



Decision Note Advice to Minister

Date: June 13, 2022

Cliff #: 125640

Issue: Alexander College (the College) request for a new campus location.

Background / Facts:

- Alexander College is a private, for-profit, BC-based institution with campuses in Burnaby and Vancouver. It offers two degrees, an Associate of Arts and an Associate of Science. The College has a total enrolment of approximately 1,850 students.
- The *Standard Terms and Conditions of Consent* require that the consent holder inform the Minister before implementing any material change that may affect consents, including changes to a location.
- A sector wide moratorium on additional locations has been in effect since March 11, 2020 to allow a review of the criteria for enrolment management and additional locations.
- The College's request is for a change in location for its existing Vancouver campus and does not fall under the moratorium.
- The current Vancouver campus is located at 100-602 West Hastings Street. The new campus is located at 570 Dunsmuir Street, Vancouver and will occupy several floors. It is a 4-minute walk away.
- The College notes the proposed site is double the size of the current Vancouver campus.
- The new location will allow an expansion of science labs and student services including a second Writing and Learning Centre, student activity centres, tutorial space, academic and career advising, health and wellness counselling, and other resources to promote student achievement. Additionally, space for faculty offices and student study areas will also increase.
- The new location is easily accessible by public transportation.

Degree Quality Assessment Board Review

- The Degree Quality Assessment Board reviewed the College's request at its June meeting and recommended the Minister grant approval for the new location, pending a satisfactory site visit by the Secretariat.
- The Secretariat toured the location on June 10, 2022. Renovations have not begun at the site, however, the space appeared reasonable for the plans proposed by the College. The Secretariat will visit the site again when renovations are completed.

Recommendation:

- Approve the Alexander College new location at 570 Dunsmuir Street, Vancouver.

Next steps: Minister to sign the attached letter to Alexander College.

RECOMMENDED OPTION:

Approved

Honourable Anne Kang

July 4, 2022

Date

Attachment: Minister letter to Alexander College

Contact: Nicola Lemmer, Assistant Deputy Minister (cell: 250-413-7357)



Our Ref. 125640

Dr. Marv Westrom
President
Alexander College
101 - 4603 Kingsway
Burnaby, BC V5H 4M4

Dear Dr. Westrom:

I am writing about the proposed new location for Alexander College's Vancouver campus.

The *Standard Terms and Conditions of Ministerial Consent* require the consent holder to inform the Minister of any change in material circumstance that may affect the consents, including changes to a location.

The Degree Quality Assessment Board reviewed the request for a location at 570 Dunsmuir Street (floors 5, 6 & 8), Vancouver, BC and considered the location to be appropriate.

I agree with this recommendation. As such, consent has been amended accordingly and Alexander College is permitted to offer the following programs at 570 Dunsmuir Street (floors 5, 6 & 8), Vancouver, BC:

- Associate of Arts
- Associate of Science

I understand that Alexander College anticipates moving to its new location in Fall 2023. Until then, Alexander College will continue to provide its degree programs at its current locations.

I wish you continued success.

Sincerely,

Honourable Anne Kang
Minister

pc: Degree Quality Assessment Board



Decision Note Advice to Minister

Date: June 13, 2022

Cliff #: 125560

Issue: City University of Seattle (CityU) request for a new campus location in Victoria.

Background / Facts:

- CityU is a private, non-profit institution established in 1973 and incorporated in the state of Washington. CityU has been offering post-secondary programs in British Columbia since 1984.
- CityU has consent to offer 3 degree programs under the *Degree Authorization Act*.
- CityU is approved to operate at two locations in British Columbia: one in downtown Vancouver and one in Langford. CityU is requesting to move its Langford location.
- Currently only 2 degree programs are offered in the Langford campus location: the Master of Counselling and the Master of Educational Leadership.
- The *Standard Terms and Conditions of Consent* require that the consent holder inform the Minister before implementing any material change that may affect consents, including changes to a location.
- A sector wide moratorium on additional locations has been in effect since March 11, 2020 to allow a review of the criteria for enrolment management and additional locations.
- CityU's request is for a change in location for its Langford location does not fall under the moratorium as it is not an additional location.
- CityU's current campus is located in Langford at 305 - 877 Goldstream Avenue. The landlord has notified CityU that the lease will not be extended given the upcoming expansion of Langford's Municipal Hall located in the building. The new location is at 4464 Markham Street in the Vancouver Island Technology Park in Saanich.
- CityU will vacate its current space when the move to its new location is completed.
- CityU states that the new location will offer a better learner and staff experience with better social spaces, more classrooms, and enhanced technology throughout.
- CityU has requested that the Bachelor of Arts in Management degree also be offered at the new campus location. It is currently only offered out of CityU's Vancouver campus.

Degree Quality Assessment Board Review:

- The Degree Quality Assessment Board reviewed the CityU request at its May meeting and recommended the Minister grant approval for the new location, but only for the degree programs currently offered on Vancouver Island.
- The Board noted that construction has not yet started and directed the Secretariat to tour the new location. The Secretariat toured the space with CityU representatives on June 6, 2022 and found that the new location met higher standards than the existing campus for classroom and student spaces with additional space for faculty and support staff.

Recommendation:

- Approve the CityU new location at #2307 – 4464 Markham Street, Saanich.

Next steps: Minister to sign the attached letter to CityU.

RECOMMENDED OPTION:

Approved



Honourable Anne Kang

July 4, 2022

Date

Attachment: *Minister letter to City University of Seattle*

Contact: *Nicola Lemmer, Assistant Deputy Minister (cell: 250-413-7357)*



Our Ref. 125560

Mr. Christopher Bryan, Interim President
City University of Seattle
521 Wall Street, Suite 100
Seattle, WA 98121

Dear Mr. Bryan:

I am writing about the proposed new location for City University of Seattle's Vancouver Island campus location.

The Standard Terms and Conditions of Ministerial Consent require the consent holder to inform the Minister of any change in material circumstance that may affect the consents, including changes to a location.

The Degree Quality Assessment Board reviewed the request for a new location for its campus at #2307 – 4464 Markham Street, Saanich, B.C. and considered the location to be appropriate for the Master of Counselling and Master of Education, but not an expansion to also offer the Bachelor of Arts in Management to Vancouver Island. I agree with this recommendation.

As such, consent has been amended accordingly and City University of Seattle is permitted to offer its current two graduate degree programs under the *Degree Authorization Act* at #2307 – 4464 Markham Street, Saanich, B.C.

I understand that City University of Seattle anticipates moving to its new location in the Fall of 2022. Until that date, City University of Seattle will continue to provide its degree programs at its current location.

I wish you continued success.

Sincerely,

Honourable Anne Kang
Minister

pc: Dr. Scott Carnz, Provost, City University of Seattle

Dr. Steve Conway, Vice President & Associate Provost, Canadian Programs

Degree Quality Assessment Board

Decision Note Advice to Minister

Date: June 13, 2022

Cliff #: 125623

Issue: Stage 1 Review of Thompson Rivers University's proposal for a Master of Nursing – Nurse Practitioner degree program

Background / Facts:

- The *University Act* requires TRU to have Ministerial approval before offering a new degree in BC.
- Ministry policy requires new degree proposals from BC public institutions to undergo a Stage 1 review by the Degree Quality Assessment Board (DQAB) to assess fit with institutional mandate, social and economic benefit (including labour market demand), system coordination/duplication, and student benefits.
- As Thompson Rivers University (TRU) has exempt status up to the baccalaureate level, this proposed master's degree will undergo a Stage 2 review of program quality if the Minister decides the Stage 1 criteria have been met.

The Program Proposal:

- The proposed degree will be the first Master of Nursing – Nurse Practitioner (MN-NP) program in the BC Interior. It builds on TRU's 50 years of experience in offering nursing programs, which includes a Bachelor of Science in Nursing (offered independently since 1998) and a Master of Nursing (approved in 2016).
- The MN-NP is a 49-credit program that shares five core courses (15 credits) with TRU's Master of Nursing.
- The program's flexible hybrid delivery options may be taken in 2 years full-time or 3 years part-time.
- MN-NP program designers worked closely with the Ministry of Health to ensure the program would prepare graduates to meet priority healthcare needs, align with regulatory changes, and focus MN-NP training and education in family health; family health incorporates all age groups, thus providing the broadest possible healthcare delivery to British Columbians.
- The 15-seat program is expected to start with a cohort of 6 students in January 2023, with the remaining 9 seats implemented by 2025/26.
- AEST agreed to provide the program with initial start-up funding of \$690,474, in addition to planned funding increases for 2022/23 onward, subject to annual Ministry budget approval.
- TRU is planning its tuition fees to be higher than other Nurse Practitioner programs in BC. Total tuition is an estimated \$15,680, whereas the same degree at UNBC is currently \$13,495, and lower still at UVic and UBC. TRU plans to lessen costs by providing MN-NP students a Nursing Grant during their final practicum.

DQAB Assessment and Recommendation:

- The DQAB noted the desperate demand for these graduates in the workforce and recommended the Minister approve Stage 1 as the proposal meets all criteria. If Stage 1 is approved, the DQAB advises that a three-person expert panel should review the program's quality.

Ministry Analysis:

- Nursing education is a health human resource priority for the BC government for the next ten years – this includes the demand for an increased number of Nurse Practitioners.
- Nurse Practitioners complement the role of physicians, contributing to the maintenance of adequate healthcare in the BC's Interior, and in the province and Canada more broadly.
- Raising the number of primary care professionals will help prevent health issues from exacerbating and becoming more expensive to treat, thereby supporting attempts to reduce healthcare costs.

- The program supports government's focus on equity as students will be required to critically examine the health disparities of different groups and the inequitable access to health services for rural, remote, and Indigenous populations.
- The program addresses specific Indigenous health concerns, and its plans for internships developed with Indigenous communities will improve access and delivery of healthcare to Indigenous populations and others in rural and remote areas.
- The program is strongly supported by Interior Health Authority, the main employer.
- The three institutions offering similar programs in BC – UBC, UVic, and UNBC, are strongly supportive though they have concerns over increased competition for qualified faculty and clinical placements.
- The program's higher tuition fees may be due to the costs of recruiting and retaining qualified faculty.
- The proposed program ladders into nursing programs at the doctoral level which will generate graduates that may train future nurses to ease the acute shortage of nursing professionals at all levels.

Options:

1. Accept the DQAB recommendation to approve Stage 1 and undertake a Stage 2 review.

s.13

2. s.13

s.13

Recommendation:

1. Accept the DQAB recommendation to approve TRU's MN-NP Stage 1 proposal and undertake a Stage 2 review.

Next steps: Sign the attached letter to TRU.

RECOMMENDED OPTION:

Approved - Option 1


Honourable Anne Kang

July 4, 2022

Date

Attachment: 1. Letter from Minister to TRU

Contact: Nicola Lemmer, Assistant Deputy Minister (cell: 250-413-7357)



Our Ref. 125623

July 5, 2022

Dr. Brett Fairbairn
President and Vice-Chancellor
Thompson Rivers University
805 TRU Way
Kamloops, BC V2C 0C8

Dear Dr. Fairbairn:

The Master of Nursing – Nurse Practitioner degree proposal has now completed the Stage 1 review required of public post-secondary institutions planning to offer new degree programs in British Columbia.

At its June 1, 2022 meeting, the Degree Quality Assessment Board reviewed the application against the established criteria and recommended that I approve the Stage 1 review.

I agree with this recommendation and am pleased to grant approval of the Stage 1 application.

As Thompson Rivers University does not have exempt status at the master's degree level, the degree will undergo a Stage 2 review of program quality by the Degree Quality Assessment Board.

Secretariat staff will be in touch regarding the Stage 2 review process.

Sincerely,

A handwritten signature in black ink, appearing to read "Anne Kang".

Anne Kang
Minister

pc: Degree Quality Assessment Board



Decision Note Advice to Minister

Date: June 17, 2022

Cliff #: 125726

Issue: Kwantlen Polytechnic University is requesting approval to subdivide and sell a portion of its Cloverdale Campus in Surrey to the Fraser Health Authority for the purposes of building a new hospital.

Minister's Role:

In accordance with Section 50(2) of the *University Act*, statutory approval by the Minister of Advanced Education and Skills Training (the Minister) is required for Kwantlen Polytechnic University to dispose of land by sale or lease (*Attachment 1 – Consent to Dispose an Interest in Land*).

Analysis:

Kwantlen Polytechnic University (the University) Board Approval

- The University's Board of Directors has approved this disposition and confirms that the disposition has no negative impact on delivery of educational programming.

s.16; s.17

s.16

Timeline for Ministerial Approval for the Sale

- Ministry approval is required **prior to the closing** of the sale.
- **“Closing Date”** means twenty (20) days after the date of satisfaction or waiver of the last of all of the conditions in Article 6, as stated in the purchase and sale agreement, or such other date as the parties agree to in writing.

s.14

Background / Facts:

- In 2019, the provincial government directed the University and the FHA to enter into a Purchase and Sale Agreement for FHA to acquire a portion of KPU’s 5500 – 180th Street, Surrey, BC property on its Cloverdale campus.
- The purpose of the disposition is to facilitate FHA’s delivery of a new hospital in Surrey to meet the health care needs of its growing population.
- FHA has advised that the project is fully supported by HLTH and the University is hereby requesting the approval of the Ministry to proceed with the disposition of property.

s.16; s.17

Options:

Option 1: s.13
s.13

Option 2 (Recommended): Approve 1) the University’s request to subdivide and sell a portion of its Cloverdale Campus in Surrey to the FHA for the purposes of building a new hospital; s.13; s.16; s.17
s.13; s.16; s.17

Option 3: s.13
s.13

Next Steps:

- Attached is the Consent Form for signature (Attachment 1).

RECOMMENDED OPTION: 2	
Approved/Not Approved	
 Honourable Anne Kang	 Date

Attachments: Attachment 1 – Consent Form
s.16

Schedule A – Site Plan

Contact: Jason Butler, Assistant Deputy Minister, 778-698-3209

Appendix 1: Site Location

Copyright



**Ministry of Advanced Education
and Skills Training**

**Post-Secondary Finance Branch
Capital Asset Management**

Location Address:
1st Floor, 835 Humboldt Street
Victoria BC V8V 4W8

Postal Address:
PO Box 9134
Stn Prov Govt
Victoria BC V8W 9B5
Tel. (250) 356-0151

CONSENT TO DISPOSE OF AN INTEREST IN LAND

Kwantlen Polytechnic University is requesting ministerial consent, pursuant to Section 50(2) of the *University Act*, to dispose of a portion of its Cloverdale campus lands to the Fraser Health Authority (FHA) by way of Purchase and Sale agreement. The property in Surrey, British Columbia to be disposed of is more particularly described as:

Legal Description:

PID 002-159-651

Lot "B" Except Firstly: Part Shown On Highway Plan 70987;
Secondly: Part On Plan 79296; Section 5 Township 8 New
Westminster District Plan 11286

Civically known as: 5500 – 180th Street, Surrey, British
Columbia and outlined in black on the attached Schedule A.

Buyer:

Fraser Health Authority

A government corporation continued under the *Health
Authorities Act*, with a head office at 400 – 13450 102 Avenue,
Surrey, British Columbia, V3T 5X3

s.16; s.17

Pursuant to Section 50(2) of the *University Act*, approval to dispose of the property as described above is granted.

June 24, 2022
Date

Amie Kang
Minister of Advanced Education and Skills Training

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Withheld pursuant to/removed as

s.16

Decision Note

Advice to Minister Anne Kang

Date: June 6, 2022

Cliff #: 125315

Issue: **Approval of international education framework and initial actions.**

Background / Facts:

- The Ministry of Advanced Education and Skills Training has been reviewing post-secondary international education in British Columbia in response to the sector's growth and importance to bring it into alignment with B.C. government values, priorities and interests.
- In July 2020, AEST received Cabinet approval to develop an international education framework.
- Briefings with Minister Kang have included:
 - March 22, 2021 – International education overview
 - June 30, 2021 – International education framework and BCCIE review—reviewed and approved framework subject to last round of stakeholder engagement.
 - January 19, 2022 – approved initial actions subject to finalizing with stakeholder engagement.
- The intent of the Framework (Attachment 1) is to guide immediate steps to retain BC's share of international enrolment to manage financial impacts of COVID and longer-term policy shifts to mitigate pressure points and support outcomes that benefit British Columbia.
- The priority focus:
 - Regional distribution of enrolment and benefits;
 - Market diversification to lessen dependence on key countries;
 - International student immigration measures aligned with B.C. goals and objectives;
 - Increasing accountability for international and domestic student experiences and integration.
 - Supporting post-secondary sector commitments to reconciliation and DRIPA implementation.
- The framework should protect and enhance B.C.'s international brand for quality that attracted 184,000 international students from over 150 countries in 2021.
- Other key benefits of international education include financial support for public post-secondary institutions, economic activity across B.C., enriched social and cultural diversity on campuses and classrooms, and increased academic, research and learning opportunities.
- Key external factors to mitigate include ongoing demographic and market changes of declining domestic enrolment and declining FTE utilization, particularly in northern and rural colleges; rising reliance on international tuition revenues by PSIs (now 19%, up from 8% in 2014/15); and a growing link between post-secondary education and the immigration system.
- The framework objective is a balanced approach to international education that delivers positive education outcomes for international students and global opportunities for domestic students, underpinned by a commitment to quality education.
- The framework identifies three goals to protect and enhance the benefits of international education while working with the sector to manage the challenges identified and supporting PSIs to recover from the financial and economic impact of Covid-19.
- Within each goal, individual strategies are identified to advance B.C.'s international education priorities. Key initial actions establish the levers to help achieve the goals:
 1. **New Public PSI Guidelines on Enrolment of International Students** that provide updated, modern and relevant enrolment guidelines to public PSIs that meet the requirements and priorities of international education. Key elements include protecting against displacement of

domestic students, managing international enrolment for diversity and within capacity, and transparency standards for international tuition fees (Attachment 2).

2. **Guidelines for International Education Strategic Plans** that support public PSIs to develop strategic plans with common components that identify their objectives and strategies, consistent with the Province's framework (Attachment 3).
3. **Education Quality Assurance (EQA) Code of Practice**, to set common standards for all EQA institutions to improve student protections and support B.C.'s international reputation (Attachment 4).

Analysis

- AEST staff engaged with the public post-secondary sector through the sector associations and individual PSIs, private sector institutions, Indigenous partner groups, student groups, community and settlement groups, and other ministries (EDUC, JERI and MUNI), and sector partners.
- A rollout plan is prepared to begin formal communication with the post-secondary sector:
 - Communication with the sector in June 2022, leveraging BCCIE's International Education Week to reach key sector stakeholders.
 - Formal ministry communication to PSIs identifying the renewed guidelines, standards, and code of practice, and updated letter of direction to BCCIE.
 - Public communication opportunity timed with start of new academic year (fall 2022).

Options:

Option 1 (Recommended): Approve rollout of framework and initial actions for implementation.

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s.13

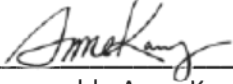
Recommendation / Next Steps:

Option 1: Approve proposed framework and initial actions.

s.13

RECOMMENDED OPTION:

Option 1 Approved



Honourable Anne Kang
Minister of Advanced Education and
Skills Training

June 24, 2022

Date

Attachment(s):

1. International Education Framework and operational plan
2. Guidelines Respecting International Students
3. International Strategic Plan Content Guidelines
4. EQA Code of Practice

Contact: Nicola Lemmer, ADM 778-698-9768

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Withheld pursuant to/removed as

s.13

Information Note

Advice to Minister

Date: May 30, 2022

Cliff #: 125192

Issue: Potential sale of a portion of Kwantlen Polytechnic University's Cloverdale Campus Lands to Fraser Health Authority for the purposes of building a new hospital.

Background / Facts:

- In 2019 the provincial government provided direction to Kwantlen Polytechnic University (KPU) and the Fraser Health Authority (FHA) to enter into a Purchase and Sale Agreement for FHA to acquire a portion of KPU's property at 5500 to 5510 180th Street in Surrey, immediately south of KPU's Tech campus (see Appendix 1: Site Location).
- The purpose of the disposition is to facilitate FHA's delivery of a new hospital in Surrey to meet the needs of its growing population.

s.16

Analysis:

s.16

Next Steps:

- Following the response period to the close-out letter, the Ministry will bring forward a decision note to the Minister to finalize the sale and disposition of the property.

Attachment(s): N/A

Contact: Jason Butler, Assistant Deputy Minister
250-952-7410

Appendix 1: Site Location

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Information Note

Advice to Minister Anne Kang

Date: May 04, 2022

Cliff #: 125048

Issue: Seeking concurrence on flexibilities under the Workforce Development Agreement (WDA) and the Labour Market Development Agreement (LMDA) to carry forward unspent funds.

Background / Facts:

- In 2017/18, Canada and the provinces and territories (PTs) negotiated two new Labour Market Transfer Agreements (LMTAs): a Workforce Development Agreement (WDA) and a renewed Labour Market Development Agreement (LMDA). The WDA and LMDA are worth a total of \$2.7B for B.C. over six years.
- In 2020/21, Employment and Social Development Canada (ESDC) announced a total of \$1.5 billion in additional one-time funding under the WDAs to support economic recovery from COVID-19 across the country.
- B.C. received an additional \$212M in September 2020 to support B.C.'s response to COVID-19 and economic recovery, with a focus on increasing the number of British Columbians looking to re-enter the workforce, particularly those in hardest-hit sectors, and supporting groups who experiencing more vulnerability as a result of the pandemic.
 - The additional funding included temporary flexibility to carry over up to 20% of unspent funds from 2020/21 into 2021/22 under both agreements. Following requests from B.C. and other PT partners, in May 2021, this was increased to 60%.

• s.13; s.16

Analysis:

- In November 2021, Minister Anne Kang and Minister Nicholas Simons sent letters to Minister Carla Qualtrough expressing B.C.'s interest in renewing discussions on LMTAs to ensure they will be flexible and well-funded. There was also a request to increase the 2022/23 carry forward and to receive notification before the end of the fiscal year.
- On April 20, 2022, Minister Qualtrough informed PTs of the extension of these temporary flexibilities under the Workforce Development Agreements (WDAs) and the Labour Market Development Agreements (LMDAs), including carry forward of up to 20% of Canada's 2021/22 contributions to fiscal year 2022/23 (see Appendix A).

○ s.13; s.16

- s.13; s.16 the temporary flexibilities offered under the WDA and the LMDA on April 20, 2022, have allowed BC to carry-forward \$20M in WDA funding to support 2022/23 program needs.

- s.13; s.16
- B.C is developing the Future Ready: Skills for the Jobs of Tomorrow plan. Building out the economy to take advantage of the low-carbon economy and the high-tech and value-added economy will require workers adequately trained for these emerging roles from highly trained professionals to highly skilled workers on the ground.^{s.13; s.16}
s.13; s.16
- s.13; s.16

Next Steps:

- Approve carry forward flexibilities Minister Qualtrough's incoming letter.
- Approve response letter to Minister Qualtrough regarding importance of LMTA renegotiation.

Attachments:

- Attachment 1: Minister Qualtrough incoming letter
- Attachment 2: Minister Kang response letter

Contact: Bindi Sawchuk, ADM Workforce Division and Skills Training, 250-216-0346



Ottawa ON K1A 0J9

The Anne Kang, M.L.A.
Minister of Advanced Education and Skills Training
Government of British Columbia
PO Box 9058 Stn Prov Govt
10800 – 97 Avenue
Victoria BC V8W 9E2

Dear Minister:

We are writing to seek your concurrence to introduce temporary flexibilities under the Canada-British Columbia Workforce Development Agreement (WDA) and the Canada-British Columbia Labour Market Development Agreement (LMDA) to support you with your recovery efforts in response to the COVID-19 pandemic.

The 2021–2022 fiscal year has been difficult for many jurisdictions given the uncertainties related to the pandemic and its ongoing effects on regional and local labour markets across the country. Ensuring that Canadian workers have access to and are aware of the training and employment supports they need to prepare them to re-enter the labour market is key to inclusive economic recovery.

In response, the Government of Canada will allow the provinces and territories to carry forward up to 20 percent of Canada's 2021–2022 annual LMDA contribution and up to 20 percent of Canada's annual 2021–2022 WDA contribution for use on eligible expenditures in 2022–2023.

This additional carry-forward flexibility will allow provincial and territorial governments to fully take advantage of federal investments and align programming with ongoing economic recovery efforts in their jurisdictions.

The Canada Employment Insurance Commission has signed a resolution in support of the proposed changes to the Canada-British Columbia LMDA.

The actions that we have taken together, and the ongoing collaboration between our governments, are helping Canadian employers, workers, and their families through this difficult time. Should you agree to the introduction of these flexibilities, we ask that you sign below to formalize the amendments to the Canada-British Columbia WDA and the Canada-British Columbia LMDA and return the letter to Employment and Social Development Canada. A scanned copy of the countersigned letter with your signature will be sufficient for our departmental officials to work with yours to implement the temporary flexibilities described above.

.../2

Should you not respond to this letter by May 31, 2022, we will assume that you do not concur with the proposed amendments.

Please accept our best wishes.

Yours sincerely,



The Honourable Carla Qualtrough, P.C., M.P.
Minister of Employment, Workforce
Development and Disability Inclusion



Jean-François Tremblay
Chair of the Canada Employment
Insurance Commission

c.c. The Honourable John Horgan, M.L.A.
Premier of British Columbia and Minister of Intergovernmental Relations

I approve:

The Honourable Anne Kang, M.L.A.

Date

I do not approve:

The Honourable Anne Kang, M.L.A.

Date



Our Ref. 125049

April 27, 2022

The Honourable Carla Qualtrough, P.C., M.P.
Minister of Employment, Workforce Development and Disability Inclusion
Government of Canada
140, promenade du Portage
Gatineau (Québec), K1A 0J9

Dear Minister Qualtrough:

Thank you for your letter regarding the temporary flexibilities under the Workforce Development Agreement (WDA) allowing carry-forward of up to 20% of 2021/22 contributions. We appreciate the temporary flexibilities for carrying forward unspent funding to fiscal year 2022/23.

The WDA has been a key tool in supporting workforce development and labour market attachment for British Columbians and has supported positive outcomes for unemployed and employed British Columbians who were disproportionately impacted by the pandemic.

While we anticipate continued challenges due to COVID-19, BC's economic outlook looks promising and we are continuing to implement our economic recovery plan, *StrongerBC*, to help people, businesses, and communities recover and emerge from the pandemic, stronger and better prepared for the next stage of our economy. As our economy strengthens, we are experiencing labour shortages across many sectors. The need to effectively bring more British Columbians into the workforce and upskill and reskill our workforce has never been more important.

While we appreciate the carry forward flexibilities, we would like to highlight the need for continued, sustainable funding through the *Labour Market Transfer Agreements (LMTAs)*. As we near the end of the incremental funding term for the LMTAs, we'd like to highlight the ongoing need for modernized agreements, sustained funding and complementary workforce development programs across our governments to ensure continued success for British Columbians in the labour market and support for strong, sustainable Canadian and provincial economies.

My staff and I are available at your earliest convenience to discuss *LMTA* renewal and other opportunities to help meet our common goals.

Sincerely,

The Honourable Anne Kang, M.L.A.
Minister of Advanced Education and Skills Training
Government of British Columbia

cc:

Bindi Sawchuk, Assistant Deputy Minister
Workforce Development and Skills Training
Ministry of Advanced Education and Skills Training

Karen Blackman, Assistant Deputy Minister
Employment and Labour Market Services
Ministry of Social Development and Poverty Reduction

Andrew Brown, Senior Assistant Deputy Minister
Skills and Employment Branch
Employment and Social Development Canada

Saajida Deen, Director General
Employment Program and Partnerships Directorate
Employment and Social Development Canada

Information Note

Advice to Minister Anne Kang

Date: May 30, 2022

Cliff #: 125313

Issue: Sexualized Violence Initiatives

Background / Facts:

- The *Sexual Violence and Misconduct Policy Act (SVMPPA)* requires all post-secondary institutions (PSIs) to have a sexualized violence (SV) policy.
 - As of May 2017, SV policies have been in place and publicly available at all 25 public PSIs.
- The Private Training Regulation was amended as of September 1, 2021, to require all 300+ institutions certified under the *Private Training Act* to have an SV Policy. Previously, only those with residences were required to have a policy.
- SV policy and resource development initiatives were successfully completed.
 1. In June 2019, the Ministry hosted a Provincial Forum. Over 130 partners gathered to share information and best practices on SV initiatives. In June 2021, a second forum was held virtually. After the forum, monthly webinars (hosted by BCCampus) were held on key topics of interest to the sector to ensure ongoing momentum and engagement on SV.
 2. In 2020, institutions completed their first SV policy review cycle as required under the *SVMPPA*.
 3. In 2021, the Ministry and BCCampus completed the development of a suite of synchronous and asynchronous training resources to improve PSIs' response to SV in the post-secondary sector.
 - This initial phase of resources includes four synchronous training modules and facilitator guides on: consent and sexual violence; supporting survivors; accountability and repairing relationships; and active bystander intervention; and an asynchronous module called *Safer Campuses for Everyone* that can be embedded into PSIs' learning management systems.
- There are several SV policy and resource development initiatives actively underway in the Ministry. More detailed information can be found in Attachment 1.
 1. The Ministry has been approved for federal funding from Women and Gender Equity (WAGE) to develop a suite of intersectional training resources to address SV in the sector (not yet finalized; not announced).
 2. Policy review to inform potential amendments to the *SVMPPA* that requires all PSIs to have an SV policy and to review their policies every three years.
 3. Student Perception Survey (required under the *SVMPPA*) to assess institutional SV policies.
 4. Provision of year-end funding (\$518,700) for the establishment or enhancement of anonymous or confidential SV reporting infrastructure at each of BC's public PSIs (not announced).
 5. The Ministry continues to co-chair the Sexualized Violence Data and Reporting Working Group.
 6. BC launched six information campaigns over the past 3.5 years to raise awareness on consent.

Conclusion / Next Steps:

- AEST SV policy team is working closely with the Gender-Based Violence Action Plan Working Group to ensure all of AEST's initiatives align with the recommendations stemming from their action plan.

Attachment(s): 1. *Description of AEST Initiatives related to Sexualized Violence*

Contact: Nicola Lemmer, ADM (778) 698-9768

Attachment 1: Sexualized Violence Initiatives – Ministry of Advanced Education and Skills Training

SV Training Resources

- The Ministry is in the planning stages for the development of a second suite of intersectional training resources (supported by forthcoming WAGE funding) for the sector to address technology-facilitated SV, as well as the unique needs of Indigenous, international, and graduate students.
- The funding for this project has been committed, but not yet finalized.
- The funding amount is \$500,000 and anticipated receipt is Summer 2022.

SV Policy Review

- The Ministry has received feedback from students and PSIs about gaps in the *SVMPA* and its implementation. Concerns have also been raised about language in the Act that is not trauma-informed, lack of institutional compliance in reporting to boards, and inconsistency in the sector around tracking and reporting incidents.
- The Ministry is reviewing SV policies and the *SVMPA* to identify opportunities for potential amendments and is in the process of conducting external consultations with Indigenous partners, students, PSIs and subject matter experts. s.12

Student Perceptions of SV Survey

- The survey ran from January 2022 – March 2022. This project is in the final stages of completion.
- A report on the provincial survey results has been provided to the Ministry and will inform policy direction and legislative amendments.
- PSIs will also receive reports on their institution's specific results directly from the contractor, which will help inform their policies and programs to continue creating safer environments for students.

Year-end Funding

- The Ministry provided year-end funding to all 25 public PSIs to support the implementation of an anonymous or confidential SV reporting platform, or the enhancement of an existing anonymous or confidential SV reporting system that is trauma-informed, survivor-centric, easily accessible to students, and will integrate with and/or enhance existing institution supports and services.

SV Data and Reporting Principles

- This working group developed through a need for PSIs to have a dialogue about comparability and SV data and in response to concerns over how PSIs can collect meaningful statistics on SV and report information out to the broader community.
- This working group initially explored whether PSIs could adopt the same data collection process so that annual reports could be compared with all PSIs across the province however, after careful review this approach was found not to be feasible.
- The Ministry is currently working with sector representatives on the co-design of shared principles for the reporting of SV incidents.

SV Awareness Campaign

- The Ministry invested \$180k in the 2021-2022 campaign, which is dedicated to raising awareness about consent and directing students to supports on their respective campuses.
- The Ministry conducted targeted feedback sessions on the campaign with the sector in Fall 2021, and the following changes were incorporated in the Winter 2022 re-launch of the campaign:
 - Replaced the word "rape" in the campaign's tagline, which now reads, "Sex without consent is assault" to include all forms of SV.

- Updated language to focus more on inclusivity and fostering a culture of consent.
- The removal of an ad image that was deemed triggering.
- Further substantive changes were also recommended by the sector, including reframing the campaign to be more sex-positive and to highlight what consent is instead of isn't, but time constraints didn't allow for these substantive changes.
- GCPE is planning to run the campaign again in Fall 2022. Ministry staff is meeting with GCPE to provide input on how to improve future iterations of the campaign to ensure it is responsive to the needs of the sector.

Information Note

Advice to Minister Anne Kang

Date: October 12, 2021

Cliff #: 122980

Issue: Sector engagement on “Leading practices – BC Student Housing Agreements”

Background:

- Student societies have been lobbying government to provide more rental rights to students in on-campus housing.
- Section 4 (b) of the *Residential Tenancy Act* (RTA) exempts living accommodation owned or operated by an educational institution and provided by that institution to its students or employees, from the requirements of the Act.
- Students living in on-campus housing are legally bound by the terms of the student housing agreement they sign with their institution, along with other policies that may be outlined in a student housing handbook.
- In November 2017, student societies jointly developed nine recommendations to government on protecting students’ rights in on-campus housing in a document entitled “Rent with Rights.”
- In early 2019, the Ministry hosted a meeting with representatives from student societies, post-secondary institutions, and Indigenous partners including the First Nations Education Steering Committee (FNESC) to discuss the concerns regarding student rental rights in on-campus housing.
- A small working group was formed to develop leading practices in student housing agreements based on the “Rent with Rights” recommendations.
- The Ministry is providing secretariat support and is co-chairing the working group.
- In July 2021, a final consultation draft was completed by the working group.

Analysis:

- Maintaining the RTA exemption is critical as it allows institutions to exclusively reserve housing for students.
- Other benefits for the students and/or the institutions of the RTA exemption include:
 - The ability for institutions to vacate housing in order to accommodate new students entering their first year of study.
 - The ability to make changes to allow for a safe and healthy community for all. For example:
 - The ability to relocate one or more students on short notice due to unforeseen emergencies
 - The ability to terminate a housing agreement for a student who has seriously violated the institutions code of conduct.
 - The ability to settle disputes in a timely and efficient way by all parties as compared to the normal process under the Act.
- To respond to student concerns, the Ministry facilitated the development of a set of leading practices that balance the rights and responsibilities of students and the accountabilities of institutions as housing providers.
- A summary of the issues and leading practices is provided in Attachment 1.
- The leading practices are intended to be used by institutions to assess their practices and inform potential improvements.
- The draft leading practices need to be circulated to key sector stakeholders to identify any gaps and provide an opportunity for feedback.

Next Steps:

- The co-chairs of the working group plan to invite key stakeholders and Indigenous partners to provide written feedback on the consultation draft (see attachment 2).
- Consultation will include: 18 public PSIs that currently offer on-campus housing, all student societies within those institutions, FNEESC, Métis Nation BC, Indigenous Adult and Higher Learner Association, BC Aboriginal Post-secondary Coordinators and Post-Secondary Indigenous Education Leaders.
- The consultation will be open for 6 to 8 weeks starting in late October 2021.
- Feedback will be compiled and provided to the working group for consideration.
- The final version of the document will be shared publicly with the sector.

Attachments: 1. Summary of Issues and Recommendations - Leading Practices in Student Housing Agreements
2. Leading Practices – BC Student Housing Agreements – Draft 1.0 (July 2021)

Contact: Jeanne Sedun, Executive Director, Sector Partnerships and Emergency Support
(250-952-7412)

Attachment 1 - Summary of Leading Practices in Student Housing Agreements

Item #	Description	Issue	Leading Practices
1.	Rights and Responsibilities	In on-campus housing, students live in a shared, community-based environment. It is beneficial to have a clear understanding of the rights and responsibilities of students, balanced with the accountabilities of institutions as housing providers.	<ol style="list-style-type: none"> 1. Housing provider to work with students to create a respectful community. 2. Collaboratively develop a list of rights and responsibilities on safety, respect, fairness & support, clarity of community standards, cleanliness, reasonable quietness, managing personal health, consideration of others and reasonable privacy.
2.	Termination of Student Housing Agreements	When reaching a decision to terminate a student housing agreement, clear decision-making and student appeals processes should be available.	<ol style="list-style-type: none"> 1. Evictions should only be done for serious violation of community standards and the terms should be documented. 2. The decision-making process for evictions should be based on procedural fairness and include details for all the steps and timelines, including the appeals process.
3.	Procedural Fairness in Appeals Process for Housing Decisions	When students appeal a housing decision, it should be based on procedural fairness for all parties.	<ol style="list-style-type: none"> 1. The decision-making process should be aligned with procedural fairness where the housing provider addresses a student's right to know and be heard 2. Procedural fairness also means the decision-making process should be free from bias. 3. A clear and fair appeals process should be provided, along with the reasons for the final decision, where appropriate.
4.	Reporting Issues to be Resolved	Clear and separate processes are beneficial for reporting and dealing with non-conduct related issues.	<ol style="list-style-type: none"> 1. Provide clear processes and contact information for reporting non-conduct related issues in handbooks, guidelines and websites. 2. Provide appropriate training for staff. 3. Establish process for next steps if resolution is not reached or requires further mediation.
5.	Maintenance Disruptions & Entry Notice for Maintenance Issues	Clear communication and processes are important when planned or unexpected building repair and maintenance is required.	<ol style="list-style-type: none"> 1. Clear and timely communication via various means are recommended. 2. Repairs should be prioritized for health and safety first.

Item #	Description	Issue	Leading Practices
			<ol style="list-style-type: none"> 3. Alternate accommodations should be provided when service disruptions are significant. 4. Unit entry protocols should be clearly communicated with appropriate advanced notice given in different situations. 5. Follow-up measures should be developed to ensure repairs were satisfactorily completed.
6.	Housing Unit Move by the Institution	Although rare, when a housing unit move is required by the provider within the contract period, special consideration should be given.	<ol style="list-style-type: none"> 1. Communicate consistently when working through these situations with written policies in the housing contract and student handbook and clear verbal communication. 2. Discuss options, limitations and resident preferences before reaching a final decision. 3. Assign a similar unit as replacement at the same rate (if the new rate is higher). 4. Consider involving students early in the room assignment process in selecting roommates as this may reduce the incidence of conflict resulting in a unit move.
7.	Student Housing Rental Increases	The process for student housing rent increases should be transparent so that students can make informed decisions.	<ol style="list-style-type: none"> 1. Rent increases should go through an annual review and approvals process and communicated as early as possible. 2. Increases should be limited to what is needed for full cost-recovery at or below market rental rates. 3. Planned increases should be maintained unless extenuating circumstances occur. 4. Consider creating various sources of shelter-specific bursaries for students with financial need.
8.	Contract Dates	As part of the housing contract, students are offered move in and move out dates that align with their term of study such as the start-of-term or end-of-exams. This creates challenges for the student and the provider as final exam dates are not known till later in the semester.	<ol style="list-style-type: none"> 1. Contract terms should align with a fixed tenancy start date that aligns with the academic term and a fixed end date that aligns with the last day of final exams. 2. A process for early move-in or late move-out requests should be provided, along with the process to request such extensions. 3. In some situations, contract extensions may be requested by a student and housing providers should establish clear processes and rates.

Leading Practices in British Columbia Post-Secondary Institution Student Housing Agreements



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Introduction

Students living in on-campus housing are known to achieve better results in reaching their overall academic goals due to the close proximity of resources and supports. Students in this type of housing enter into a legal contract, often referred to as a student housing agreement, with the post-secondary institution. In addition to this agreement, institutions often provide further policies and guidelines in a student housing handbook, which outlines the student's rights and responsibilities, along with the institution's accountabilities.

By choosing to live in on-campus housing, the student:

- acknowledges the commitment to these rights and responsibilities.
- is provided with secure, maintained, and convenient student housing.
- benefits from living in a community that values academic success, personal learning, development, and growth.
- is afforded opportunities to get involved (student involvement in extra-curricular activities has been shown to be a strong contributor to academic success).
- is able to connect with student housing staff and be referred to other post-secondary institutional student services, student government, community resources and support services that can provide services that support health and well-being.
- has the privilege of enjoying social activities provided they do not conflict with other residents' rights to pursue academic success or personal well-being.

On-campus housing offers a unique community-based living environment, which has different tenancy needs than the general public. As such, in British Columbia, section 4(b) of the *Residential Tenancy Act* (the Act) exempts student housing owned or operated by an educational institution and provided by that institution to its students or employees from the Act. This exemption ^{s.13} provides post-secondary institutions with the flexibility to manage and maintain housing while supporting students' academic goals. It is important that post-secondary institutions create contract language and operate in a manner that ensures the rights and responsibilities of both the institution and the student resident are acknowledged and respected.

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- the ability to relocate one or more students on short notice due to unforeseen facilities, health and safety risks, or severe and/or recurring disturbances to the student housing community.
- The ability to terminate a housing agreement for a student who has seriously violated a post-secondary institution's code of conduct.

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The goal of this document is to provide public post-secondary institutions and students, in British Columbia, with leading practices in student housing agreements. Recognizing that each institution has unique programs, student demographics, organizational structures and resources, these leading practices may be phased in over time into post-secondary institutional contracts, handbooks, and resources, if applicable. This living document will be expanded and updated with new leading practices as on-campus housing needs and practices change.

In order to help students navigate through some of the more complex topics in student housing agreements and handbooks, it is recommended that institutions develop brochures and infographics to summarize key points and next steps. These can be customized to match each institution's unique operational framework. Some guiding documents from professional organizations are listed in the References section at the end.

These leading practices were developed by a working group that included representatives from:

Student Associations	Public Post-secondary Institutions
Alliance of BC Students	British Columbia Institute of Technology
BC Federation of Students	Selkirk College
UBC Alma Mater Society	Simon Fraser University
University of Victoria Students' Society	University of British Columbia
	University of Victoria

Section 1: Rights and Responsibilities

Context

Living in a community-oriented, shared housing environment with many other students is different from living in a private apartment or house. What one resident may feel comfortable with may not be comfortable, safe, or appropriate in a shared residential environment.

Residents benefit from having a clear understanding of what they can expect from the university, their fellow residents, and what is expected of them while living in student housing. Community-based living requires a spirit of mutual respect and cooperation from all. The sample *rights* statement below is a foundational principle that should inform and guide the student housing provider's policies, protocols, practices, and decision making.

For example – *Safety - Every person has the right to be safe.* This principle should inform the practices and protocols of the student housing provider, including:

- Installation of locks on each resident's private bedroom door and windows.
- Student housing standards that prohibit violence, hazing, drinking games, dangerous activities, tampering with life safety equipment, etc.,^{s.13}
- Clear communication regarding who to contact in an emergency if a community member believes they or others are not safe.
- Student-centered, intentional, flexible, and thoughtful eligibility and assignment practices can contribute to a sense of comfort and safety for students. For examples, eligibility and assignment policies allow the ability to:
 - ensure only current students live within student housing.
 - give priority to students to access a specific type of housing due to documented disabilities or chronic illness.
 - create gender-inclusive spaces.
 - match like-minded students through profile preferences (i.e. graduate and family student housing, ^{s.13} noise, guest preferences).
 - create community-based living-learning communities that focus on creating safe spaces (2SLGBTQQIA+ and ally floors, single-gender floors, Indigenous student cultural house, substance-free floors, etc.).

While the student housing provider cannot guarantee that issues will not occur, it is responsible for taking reasonable steps to limit the opportunity for poor conduct or crime and follow-up with students who violate community standards. Each community member has the responsibility to conduct themselves in a manner that does not endanger themselves or others, and to use the mechanisms provided to report crime, unsafe conduct, or conditions. Together, student housing staff and residents can work

proactively to make on-campus housing a safer place to live, learn and work for all community members.

Leading Practice Recommendations

The well-being of the student housing community rests on the balance of the individual's ability to respect the needs of the community and vice versa. For this to occur, student housing staff should:

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- create and apply policies and protocols that support these principles.
- ensure residents play a pivotal role in creating and maintaining this community.
- Ensure staff follow professional competencies and ethics (i.e. [ACUHO-I Professional competencies](https://www.acuho-i.org/resources/core-competencies)) <https://www.acuho-i.org/resources/core-competencies>

The student housing provider, should further consult with student leadership to:

- create a list of rights and responsibilities.
- make these rights and responsibilities explicit and accessible to all residents (on the web and/or within related print materials).
- ensure student housing staff are aware of, trained in and perform within the workplace consistent with these rights and responsibilities.

These rights and responsibilities should:

- be overarching statements based on key principles and philosophies of human equity, inclusion, fairness, and respect.
- have a connection to more specific clauses, standards and/or policies documented within a post-secondary institution's housing standard, student housing code of conduct, student handbook and/or housing agreement.
- be made available online and via any written reference materials, such as a Handbook, that all students receive.

Examples of Rights and Responsibilities language

The guiding principles below describe rights and accompanying responsibilities as a resident within the student housing community. In all cases, it is the institution's responsibility to ensure that mechanisms and protocols are in place to provide for residents' rights and to communicate accompanying responsibilities.

Safety

Right: Every person has the right to be safe.

Responsibility: Act in a way that does not endanger yourself or others, utilize the

security mechanisms provided in your community, and report any unsafe behavior or conditions.

Respect

Right: To a community based on mutual respect and acceptance; free from intimidation, harassment, discrimination, or racism.

Responsibility: Treat all members of your community with respect, acceptance and understanding. This includes speaking up when you are aware of acts of harassment, racism, intimidation or see others being treated with a lack of respect and dignity.

Fairness and Support

Right: To expect fair and consistent service from housing staff to address your questions or concerns.

Responsibility: Be responsive and cooperative in all dealings with housing staff, follow applicable processes, and respond to their requests (including email correspondence and meeting requests) in a timely manner.

Clarity of Community Standards

Right: To expect that the Community Standards are clear.

Responsibility: Know the Community Standards and ask questions if you do not understand them.

Cleanliness

Right: To a living space that is clean and in good condition.

Responsibility: Assist in the upkeep of common areas by promptly cleaning up after yourself, participating in making and maintaining a cleaning schedule with your room/unit-mates, using appropriate composting, recycling and waste receptacles, and by reporting facilities or equipment that are broken or dirty.

Reasonable Quiet

Right: To live in an environment conducive to sleep and study.

Responsibility: Always be considerate of your noise and speak with the relevant community member and/or staff when noise levels are unacceptable.

Managing Personal Health

Right: To access the services available from the college/university or community service provider designed to support your physical and/or mental health and wellness.

Responsibility: Manage your health and wellness within your ability.

Consideration

Right: To enjoy your living space with consideration for and from your roommate(s), and others living around you.

Responsibility: Treat others with respect and consideration and engage in the outlining of reasonable expectations in your shared living space.

Reasonable Privacy

Right: To reasonable privacy and safety of your possessions.

Responsibility: Take necessary means to maintain the security of your community including upholding the integrity of access points to your building, securing your valuables, and reporting suspicious activity promptly to the appropriate authorities.

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Section 2: Termination of Student Housing Agreement

Context

The goal of a student housing agreement is for the student and the housing providers to understand and uphold the terms of the contract and for the student to live comfortably in their on-campus accommodation during the term of the contract. However, there are serious circumstances that may obligate an institution to terminate a student's contract prior to the end date.

A decision to terminate a student housing agreement must be made with clearly established decision-making and student appeals processes. The complexity, variability and severity of the decision requires clearly outlined protocols that can be applied to a wide variety of situations.

It is noted that, where possible, housing providers should only terminate housing contracts as a last resort after other options have been explored. For example, while failure to pay for housing can result in termination of a contract, housing providers will often seek alternative payment options (e.g. payment deferrals, payment plans, etc.) or direct them to the institution's student support office (e.g. bursaries, scholarships, emergency financial support, etc.) before arriving at that decision. Additionally, a housing provider will often seek to work with the student to ensure they have access to safe alternative housing.

Leading Practice Recommendations

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Examples of situations in which a termination of contract may occur include:

- Reoccurring documented behavioural violations where the student has received multiple warnings for the infractions.
- The student poses an identified risk to the safety and well-being of self and/or the community.
- Failure to pay - Housing operators will seek alternative payment schedule for students that are justifiable and agreed upon by both parties. Abandonment of that agreement will be subject to consideration of termination.
- Ceasing to be enrolled as a student in the institution's academic programs.
- Unforeseen emergency like a pandemic or natural disaster.

Institutions should clearly outline in the housing contract the terms under which termination may occur.

Decision-Making Process

The reasons for terminating a student's contract can be complex and challenging; therefore, a single timeframe or process for evictions may not be possible in all cases. For this reason, any decision-making process regarding the termination of a student housing contract should include a process that reflects a high degree of procedural fairness (see section 3). The decision-making process should include:

Notice

- Adequate notice to the student, including the reason for contract termination and the policy being considered.
- Timelines and details of the decision-making process provided to the student.

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Appeals

In all situations, students should be given information on the right to an unbiased appeals process (see section 3). Information can include the appeals intake process, appropriate policies, exceptions to appeals (e.g. when there are identified safety risks to the student and community), resources available, and timelines. Considerations include:

- Outlining what occurs during the clear and unbiased appeals process, including any exceptions, and the impact on the eviction timeline.
- Upholding the safety of the on-campus housing community and the student at all times.
- Access to outside support such as an Advocate, Ombudsperson, counseling, or accommodation searching resources, if possible.

Section 3: Procedural Fairness in Appeals Process for Housing Decisions

Context

When students appeal a community standard decision, it is essential that the process is based on procedural fairness for all parties to ensure the students' rights are upheld.

Leading Practice Recommendations

Procedural fairness is an administrative legal term that dictates the vital components in any administrative decision-making process including:

1. The person being suspected of violating an administrative requirement (the respondent) has the right to notice or to know of what they are being accused. This includes sufficient information about the allegation and the respective policy that has been violated and what the process will be for resolution.
2. The respondent has the right to be heard and present their account and present any relevant information they have regarding the situation.
3. The respondent has the right to an unbiased decision, which means that the decision-maker has not decided the case before reviewing the full information or has a conflict of interest in making the decision.
4. The respondent has the right to hear the reasons for the final decision where appropriate.
5. The respondent should have the right to an appeal and be informed of the procedures and timing of the appeals process.

The Canadian Association of College and University Student Services has produced a response for student affairs professionals called "Procedural Fairness for University and College Students" (Smith, Lynn & Usick, Brandy 2016) and is a helpful resource for student affairs professionals. All decision-makers should be familiar with the concepts of procedural fairness which requires that the greater the decision, the greater amount of procedural fairness that should be observed. To ensure decision-making processes are aligned with procedural fairness, providers should consider:

1. Addressing a student's right to know
 - How decision-makers are trained on the concepts of procedural fairness.
 - What decision-making processes are included in the contract or handbook, such as:
 - How the student will be notified of any suspected violations?
 - Who the decision-maker is for their case?

- How the student will be able to present their information?
- How will the decision be communicated to the student?
- How and to whom can a student appeal the decision?
- What are all related timelines?

2. Addressing Bias

Decision-makers should be free from bias (note: working within the same department does not necessarily suggest a bias). Decision-maker(s) must have the training, knowledge, and their role must not represent a conflict of interest for the outcome of the decision. Some ideas for decision-makers are:

- Residence Life student leaders for minor behavioural violations with outcomes that have low impact on students. This could include low-level violations such as a minor noise complaint, where the outcome is a written or verbal warning.
- Director/Manager of housing for more serious violations that can result in significant outcomes. Serious violations may include incidents such as violence or threatening behaviour where the outcome could include eviction.
- Hearing Panels^{s.13} training^{s.13} is important and selection of members for each case must be free from bias. It is important to note that a hearing panel is not appropriate in all cases, especially when considering the impact of sexualized violence incidents.
- A member of the campus community such as the student conduct officer of the campus who is external to the student housing community.

A clear and fair appeal process should be included within the description of the process.

The ability to grant an appeal is usually based upon the respondent's ability to demonstrate that key concepts of procedural fairness have not been met during the original process. Respondents usually stipulate that the original decision:

- Did not follow the outlined process/procedures, or
- There was bias within the decision-making process, or
- There is new evidence that would more than likely significantly change the decision, or
- The decision made was not consistent with other similar situations.

When administrative decisions meet these standards, then a student's right to fairness is maintained. Some other suggestions for increased fairness in administrative processes are:

- At the time of notifying a student of a suspected violation, encourage them to seek support from on campus resources such as Advocates or Ombudspersons.

- Allow students to bring support people with them to any and all stages of the process to serve as support and guidance for the student.
- Where possible seek to have an appeal decision-maker(s) be as neutral as possible. This can include a staff member or a committee of 3 people from other areas of campus who understand the unique nature of living on campus but do not have direct oversight of the unit or could be a staff member in an arm's length position within the unit.
- Ensure that all communication with students regarding the alleged violation clearly articulates what is being investigated, by who, under what policy, using which process, how the decision was made, how the student can appeal the decision and the timelines associated with the appeals process.

Examples

UVic Appeals Process: See ^{s.13} our Handbook:
https://www.uvic.ca/residence/assets/docs/community_living_handbook-2020-21.pdf

Resources

ACUHO-I Professional Standards and Ethical Principles https://www.acuho-i.org/Portals/0/doc/res/acuhoi_standards_2017updates_fnl.pdf

CACUSS Monograph: Procedural Fairness for University and College Students (Smith & Usick, 2016)

Section 4: Reporting Issues to be Resolved

Context

This section primarily deals with non-conduct related issues. Currently, most student housing contracts outline processes for residents when conduct issues arise, including opportunities for residents to appeal related decisions and sanctions. In addition, most institutions train their Residence Life student professional staff to assist with interpersonal or community issues such as roommate conflicts.

In many cases, however, the contracts (and/or accompanying handbooks) may not clearly outline processes for dispute resolution in relation to *non-conduct* issues (for example, if a student has a dispute with the housing office regarding fees, housing staff, maintenance, or other issues).

From a post-secondary institutional perspective, it is important that the distinction between these kinds of disputes and conduct appeals should be made clear. If a resident has an issue with a sanction related to a resident's conduct, it should be dealt with through the *conduct* appeals process that should be outlined in handbooks and contracts.

In many cases, non-conduct disputes can and should be resolved via direct communication between the resident and housing staff. Housing procedures and policies should be designed to allow for some case-by-case exceptions and flexibility, depending on the circumstances of each individual. Similar to conduct decisions, housing staff should be trained to view each issue on its own, using policies and procedures as guides for decision-making.

Leading Practice Recommendations

- Clearly communicate all processes in the housing contract and in accompanying handbooks or through other communication channels.
- Handbooks and other publications should clearly identify available supports for residents (e.g. the campus Ombudsperson, or the Student Society) who can assist students with resolution to issues.
- Develop and communicate clear lines of communication for students to report all types of issues and talk to housing staff as needed—who should they contact, how and when? What can they expect from housing staff?
- Students should be provided with contact information for all the staff in the organization who can assist them in resolving issues—this may include their student leaders (Residence Life, etc.), but also the relevant staff in the administrative and/or facilities departments.
- Train appropriate housing staff in student-centered service standards and resolution skills. Clearly outline where and when staff are able to make

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exceptions or adjustments to policies, and when those decisions need to be referred to their supervisor.

- Encourage residents to try direct communication to resolve the issue with the Residence Life student leader or housing staff as a first step.
- Develop and articulate clear processes and next steps (e.g. suggest students contact the Ombudsperson, Senior Student Affairs professional, Student Association, etc.) if resolution can't be reached.
- Give clear direction as to who has the authority to make decisions to resolve administrative or facility-related issues.
- Resolve or mediate the issue through a committee, senior institutional administration, or other means.

Example

UVic provides a business card size document to residents listing the email addresses and housing online portal so that students know who to contact if they have queries or concerns about:

- Their experience living in on-campus housing.
- Their room assignment.
- Their student housing fees and charges.
- Something broken in their room or building.

Section 5: Maintenance Disruptions & Entry Notice for Maintenance Issues

Context

In student housing, it is essential to ensure the upkeep of the buildings and units are regularly maintained, and that health and safety issues are addressed promptly. It is important to communicate clearly to students what might happen during maintenance disruptions in documents such as contracts and handbooks, as well as in individual communications to students.

From an institutional perspective, there may be both planned and unplanned incidents where facilities are affected. In both cases, timeliness of repairs and communication are key to the provision of good service. Depending on whether it is a minor, single-trade repair or a major repair involving multiple trades, there can be staggered phases and delays in timelines that are out of the control of housing/maintenance staff.

Leading Practice Recommendations

- Institutions should clearly and frequently communicate with students when emergency facility outages and disruptions occur. Information should be shared about possible timelines for repairs, and/or timelines for ongoing communication updates (and how to access information).
- Communication on specific disruptions or maintenance may be in the form of posters, web notices, and/or emails.
- Identify and communicate timelines for responding to an incident and include instructions and contacts for how the student can follow-up if required.
- Repairs for critical and safety needs should be prioritized (for example, plumbing, electricity, elevators, floods, broken windows, doors, and locks).
- Institutions should provide alternative services whenever possible (e.g. alternative locations for showers if hot water is affected) and may provide alternative accommodations in situations where room access is temporarily unavailable.
- When service disruptions are planned (for example, water or electricity turned off temporarily due to an upgrade or maintenance project), institutions should give as much notice as possible, and include clear direction as to possible timelines, alternative services provision, etc.
- Examples of significant service disruptions should be provided to students, as well as clear communication channels for reporting issues or asking follow-up questions, especially outside of regular business hours.
- If there is a question about possible compensation for more serious disruptions, students should be clearly directed to the housing staff who can assist them (as in ^{s.13} #4).

- If there is a dispute^{s.13} should be directed into the appropriate dispute resolution process.
- Wherever possible, Institutions should try and develop follow-up measures to ensure that repairs were completed satisfactorily with no issues regarding access. This may take the form of a short follow-up questionnaire, for example.

Examples

- Many institutions keep empty rooms available as emergency accommodations. For example, UVic maintains four fully furnished and outfitted “independent rooms”. UVic has also developed a “Displaced Student Protocol” to provide emergency alternative accommodation in case of larger scale issues (e.g.: flood or fire that impacts multiple rooms or a floor).
- In situations where students are required to be re-accommodated in another unit, room or building on a longer-term basis (due to emergency or planned repairs), UVic will provide moving assistance, which may include compensation for meals if access to kitchens is disrupted.
- Many institutions offer compensation to students on a case-by-case basis for significant service disruptions.

Entry Notice for Maintenance Issues

From both a student and institutional perspective, it is important that the respect for individual privacy is maintained while ensuring that repairs and maintenance are completed. Communication protocols, such as notification of entry and completion, should be established and communicated to students, with 24-hour notice and/or a window of time for entry, except in cases of emergencies.

The communication channels for giving such notice to students should be clearly outlined in handbooks and other related documents. Students have the responsibility for checking communications (i.e. emails) and responding in a timely manner. Students also have the responsibility to ensure their unit is well kept so that maintenance and repairs can be completed without disturbing personal belongings.

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For some institutions, the housing department is not in control of repair or maintenance personnel because the process is managed through their institutional facilities or maintenance department (rather than by housing personnel). Therefore, the housing department may not be able to schedule when repairs are being completed. In cases like this, the housing department should work with the institutional maintenance department to ensure entry protocols are adhered to (knocking on doors, requesting permission to enter, announcing entry).

Leading Practice Recommendations

- Housing departments should clearly define and communicate the processes they will use when entering resident rooms, in both emergency and non-emergency situations. These should be communicated in the housing contract and handbook, and staff should be trained in this process. Housing departments should also give examples of why and how they might enter a room on an emergency basis.
- Housing departments should give 24-hour notice for entry in non-emergency situations and communicate a window of time when the entry will take place.
- In cases where the Housing Department is unable to give notice for maintenance issues (as described above), clear entry protocols will be used by maintenance personnel or contractors.
- When maintenance issues are managed by non-housing personnel, the institution should work towards improving inter-departmental communications and processes so that 24-hour notice can be given in all cases.
- In all cases, entry protocols should be established with all staff trained on their application. See example below.
- Wherever possible, Institutions should develop follow-up measures to ensure that repairs were completed satisfactorily and there were no issues regarding access. This may take the form of a short follow-up questionnaire, for example.

Examples

From UVic Handbook:

Privacy, Room Access and Inspections: Your room is considered a personal, private space and this privacy will be respected. Student Housing staff may access your room without prior notice or permission if they have reason to believe there is:

- Something in your room creating noise and interfering with others' ability to sleep or study.
- Something in your room that could be a fire hazard or other danger.
- An emergency that requires attention.

From UVic Contract:

Student Housing Staff may perform room, apartment, or townhouse inspections for cleanliness and maintenance issues at a minimum of once per semester. Residents will be given 24 hours notice of such inspections. Where possible, residents will be given 24 hours notice of room entry for planned maintenance projects.

From UBC Rights and Responsibilities Page:

Residence Life or maintenance staff may need to access your room. SHCS staff and representatives are trained and expected to adhere to a protocol for entering a

resident's room or unit regardless of whether earlier notice of entry has or has not been provided. They are to:

1. Knock on the door, announce themselves, wait.
2. Knock on the door, announce themselves, wait.
3. Knock on the door, announce themselves again as they open the door slowly.
Wait and listen for a response.
4. Enter the room/unit.
5. Lock the door when leaving (even if the door was unlocked).
6. Leave a card to let the resident know they have been in their room/unit.

From the SFU Handbook:

SFU will provide you with a minimum of 24 hours' notice to enter your room or unit for reasons other than those identified below. Note that authorized SFU personnel will enter your assigned room or unit for inspection purposes at least once each Academic Term, and SFU will provide you with a minimum of 24 hours' notice prior to such inspection.

Section 6: Housing Unit Move by the Institution

Context

Being required to make a housing unit move within a contract period (or during the academic year) can be time-consuming, stressful, and have an adverse impact on the academic experience for students. A unit move should not occur frequently or without due consideration; and should be used as a 'last resort' solution. However, situations do occur where the best solution is for a resident to move during their contract term. Reasons include, but are not limited to:

- Resident or community security and/or safety.
- Significant damage and extended repairs required to the unit.
- Intractable conflicts between residents sharing a room/living space.
- A group of residents who collectively have been unreasonable and consistently disruptive to others, despite having the student housing operator address the issue with them.
- An accessible unit currently occupied by a resident without a mobility disability is required by one with a mobility disability.
- Temporary relocation in designated furnished spaces for contagious illness, health and/or behavioural or other reasons.

Leading Practices - Recommendations

If after all other remedies have been considered and a room move is still required, the following protocols could be considered:

- Consistent communication is key when working through these situations and should come in three forms:
 1. Written within the Housing Contract - typical contract language indicates that unit moves can be initiated by the student housing operator any time without notice. Contract language is typically silent about the cost of moving, provision of support, and the change in rental rate in the event of a move. From a legal perspective, it is recommended that this language be included as this is consistent with industry standards across North America.
 2. Written within the Student Handbook within student housing standards and/or code of conduct documentation - detailed guidelines should be articulated in a manner that clearly outlines the circumstances when moves may be required, the logistics of how these moves occur and support services available.
 3. Verbally-expressed - As a unit move should be a 'last resort' situation, it should not come as a surprise to the impacted resident. Throughout the process, consistent and clear verbal communication should occur between the resident and student housing provider staff.

- If available, assign the resident(s) to similar accommodation unless they prefer otherwise.
- Discuss the circumstances, limitations, options, and resident preferences with the impacted resident before reaching a final decision.
- While typically not defined in the contract language, if the rent is higher in the new unit than the one currently occupied, consideration should be given to honoring the original unit rate until the end of the contract term. If the reason for the move is not the fault of the resident, then the original rate should be offered automatically.
- Many student housing units are provided fully furnished; hence a room move is typically less arduous than moving from a marketplace rental unit to another. Different considerations or additional support should be given to moving situations for unfurnished units.
- In the housing application and room assignment processes, consider involving students in the selection of roommates as this may reduce the incidences of conflict.

Section 7: Student Housing Rental Increases

Context

On-campus post-secondary housing has a unique value to institutions and students by providing a living environment that typically include additional support and engagement from Residence Life student leaders, a central dining hall / meal plan, Wi-Fi connection and furnished rooms.

The cost of providing this experience must be balanced with the realities of housing insecurity, off-campus housing availability and conditions, and the need to support affordability. Institutions have an opportunity to both attract and retain students by providing safe, reliable, and affordable student housing.

While it is critical that the price of student housing be affordable, it is equally important that it is transparent. Students making their financial plans need to understand these costs, including annual increases, so that they can budget appropriately or seek alternate accommodations.

Leading Practices - Recommendations

- Rate increases for student housing should go through an annual review and approvals process. Rate increases should be communicated to potential residents as early as possible.
- Limit rental rates by only charging up to what is needed for full operational cost-recovery, including the cost of borrowing, and ensure rates are at or below market rental rates within the region and within the range of rates charged by peer institutions across Canada.
- Maintain planned rent increases unless extenuating circumstances arise, such as (but not limited to) extraordinary and significant cost increases, major damage resulting in significant repair costs, institutional demands or policy changes. In the event of extenuating circumstances, additional and timely communication / consultation should occur with residents and student leaders.
- To provide early notification, ensure that notice of increases occur before applications open for student housing, or at least three months before housing contracts begin, whichever comes first.
- Consider various sources of funding to create shelter-specific bursaries for students with financial need. As this will lower the barrier for students who otherwise would not be able to attend the institution.

It is recognized that post-secondary institutions are developing student housing infrastructure and policies at different rates and times throughout the province. It is important to recognize that costs will differ geographically; nonetheless, institutions should strive to keep affordability and accessibility of student housing at the forefront of current and future developments and be accountable to this goal.

Example

UBC maintains maximum rent increases up to the Consumer Price Index + 2% unless extenuating circumstances arise. Students and their elected representatives are advised of proposed rent increases 4 months prior to Year-Round Housing Contracts and 8 months prior to Winter Session Housing Contracts commencing to ensure transparency and proper engagement in the decision-making process. In the event of extenuating circumstances, additional and timely communications occur with residents and student leaders.

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Section 8: Contract Dates

Context

Students living in rental units off campus typically sign a 12-month lease, pay a damage deposit and pay rent on a monthly basis. This can be appropriate for some students; however, many students require accommodation only during their terms of study, and most on-campus student housing offer housing contracts terms based upon academic start and end dates.

As part of the housing contract, students are offered move in and move out dates that align with key institutional academic dates such as start-of-term or end-of-exams. The contract dates are often known in advance by the housing provider and the student. Some Post-Secondary Institutions use a contract end date that aligns with the student's last final exam date; in these cases, it is typical that the resident needs to move out within 24 hours of their last final exam. This is done primarily to help ensure a quiet study environment where all students continue studying. A challenge with these practices is often the dates of final exams are not known until part way through a semester and may change at the last minute. This can pose a challenge for a student who needs sufficient time to pack and make travel arrangements.

End of term move out periods represent a complex process for both students and student housing providers. At times, it can be challenging for students to complete all academic and move out requirements; and be able to secure travel or new accommodation. Additionally, providers experience tight timelines to complete sufficient maintenance and room cleaning prior to the next occupancy.

Providers often rely on third party contractors to provide cleaning and repairs. Scheduling access for them to the necessary spaces is challenging. In order to accommodate the needs of students who must stay beyond contract end dates, many institutions have implemented extra night options. As these are not contractual obligations and are decided on an as-needed basis, the terms are often not listed within the contract. They are typically provided as an extra daily fee to the student for the number of nights required.

Leading Practice Recommendations

The goal of student housing contracts is to be fair, equitable and transparent of the rights and responsibilities of both the student and the operator. Fixed contract start and end dates meet the standard of fair, equitable and transparent more so than the alternative variable term end date based on an individual student's last final exam. Contract terms should have fixed tenancy dates with:

- A clearly stated tenancy start date a few days in advance of the academic term start date.
- A clearly stated tenancy end date that aligns with the last day of final exams; typically 24 hours after the final exam date or by 12 noon on the day after the last day of exams.

- A description of early move in and late move out opportunities and the process to request such extensions.

It is recognized that early and late move-outs can be challenging to accommodate based upon space availability and the time needed to prepare the space to a suitable level. (e.g. when transitioning from summer activities to the academic term at the end each summer; and vice versa in the spring). For this reason, it is recommended that providers outline the process that students can take to extend their tenancy dates. This should include:

- Information on fees associated with contract extensions.
- What information is required from the student when applying for an extension and any associated deadlines.
- What are the expectations for the student and/or the operator? For example, is the student required to move to another space for the extension, what is the move out time, etc.
- To ensure transparency of decision-making, providers should share the criteria that will be used to decide whether or not to grant the contract extension.

Examples of Contract Dates and Extension Language

Define Move-in and Move-out Dates:

Simon Fraser University provides a move-in and move out date within the Housing License Agreement and defines Move-in/out date as “the date and time indicated as the move-in/out date in your application/offer details page in SFU’s Residence and Housing online housing portal, or such earlier (later) date as agreed upon in writing by you and an authorized representative of SFU’s Residence and Housing Office.

What are the conditions of move-out:

UVIC describes the requirement of move-out in their contract. They state, “Moving out means removing all person and personal possession, including waste and recycling, from your accommodation, and any bike or storage locker you have rented.”.

Outlining how to extend your contract:

SFU also outlines within the License Agreement what early move-in/late move-out requires. “An early move-in or late move-out may be permitted if you are able to provide written evidence satisfactory to the Residence and Housing Office that such early move-in or late move-out is necessary for a university related purpose and based on availability. You may apply to extend your Contract Term by submitting a “Contract Term Extension Application Form” to the Housing Office. A non-refundable daily room fee, as determined by SFU from time to time, will apply for any early move-in or late move-out.

References

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