

August 5, 2021

Honourable Anne Kang
Minister of Advanced Education and Skills Training
Parliament Buildings
Victoria, British Columbia V8V 1X4

RE: Institutional Autonomy Over Safe Campus Decisions

Dear Minister Kang,

I am writing to you on behalf of the Confederation of University Faculty Associations of British Columbia (CUFA BC). We represent 5,500 faculty members at five of BC's research universities. Our members include professors, academic librarians, instructors, lecturers, and sessionals at UBC, SFU, UVic, UNBC, and Royal Roads. CUFA BC supports the vaccination efforts of the province and believes post-secondary institutions have a responsibility to protect campus communities through informed policies and protocols.

Our members are concerned about the return to campus plans at post-secondary institutions. These concerns are borne of their exclusion from institutional decision-making and from the behind-the-scenes direction being given to institutional administrators against the express needs of faculty, staff, and students.

Our members have heard Dr. Bonnie Henry's comments loud and clear that businesses are supported in establishing vaccine and mask mandates for the safety of their staff and communities even after the Provincial Health Office ends general public health mandates. Most recently affirmed on July 27th in a public presentation, Dr. Henry assured public post-secondary institutions that they must do what is needed to make campuses safe for everyone, including potentially requiring proof of immunization for students in residence and ensuring vaccine availability through hosting on-campus vaccine clinics. Since that time, however, clarification from the office of the Ministry of Advanced Education and Skills Training has contradicted this, instead quietly directing institutions away from introducing such measures. These conflicting messages are cause for alarm among faculty.

We call on you, Minister Kang, to affirm the autonomy of BC's universities to continue to establish the health and safety rules governing safe campuses, including but not limited to the introduction of vaccine and mask mandates, modes of course delivery, class sizes, and on-campus joint health and safety committees.

BC's public universities are autonomous from government as articulated in the *University Act* and the *Royal Roads University Act*. Members of the board of governors must act "in the best interests of the university" (*University Act* s.19.1) and the board, together with the senate, regularly make decisions over a host of health and safety rules tailored to the local needs of the campus community to which faculty, staff, and students adhere.

Throughout the pandemic, boards and senates have made decisions over alternate modes of course delivery and the maintenance of academic and non-academic functions in service to the academic mission. At the same time, institutions and Government alike have avoided taking definitive positions on contentious issues such as vaccine mandates and passports, transitional or staged return to campus, or other significant decisions for the return to campus in fall 2021. It wasn't until the Safe Return to Campus Guidelines were released a few weeks ago that the full reality of minimal campus safety plans were revealed. Since that time, faculty and staff, as well as

unions and student groups have taken it upon themselves to advocate for the kind of safe campuses they need as everyone returns. A flurry of op-eds and public letters have circulated begging for institutions to adopt more robust return-to-campus plans in the face of uncertainty. That is, the uneven vaccination rates by age categories, particularly among undergraduate-age student populations, the international travel for students living out of country, the vulnerability of young people under the age of 12 for both faculty and student parents, and as case numbers from rising Covid variants increase significantly.

Our members expect that the Ministry of Advanced Education and Skills Training will take a step back from heavy-handed direction and let institutions make decisions as needed in the best interest of the institution. Our members also expect that unions and their representatives on campus joint health and safety committees will be integrally involved in campus planning and decisions regarding on-campus operations. These are, after all, legal entities that fulfill legislative requirements for occupational health and safety. We are disappointed to report that on most campuses, the joint health and safety committees continue to be sidelined as they have been since the pandemic started, even though the pandemic has made it clear that they are crucial for ensuring the safety of everyone on campus. The need for cooperation between employers and unions is paramount.

We are disappointed to learn that the Ministry has directed institutions away from responding to the needs of their local communities, and has instead unilaterally directed institutions not to introduce protocols for safe campuses, such as mandatory vaccines or mask-wearing, remote course delivery options, minimized class sizes to accommodate social distancing, and other measures informed by the needs of faculty, staff, and students. When the Provincial Health Officer no longer dictates these terms, it needs to be clearly articulated that universities, as incorporated entities, are able to establish their own local protocols to ensure safe campuses and communities.

Post-secondary institutions are complex workplaces and as such will vary in their needs and in relation to the needs of local communities. Some institutions support small populations in rural communities, while others in urban centres comprise large populations with classrooms capable of accommodating hundreds of students at a time with many thousands of people interacting on campus. Post-secondary institutions will each have needs unique to their circumstance, making a one-size-fits-all approach wholly inappropriate. **What is necessary is that institutions hold the autonomy to make decisions based on a plurality of factors and informed by the needs of the local campus community.**

We ask you to affirm this right and support British Columbia's public universities in leading the great migration back to campus with the trust and support of faculty, staff, and students, without whom these institutions would certainly have collapsed some sixteen months ago.

We would welcome a meeting with your ministry to discuss these important points. And we would be pleased to provide additional information should you require it.

Yours Sincerely,



Dr. Dan Laitsch
President

Confederation of University Faculty Associations of British Columbia (CUFA BC)