- APAHS will not be required to publicly disclose their status

### 11. Decision-Making

#### *Voting Rights:*

- As a standing committee of CAAN, NIYCHA has full membership voting rights
- Occasionally, NIYCHA may decide by consensus that a subject will be voted on by all NIYCHA members. In this case,
  - Every region is entitled to 1 vote.
  - Each region will reach consensus to exercise their vote.
  - A deadline may be set for participation; votes not received by the deadline will not be considered.

#### *Process:*

- All NIYCHA members will be given opportunity to participate in the decision-making process.
- Decisions will be made during NIYCHA meetings, and the members that attend and participate will be responsible for achieving consensus.
- All members will be given notice of scheduled meetings, and be provided with an agenda beforehand.
- Decisions may also be made in written form over group email/social networking site, and a deadline will be set for discussion and reaching consensus.

#### *Consensus:*

- *Discussion of the subject:*
  - NIYCHA will discuss the subject to identify opinions and information on the subject. The general direction of the group and any necessary actions will be identified.
- *Call for a decision:*
- Based on the discussion, a decision that needs to be made will be presented to the group.
- *Call for consensus:*
  - The facilitator, or Chair, of the meeting will call for consensus on the decision.
  - Each participating member of NIYCHA must actively state their agreement with the proposal/ decision i.e. by saying "yes".
- *Identification and addressing of concerns:*
  - If consensus is not achieved, each member in disagreement will be given opportunity to raise his/her concern(s), and there will be discussion in attempt to resolve the disagreement so that most participants agree with the decision.
    - Most participants is considered over half of the participants.
  - Members in disagreement will attempt to raise solutions to resolve the concerns.
- *Modifying the decision:*
  - The decision will be modified in an attempt to address the concerns of the decision-makers. The process will return to another call for consensus and the process will be repeated until most participants agree with the decision i.e. consensus is reached.
- *Reporting of decision:*
  - The minute-taker will record, within the meeting minutes, that consensus has been reached on the decision.





## National Indigenous Youth Council on HIV and AIDS (NIYCHA) Terms of Reference

- *Executive Decision-making:*
  - The members of the executive, the Chair, Vice-Chair and Secretary, may make an executive decision in order to promote the interests of the National Indigenous Youth Council on HIV and AIDS.
  - An executive decision will involve full consensus among the members of the executive i.e. Chair, Vice-Chair and Secretary.
  - The Executive will notify the Youth Coordinator before making an executive decision.
  - An executive decision will override a decision of NIYCHA made on the same subject.

### **For more information about the National Indigenous Youth Council on HIV and AIDS (NIYCHA) contact:**

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CAAN National Indigenous Youth Council on HIV/AIDS

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