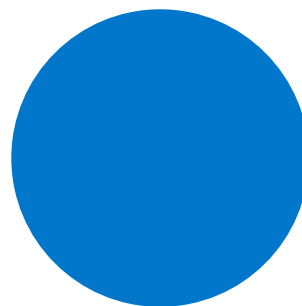
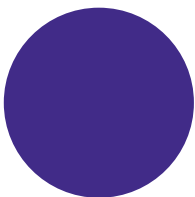


COU Response to Regulatory Registry Proposal Bill 166 – Strengthening Accountability and Student Supports Act, 2024

March 2024



Introduction

With a shared goal to build a healthy and student-centred postsecondary education system, Ontario's universities welcome the opportunity to provide feedback on the Ministry of Colleges and Universities' proposed legislation.

Universities are steadfast in their commitment to meet the ever-changing needs of students through wraparound supports, services and resources. They spend nearly \$1.6 billion annually on student services – a spending increase of 27 per cent over the past five years, with universities spending an average of 14 per cent of their operating fund on student services.

In fact, many of the policies, frameworks and cost transparency that Bill 166 seeks to develop are already in place at universities.

While Ontario's universities support the overall intent of the proposed legislation, the lack of provincial funding for these activities, during a time when universities continue to face mounting financial pressures – coupled with the fact that these activities will be administered through Ministerial directives when there are already existing legal and statutory requirements – ultimately undermines the objectives of Bill 166 and the institutional autonomy of universities. Furthermore, a new directive will only duplicate existing efforts, while increasing red tape, costs and administration.

The sector appreciates the proposal's acknowledgment that this legislative amendment might result in increased administrative costs for institutions. With more than a decade of declining provincial grants, increasing demands on universities, a 10 per cent cut to tuition and now an eight-year long tuition freeze, Ontario's universities are at a breaking point.

The one-time investments into the postsecondary sector announced by the Minister is a first step in providing much-needed financial support. However, the funding announcement fell far short of what the sector needs to be financially sustainable.

Even after factoring in the \$100 million in STEM funding for 2023-24 and the one-time funding of \$700 million over three years for both colleges and universities, at least eight universities are still forecasting operating deficits in 2023-24 for a combined deficit of \$152 million. This number increases the following year to at least 12 universities projecting operating deficits in 2024-25 for a combined total of \$293 million.

Ontario's universities remain committed to working with the province to ensure universities have the resources in place to continue to foster student success and well-being, and look forward to continued conversations with government on these directives, as well as on a longer-term financial sustainability package.

Recommendations:

- Provide long-term, sustainable funding to universities to ensure they can continue to provide critical resources and supports to students.

- Set the directives within the proposed legislation through the Lieutenant Governor in Council (LGIC), rather than through Ministerial directives, recognizing the institutional autonomy of universities.

Please see the sector's response and recommendations for each of the three areas of the proposed legislation below.

Student Mental Health Policy

Ontario's universities are committed to the mental health and well-being of students and community members. To help ensure students receive timely, accessible, culturally relevant and flexible mental health care, universities provide health and wellness education, programs and initiatives; work in partnership with key stakeholders to strengthen a whole-of-community approach; and act as a primary health-care partner. Universities are also consistently updating their approaches to incorporate best practices and embed considerations of student mental health at all levels.

This commitment to student mental health and well-being, along with the resources universities provide, are publicly available and detailed on the sector's [Supporting Student and Community Resilience through Mental Health and Programming](#) page.

The broad range of mental health services offered by universities are designed to meet the diverse needs of students. They allow each student to access the care they need when they need it and maintain systemic capacity for higher level interventions where necessary. This is critical as many students primarily rely on the supports available at their universities due to challenges accessing community mental health services off campus.

In addition, universities have student mental health strategies, action plans and frameworks in place, which are publicly available on their individual websites. These are under a continuous process of review and evolve with the needs of students. Through regular engagement, universities work closely with their campus communities to enhance their mental health strategies and ensure they remain responsive to the real needs of students, staff and faculty.

Ontario's universities share the government's goal of ensuring Ontario's students have access to, and awareness of, the programs, policies, services and supports available at universities. However, as the number and complexity of mental health concerns continue to grow on postsecondary campuses, the \$23 million over the next three years for colleges and universities, of which only \$8 million is expected to flow directly to institutions, falls far short of meeting the exceeding needs of students.

Recommendations:

The sector recommends the government:

- Provide increased, multi-year direct base funding to universities for postsecondary student mental health.
- Allow flexibility in how institutions can use funds to ensure they are responding most effectively to the unique needs of their students, while helping universities keep pace with growing demand.

- Collaborate with the sector in the development and implementation of any new mental health strategy to ensure optimal outcomes for students, universities and communities.

Policies and Rules on Racism and Hate

Ontario's universities employ a variety of methods to help create safe learning, teaching and working environments for students, staff and faculty, as well as to address hate speech, harassment and discrimination. In fact, university policies and procedures are much broader than the areas covered under Bill 166 and are in compliance with existing legal and statutory obligations.

They include clear and comprehensive non-discrimination/harassment policies that explicitly outline the university's commitment to fostering an inclusive environment and prohibiting all forms of harassment and discrimination, as required by the Ontario Human Rights Code and the Occupational Health and Safety Act, both of which already regulate workplace harassment and discrimination. Policies are regularly reviewed and updated to ensure they remain responsive to the legislative landscape and the university community.

Furthermore, universities have strong processes in place to create safe, inclusive learning and working environments that are underpinned by the right to free speech and academic freedom where applicable.

Universities provide educational programming to help foster environments free of discrimination and harassment, such as workshops, seminars and online resources for students, faculty and staff, and raise awareness about discrimination, bias and harassment.

In addition, institutions are working to promote civil and constructive dialogue on their campuses. Conversations that promote understanding and respect among different cultural and identity groups are encouraged to help foster an open dialogue about equity, diversity and inclusion on campus.

By taking these and other steps, universities work towards creating an environment that upholds inclusive principles and fosters a sense of belonging for all members of the university community, while protecting academic freedom, where applicable, and free speech, within the limits of the law.

Recommendations:

To truly support the efforts underway at universities, the sector recommends the government:

- Helps fund the current initiatives and student services in place to address hate speech, harassment and discrimination.
- Avoids duplicative legal and statutory requirements being issued by Ministerial directives that undermine institutional autonomy.

Directives regarding Costs

Ontario's universities are driven to ensuring student success. With Ontario university graduates experiencing higher employment rates compared to other postsecondary institutions, as noted

in the province's Blue-Ribbon Panel report, the high return on investment is clear. In fact, the number of Ontario high school students applying to an Ontario university has increased by 11 per cent since 2020, which is a testament to the high quality of education provided to Ontario students.

As part of our commitment to these students, universities are empowering students to make informed decisions on career options and the costs of their education. For example, all universities provide detailed information on tuition, ancillary fees and other educational costs. This ongoing commitment to transparency upholds the sector's dedication to accountability, while maintaining trust with students and helping illustrate the importance of investing in their future.

Universities recognize that student expenses can vary across institutions and programs, which is why they already provide students with financial information on publicly available websites in a clear manner.

In addition to tuition and ancillary fee transparency, supports include resources to improve financial literacy and budget calculators to help students plan in advance for their postsecondary studies, including estimates for educational materials such as textbooks.

To further support student access to a university education, Ontario's universities also provide more than \$1.3 billion in non-repayment grants, scholarships and bursaries. This amount exceeded the entire Ontario Student Assistance Program (OSAP) budget in 2022-23.

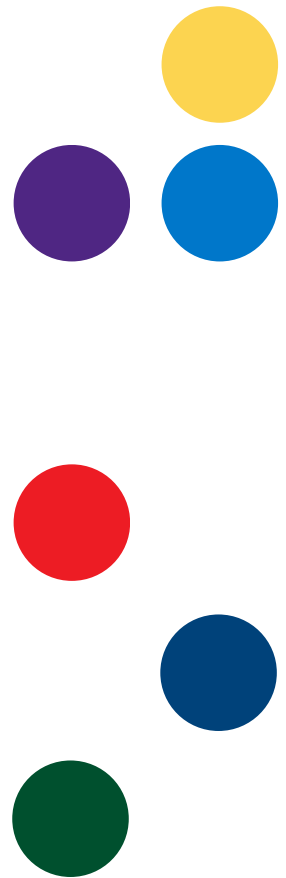
For even greater transparency and ease of reference, the sector has aggregated this public information for each institution. [Transparency of Tuition & Ancillary Fees for Ontario University Students & Applicants](#) provides a complete list of ancillary fee breakdowns, tuition fee schedules, fee estimators and budgeting tools at Ontario's universities.

Conclusion

Ultimately, while supporting the spirit and intent of Bill 166, Ontario's universities oppose unnecessary and duplicative legislative intervention without the associated funding.

As universities have student mental health and anti-hate policies, frameworks and action plans in place, as well as provide the requested financial transparency around tuition and ancillary fees, this new directive would duplicate existing efforts, add more red tape in the form of additional reporting and lead to additional costs and administration.

A longer-term financial sustainability package would help support universities in their mission to foster student success and well-being. An investment in universities is not just an investment in higher education. It is an investment in our collective future.



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