



British Columbia Human Rights Tribunal

1270 – 605 Robson Street
Vancouver BC V6B 5J3

Phone: (604) 775-2000
Toll Free: 1-888-440-8844
TTY: (604) 775-2021
FAX: (604) 775-2020
Internet: www.bchrt.bc.ca

February 12, 2020

College of New Caledonia
3330 – 22nd Avenue
Prince George, BC V2N 1P8

Attention: Marlene Erickson, Executive Director Aboriginal Education

Dear Ms. Erickson:

Re: Special Program Approval

College of New Caledonia [**CNC**] applies for approval to permit it to operate a special program under s. 42(3) of the *Human Rights Code* [**Code**]. CNC seeks to limit access to its Aboriginal Centres and the services it offers through those Centres to Indigenous persons only.

CNC offers a full range of career, technical, vocational and university credit programming across six campuses throughout northern BC. CNC enrolls approximately 5,000 students annually and roughly 22% of its student population is Aboriginal. Each CNC campus has an Aboriginal Centre which is a designated space for Indigenous learners where students can access services including advising, elder advising and tutoring.

Indigenous learners face multiple barriers to success in post-secondary education. There is a disparity in achievement rates between Indigenous learners and their non-Indigenous counterparts. The lack of Indigenous Knowledge, history and issues in classrooms and other spaces serves to exclude Indigenous learners from having a sense of belonging at college. This is a contributing factor that results in poorer educational outcomes.

Section 42(2) of the *Code* allows the Tribunal to approve any program that “has as its objective the amelioration of conditions of disadvantaged individuals or groups.”

The Aboriginal Centres provide a welcoming and safe environment for Indigenous learners where they may connect with their peers and receive holistic, culturally appropriate support services. This helps to decrease feelings of isolation and exclusion. The services provided through the Centres ultimately result in better educational outcomes for Indigenous students.

CNC has provided letters of support from the Faculty Association of the College of New Caledonia and the Canadian Union of Public Employees, Local 4951.

On the materials before me, I am satisfied the equality-enhancing purposes of the special program are advanced by restricting its provision to the specified group. As a result, I am prepared to grant CNC's application for special approval under s. 42(3) of the *Code*. The special program is approved for five years. This approval is effective as of the date of this letter and expires on February 12, 2025. CNC is allowed to limit access to its Aboriginal Centres and the services it offers through those Centres to Indigenous persons only. This will not be considered a contravention of the *Code* as long as this approval remains in effect.

This special program approval is granted on the condition that CNC provide a report to the Tribunal midway through the five-year term and thereafter at the conclusion of the special program approval. The reports should explain:

1. How the special program is benefiting the community it is serving;
2. Any challenges the special program has faced and how they are being addressed; and
3. Any other information relevant to the progress of the special program.

The mid-term report is due on **August 12, 2022**. Reports are a condition of approval. Therefore, failure to provide the requested reports may result in the special program being cancelled without notice by the Tribunal, or a renewal not granted if one is requested.

This special program approval will automatically expire on **February 12, 2025**. If you wish to apply to renew the program, you must do so before that date. Information, including the appropriate forms can be found on the Tribunal's website: www.bchrt.bc.ca, under "Employment Equity and Other Programs".

Sincerely,

A handwritten signature in black ink, appearing to read "D. Juricevic", written in a cursive style.

Diana Juricevic
Chair, BC Human Rights Tribunal