

# Private and Out-of-Province Public Institutions

## Minister's Consent

### About Consent

Obtaining ministerial consent is a necessary step before a private institution or a public institution from another jurisdiction may advertise, offer a degree program or grant a degree, or use the word "university" in British Columbia to indicate that an educational program is available.

Minister's consent refers to a written consent given by the Minister of Advanced Education. [Sections 3, 4 and 5 of the Degree Authorization Act](#) outline the specific requirements regarding consent.

The minister may attach terms and conditions to the consent. Applicants seeking consent will be required to provide written confirmation of their understanding of the terms and conditions of consent before ministerial consent will be granted. Institutions that have been granted ministerial consent must continue to comply with all terms and conditions of consent, and with all legislative obligations.

The minister may suspend, revoke or amend the consent if institutions fail to meet these obligations. The minister may appoint inspectors to ensure compliance.

Institutions may also be liable for fines of up to \$100,000 for committing an offence under the Degree Authorization Act.

### Terms and Conditions of Consent

The following standard terms and conditions will be attached to all consents. Individual terms and conditions addressing the specifics of each proposal may also be imposed by the Minister of Advanced Education.

1. **Consent period:** The consent period will normally be five years.

2. **Scope of consent:** Consent will be specific to the activity, program (major and minor, if specified) and site described in the submitted application.

The consent holder must inform the minister before implementation of any material change in circumstance (i.e., ownership change, location change, material change in learning outcomes, the minimum qualifications of faculty), or of substantive changes (i.e., termination or suspension of programs that have consent), which may change the scope of consent.

3. **Consent not transferable:** A consent is not transferable.
4. **Notice for students and public:** The following must appear in the consent holder's current calendar, and in the student's enrolment contract:

*This program is offered under the written consent of the Minister of Advanced Education effective (consent date) having undergone a quality assessment process and been found to meet the criteria established by the minister. Nevertheless, prospective students are responsible for satisfying themselves that the program and the degree will be appropriate to their needs (for example, acceptable to potential employers, professional licensing bodies, or other educational institutions).*
5. **Advertising:** A consent holder must not use any term or phrase in advertising that refers to approval of the minister or the Government of British Columbia other than that the program is offered under the written consent of the minister.
6. **Program Implementation:** The consent holder must enroll students in the degree program within three years from the date of consent. If the degree program is not offered within the three-year time period, consent is automatically revoked.
7. **Reporting:** A consent holder must provide the following information to the minister when requested:
  - if accredited in another jurisdiction, proof of continuing legal and accreditation status, and any variation in status;
  - A report on the current academic standards for each degree program for which consent has been granted, including but not limited to:
    - number and percentage of teaching staff/faculty by level of education, professional designations and experience;
    - number of full time equivalent (FTE) degree students per full time equivalent (FTE) teaching staff/faculty;
  - the institution's annual report (including audited financial statement);
  - the institution's most recent calendar;

- tuition and related fees for the degree programs for which consent has been granted;
  - student full time equivalent (FTE) enrolment in programs by year, for which consent has been granted;
  - number of degrees granted in the previous year for programs for which consent has been granted;
  - student attrition and retention rates;
  - job placement rates (both direct and indirect);
  - employer satisfaction;
  - student satisfaction;
  - number and nature of transfer agreements entered into the previous year regarding programs for which consent has been granted; and
  - other performance measures requested by the minister.
8. **Entitlement of consent holder to government funding:** Ministerial consent does not entitle the consent holder to funding from the government of British Columbia.
9. **Revocation and suspension of consent:** A consent holder's failure to comply with any terms and conditions or any legislative obligation may lead the minister to amend, suspend or revoke consent. The Degree Quality Assessment Board may also recommend that the minister amend, suspend or revoke consent as a result of a comprehensive review which determined that the quality of the degree program had not been maintained.
10. **Financial security:** The consent holder must meet conditions established regarding the security of tuition fees. These are outlined in the Degree Authorization Regulations established pursuant to Section 9(1) of the Degree Authorization Act.
11. **Access to and security of student transcripts:** The consent holder must meet the requirements regarding the access to and security of student transcripts established under Section 4(4) of the Degree Authorization Act.
12. **Student contracts:** A consent holder must have an enrolment contract for students enrolling in degree programs. The student's obligation under the contract must not exceed a period of 12 consecutive months. The contract must include the following:
- the title of the program and name of degree;
  - the start date and end date;
  - policies on student withdrawal and refund of fees and charges; and
  - the statement required under term and condition #4.

**13. Awareness of policies affecting students:** A consent holder must have a calendar or other comparable publication available to students and the public setting forth the following:

- admissions requirements and procedures;
- programs and courses with indication of when they are offered;
- rules and regulations for student, faculty and employee conduct;
- degree completion requirements;
- method of course delivery;
- tuition and other fees;
- transfer arrangements currently in place. If the consent holder has no credit transfer arrangements in place, the consent holder must indicate that no such arrangements exist.

**14. Misrepresentation or malfeasance:** The minister may deny, suspend, or revoke consent, where the following has taken place, or was taking place, at any time during or after the consent process until such time as the minister is satisfied that the situation has been remedied:

- information provided for reviews was not truthful and complete; and/or,
- misrepresentations, falsehood, fraud, abuse, or charges pending against the institution or its staff members for violations of law had occurred, or was occurring.

**15. Written confirmation of understanding of terms and conditions and intent to comply:** No consent will come into effect until the applicant acknowledges in writing that it understands the terms and conditions attached to consent, that all information provided in the application is true, and that it agrees to comply with all representations made during the course of the application, and with the terms and conditions attached to consent.

## Suspension, Revocation and Amendment of Consent

The minister may suspend, revoke or amend ministerial consent if the institution fails to comply with the terms and conditions of consent or with any legislative obligation, on receipt of complaints or by recommendation of the Degree Quality Assessment Board after a comprehensive review.

The minister also may appoint inspectors for the purpose of determining if an institution has failed to comply with the Degree Authorization Act or Regulations or with the terms and conditions attached to consent.

The following are some grounds that the minister may consider in determining whether to suspend or revoke a consent or amend the terms and conditions attached to it:

- failing to comply with the standard terms and conditions of consent;
- failing to comply with any legislative requirements under the Degree Authorization Act;
- applying for bankruptcy under the Bankruptcy or Insolvency Act (Canada) or being placed in receivership;
- placing students in danger;
- shutting down educational operations.

When it becomes necessary to take action for non-compliance, the minister will begin the suspension and revocation procedures.

## **Renewal of Consent**

Under the Standard Terms and Conditions of Consent, a consent period for a degree program or for use of the word “university” is normally five years. However, the minister can grant consent for any length of time up to and including five years.

The Degree Quality Assessment Board will review applications for renewal of consent and ensure that the application undergoes a process that determines if the institution or program has maintained and will continue to maintain quality. These guidelines are posted on the Assessment Criteria & Process page.