

Yukon University Act: What we heard reflected in legislation

The Government of Yukon asked for feedback on legislation for Yukon University from Yukon First Nations, municipalities, the public and other partners from May 15-June 30, 2019. We asked for feedback on:

- university mandate;
- government oversight and university autonomy;
- university accountability;
- university governance; and
- program delivery in Yukon communities.

The feedback was considered as the legislation was drafted. Below are some of the key pieces of feedback we heard and how they are addressed in the legislation. Read more about the feedback we received on [Engage Yukon](#) or [view the full legislation](#).

Mandate (Objects & Purposes)

What we heard

- General agreement with proposed objects and purpose.
- Trades and adult basic education should be included.
- Yukon First Nations values should be included.
- The university should be inclusive of all students.

The legislation

- **Trades and adult basic education:** A commitment to offer trades and adult basic education is included as one of the purposes outlined for the university in section 3(1) of the legislation. From the legislation, the purposes of the university are:
 - (3)(2)(a) to offer a balance of the following educational programs:
 - (i) baccalaureate, masters and doctoral degree programs,
 - (ii) certificate and diploma programs, including apprenticeship and trades programs,
 - (iii) continuing education and adult basic education;
- **Yukon First Nations:** A commitment to First Nations is included in the legislation as one of the purposes for the university outlined in section 3(2).

Mandate (Objects & Purposes)

The legislation

In carrying out its purposes, the university must do the following:

3(2)(d) honour and support:

- (i) reconciliation with Yukon First Nations,
- (ii) the jurisdiction of Yukon First Nations under final agreements and self-government agreements,
- (iii) the implementation of those agreements by building capacity through education and research for and with Yukon First Nations;

3(2)(e) include, respect and honour Yukon First Nations' knowledge, worldviews, cultural and traditional practices and educational priorities in the university's educational programming, training, research, services, governance, administration, policies and facilities.

- **Meet the needs of all students:** A commitment to meet the needs of Yukoners and students from Canada and international students is outlined as one of the purposes of the legislation under section 3(2). In carrying out its purposes, the university must do the following:

3(2)(b) enhance the economic and social well-being of Yukon by offering a balance of services, activities, training and educational programs that meet the needs of Yukoners;

3(2)(f) consider the needs of Canadian students from outside Yukon and international students attending the university;

Government Oversight and University Autonomy

What we heard

- Ensure Yukon University remains affordable by putting limitations on tuition fees.
- Ensure Yukon's labour market needs are being met.
- Ensure the university has autonomy to make decisions over priorities, staffing and enrolment.

The legislation

- **Affordability:** To ensure affordability, the legislation gives the Government of Yukon the ability to review and approve a tuition policy put in place by the university. Under section 22 (2), the Board of Governors has the following power:

(p) to set and collect fees for tuition in accordance with a tuition fee policy adopted by the board and approved by the Minister;

- **Meeting Yukon's needs:** To ensure Yukon University contributes to meeting the needs of Yukon's labour market, under section 3(2), the legislation states that, in carrying out its purposes, the university must do the following:

3(2)(b) enhance the economic and social well-being of Yukon by offering a balance of services, activities, training and educational programs that meet the needs of Yukoners;

3(2)(g)(ii) strive to serve educational and training needs of Yukon that may be specified by the Commissioner in Executive Council.

- **University autonomy:** The legislation ensures Yukon University is autonomous under section 5(2): The Minister must not interfere in the exercise of powers conferred on the university, or its board, senate and other constituent bodies by this Act respecting any of the following:

The legislation

University autonomy (continued):

- 5(2)(a) the formulation and adoption of academic policies and standards;
- (b) the establishment of standards for admission and graduation;
- (c) the selection and appointment of officers and employees.

University Accountability

What we heard

- Yukon University should be accountable for the number of students enrolled and graduates and credentials awarded.
- It is important to know satisfaction with student services and programs and the employment rate of graduates.
- It is also important for Yukon University to be accountable for quality of programming and budget and spending.
- Yukon First Nations and government should be involved in determining the accountability and performance measures for Yukon University.

The legislation

- **Annual report:** To ensure Yukon University is accountable to the public, it is required to produce an annual report each fiscal year and submit the report to the Government of Yukon and Yukon First Nations governments. The legislation states:

Under section 53(1), in respect of each financial year of the university, the board (Board of Governors) must prepare an annual report, in accordance with any regulations, on the operations of the university that includes:

- 53(1)(a) the audited financial statements for the preceding fiscal year; and
- (b) a report on the activities of the university with reference to the accountability and performance measures established under section 55.

The legislation

- **Accountability and performance measures:** To ensure Yukon University is accountable for its performance in key areas, the legislation requires Yukon University's Board of Governors to work together with government and Yukon First Nations to determine accountability and performance measures. The legislation states:

Under section 55(1), the Minister must, in consultation with each Yukon First Nation and the board (Board of Governors), establish accountability and performance measures by which to assess:

55(1)(a) the university's performance in carrying out its purposes; and

(b) the effectiveness of the strategies developed by the university to carry out its purposes.

University Governance

What we heard

- **Board of Governors:**
 - Ensure Yukon First Nations representation.
 - Ensure community representation.
 - Faculty staff should be represented.
- **Senate:**
 - Faculty representatives from each faculty should be included.
 - More than one community representative.
 - Ensure Yukon First Nations representation.

The legislation

Board of Governors: To ensure Yukon First Nations and community representation, the legislation states, under section 13 (1) the board of governors of the university is established and is composed of 17 voting members as follows:

The legislation

Board of Governors (continued):

13(1)(c) ten persons who are appointed by the Commissioner in Executive Council

- (i) At least three of whom must be appointed from among persons nominated by at least one Yukon First Nation, and
- (ii) At least three of whom must reside outside Whitehorse, each in a different community;

- To ensure some faculty representation, the legislation states under section 13(1) the board of governors of the university is established and is composed of 17 voting members as follows:

13(1)(e) one faculty member who is elected by the faculty members;

Senate: To ensure representation from each faculty, the legislation states, under section 26 (h), the Senate of the university is established and consists of the following voting members: a number of faculty members equal to at least 60% of the members of the senate, who are elected by faculty members, and

- (i) Elected in a manner that ensures representation from a range of faculties and academic fields;

- To ensure community representation, the legislation states under section 26(g), the Senate of the university is established and consists of the following voting members: at least two faculty members or other employees of the university elected in a manner determined by the senate
 - (i) Who are employed at a community campus, or
 - (ii) Whose duties include delivering educational programming in a community;
- The legislation also includes requirements for Indigenous representation from Yukon and Canada in the Senate. Under section 32 (2): The senate must make rules in respect of nominations, appointments, elections and voting to ensure that best efforts are made to ensure that at least 30% of the members of the senate are Indigenous persons from Yukon or elsewhere in Canada.

Program Delivery in Yukon Communities

What we heard

- Ensure community campus committees remain in place.
- Ensure community representation on the Senate and Board of Governors.
- Ensure equal access to programming.

The legislation

- To ensure community voices are represented within Yukon University, the legislation states under section 40 (1), For each community campus there must be a community campus committee.

Section 40(2) states the functions of a community campus committee are the following:

- (a) To advise the board on the programs, services and activities of the community campus, with particular reference to the needs of the community served by the campus;
 - (b) To approve the expenditure of money allocated to the committee by the board for the provision of local training programs;
 - (c) To participate in the hiring of the persons to be employed at the community campus.
- The legislation also outlines the requirement for community representation on the Senate and Board of Governors:
 - **Senate:** under section 26(g), the Senate must include at least two faculty members
 - (iii) Who are employed at a community campus, or
 - (iv) Whose duties include delivering educational programming in a community;
 - **Board of Governors:** under section 13(1)(c)(i), the Board of Governors should include at least three members of whom must reside outside Whitehorse, each in a different community;
 - To ensure community needs are being met, the legislation also states that, in carrying out its purposes, the university must, under section 3(2)(g)(i), provide educational programs that serve the needs of Yukon communities.