



British Columbia Human Rights Tribunal

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January 2, 2020

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

Attention: Marlene Erikson, Executive Director Aboriginal Education

Dear Sirs/Mesdames:

Re: Request for Special Program Approval Renewal

College of New Caledonia [CNC] offers a full range of career, technical, vocational and university credit programming across six campuses throughout northern BC. There are 22 First Nations and Aboriginal communities located in the region that CNC serves. CNC enrolls approximately 5,000 students annually and roughly 22% of its student population is Aboriginal.

CNC applies to renew its special program which has been in place since 2009, and allows it to restrict hiring to Aboriginal (First Nations, Inuit and Metis) applicants for a total of 79 positions, using the following criteria:

- a) Employees providing direction operations, instructional or administrative service primarily to Aboriginal student (ie Aboriginal academic advisor, Aboriginal Liaison, Senior Advisor/Manager of Aboriginal Services);
- b) Employees instructing courses whose content is primarily Aboriginal (ie Aboriginal studies courses, Aboriginal Early Childhood Education, College & Career Preparation – Lheidli Project);
- c) Employees offering services and/or programs funded through Aboriginal-specific funding initiatives;
- d) Administrators working at campus with significant numbers of Aboriginal learners, or with a significant population of Aboriginal peoples in their campus area.
- e) The candidates for positions covered by this Special Program will be able to provide written proof of Aboriginal ancestry through a nationally or provincially recognized Aboriginal organization. All candidates must fall under the description of Aboriginal as defined in the *Constitution Acts of 1982*, Part II, Section 35(2), as the “Indian, Inuit and Métis peoples of Canada”.

To date, the special program has succeeded in filling 44 positions with qualified Aboriginal employees, including for the following positions: two Regional Principals, an Aboriginal Studies Instructor and a Recruitment Officer – Aboriginal, among others. While celebrating this success, CNC also reports that Aboriginal students’ pass rates at CNC continue to lag behind those of

domestic and international students (85%, 91% and 88% respectively). The Truth and Reconciliation Commission confirms that Indigenous people continue to achieve lower educational outcomes than non-Indigenous groups as they face systemic barriers to success.

Research surrounding the educational needs of Indigenous students indicates that positive Indigenous role models are necessary in educational organizations. These role models bring an Indigenous perspective to curriculum, the classroom and the school environment. This is positive for Indigenous and non-Indigenous students alike. Indigenous students feel a sense of place and belonging in the school and take pride in their traditional culture, language and heritage. Non-Indigenous students understand their country's history regarding Indigenous peoples and learn to respect the unique status of Indigenous peoples. Finally, the special program provides quality employment opportunities for Indigenous people.

CNC has provided letters of support from the Faculty Association of the College of New Caledonia and CUPE Local 4951.

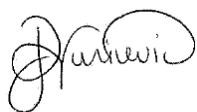
I am prepared to renew CNC's application for special program approval pursuant to s. 42(3) of the *Human Rights Code* for a further five-year term. CNC is allowed to restrict hiring to Aboriginal applicants for a total of 79 positions, according to the criteria listed above. The special program renewal approval is effective as of the date of this letter, and it expires on January 2, 2025. Hiring under this special program will not be considered a contravention of the *Code* as long as this approval remains in full force and effect.

This Special Program approval is granted on the condition that CNC provide a report to the Tribunal midway through the five-year term. While annual reports from CNC were required in the past, the Tribunal's practice has changed in view of the fact that the special program is so clearly aimed at ameliorating inequities for disadvantaged or marginalized groups.

The mid-term report is due on **June 2, 2022**, and thereafter at the conclusion of the special program approval. 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 being granted if one is requested.

Please note CNC's special program approval will automatically expire on **January 2, 2025**. If you intend to apply for a renewal of the special program approval you are asked to do so well in advance of its expiration. Information, including the appropriate forms can be found on the Tribunal's website: www.bchrt.bc.ca, under "Employment Equity and Other Programs."

Yours truly,



Diana Juricevic
Chair, BC Human Rights Tribunal