

The Independent Assessment Process

The Independent Assessment Process (IAP)

The Independent Assessment Process (IAP) is one element of the Indian Residential Schools Settlement Agreement.

The IAP is a **non-adversarial** alternative dispute resolution process that resolves claims of abuse suffered at an Indian Residential School (IRS).

Former students of IRS who experienced sexual or serious physical abuse or other wrongful acts which caused serious psychological consequences, may be eligible for compensation through the IAP in a **claimant centered environment**.

Hearings are held in a manner that is **culturally sensitive and safe** for claimants.

IAP applications will be accepted until September 19, 2012. The IAP is the only way a former student may pursue a claim of sexual or serious physical abuse, or other wrongful acts, unless you have opted out of the Settlement Agreement. Compensation through the IAP will be paid at 100% by the Government in all cases, following a hearing of the claim by an independent Adjudicator.

Eligibility for the Independent Assessment Process

If you suffered sexual abuse, serious physical abuse, or other wrongful acts at an Indian Residential School you can apply for compensation through the IAP if:

- (a) you lived at an Indian Residential School;
- or**
- (b) you were a student at an approved Indian Residential School;
- or**
- (c) you were under the age of 21 and invited on school premises to take part in an authorized school activity.

If you have a previous claim that was decided or dismissed by a judge in court, or if you have settled the claim in the previous Alternative Dispute Resolution (ADR) process and signed a Release on or before May 30, 2005, you are not eligible for the IAP.

If you settled a claim in ADR and signed a Release after May 30, 2005, you can apply to have your claim "re-opened" under the IAP rules to be considered for more compensation **if** your ADR claim was assessed at the highest Loss of Opportunity (LOO) level by an adjudicator **or** if you are claiming sexual abuse by another former student at the highest levels of abuse.

Schools covered by the Settlement Agreement

The Indian Residential Schools Settlement Agreement contains a list of over 130 residential schools across Canada. Compensation through IAP is available for people who attended schools covered by the Settlement Agreement only.

The criteria for adding a school to the list is available at:

www.residentialschoolsettlement.ca/schools.html (see Article 12.01(2) of the Settlement Agreement)
or you can write to:

**Residential Schools Settlement
Suite 3-505, 133 Weber St. North,
Waterloo, Ontario N2J 3G9.**

For further information on the Independent Assessment Process (IAP) please visit our website: **www.iap-pei.ca**

Hire a Lawyer

It is strongly recommended that all former students hire a lawyer to help them through the IAP. The IAP is complex and involves legal concepts and processes.

If you hire a lawyer and are awarded compensation, Canada will add an additional 15% to your compensation to help pay your legal fees. You may ask the Adjudicator to review your legal fees to ensure that they do not exceed 30% of the compensation award.

Group IAP

The Group Independent Assessment Process (IAP) provides an option for former students who have come together to support each other with the resolution of their IRS abuse claims. Group IAP allows former students to go through the process together with others to facilitate their healing and reconciliation journey. Group members must still apply individually and have their own individual hearing in the same manner as anyone else in the IAP. For more information visit the IAP website: **www.iap-pei.ca**.

How to apply to the IAP

Eligible former students should read the IAP guide and fill out the IAP application form. Once completed, the application form should be sent to the address listed in the guide. The IAP guide and application form are available online at **www.iap-pei.ca** or by calling the toll-free Info Line **1-866-879-4913**.