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MAR 30 2012

Ms. Cynthia Jamieson
Executive Director
Mississaugas of the New Credit First Nation
2789 Mississauga Road
Hagersville, Ontario N0A 1H0

APR 4 2012

Dear Ms. Jamieson:

I am writing to inform you of the decision taken by the Canadian Human Rights Commission in your complaint (20091016) against Aboriginal Affairs and Northern Development Canada.

Before rendering the decision, the Commission reviewed the report disclosed to you previously and any submission(s) filed in response to the report. After examining this information, the Commission decided, pursuant to section 49(1) of the *Canadian Human Rights Act*, to request that the Chairperson of the Canadian Human Rights Tribunal institute an inquiry into the complaint because:

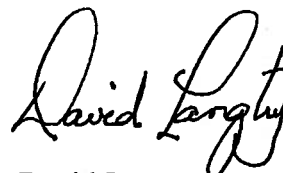
- the issues of whether the respondent is a service provider and whether funding is a service within the meaning of section 5 of the *Canadian Human Rights Act*, warrant further inquiry;
- the available evidence appears to indicate that children living on reserve are denied special education services and/or differentiated against adversely in the provision of special education services;
- given the conflicting evidence, the positions of the parties and the need to determine complex issues of fact and law, further investigation will not assist in resolving the complaint; and
- in all the circumstances of the complaint, further inquiry is warranted.

Further information will be provided to you by the Tribunal regarding the conduct of proceedings.

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For your information, either party to a complaint can ask the Federal Court to review a Commission's decision under subsection 18(1) of the *Federal Courts Act*. The application to the Court must normally be filed within 30 days of receipt of the Commission's decision. Also, please note that the Court has found that the Commission cannot be a respondent in a judicial review of its own decision. Please refer to Rule 303(1) of the Federal Courts Rules, which indicates that an applicant shall name as a respondent every person directly affected by the order sought in the application, other than the tribunal whose decision is under review. To enquire about the procedures, please contact the Federal Court office in Ottawa at (613) 992-4238 or visit the website at www.fct-cf.gc.ca.

Yours sincerely,



David Langtry

c.c. : Mr. Kent Elson