

**MEMORANDUM OF UNDERSTANDING
BETWEEN
THE PROVINCE OF NOVA SCOTIA
AND
THE NOVA SCOTIA UNIVERSITIES
2015-16, 2016-17, 2017-18 and 2018-19**

PREAMBLE

The Province of Nova Scotia and the Nova Scotia Universities (the “Parties”) commit to the overarching principle that this Memorandum of Understanding (“MOU”) will make a significant contribution to the Nova Scotia university sector’s pursuit of achieving academic excellence, path-breaking research and exceptional community service. This MOU lays the groundwork for a sustainable, accessible, quality sector that fosters entrepreneurship, produces job-ready graduates, and drives innovation.

Whereas the Parties to this MOU share a commitment to working in partnership to achieve and maintain a high quality, accessible and sustainable university sector;

And whereas the Parties acknowledge the social, economic and cultural relevance of the universities to Nova Scotia’s progress, and the role of the universities in supporting the advancement of people, innovation, and education;

And whereas the Parties are committed to a shared vision of “a differentiated and collaborative sector, consisting of autonomous universities, that is globally competitive in the quality of academic programs and research activities, locally connected to provincial social and economic goals, accessible for Nova Scotia students and responsibly supported by the Provincial government”;

And whereas the Parties agree on the following differentiation statement: “Differentiation of our university sector entails a single comprehensive research intensive university, a number of primarily undergraduate universities, and specialty institutions”;

And whereas the Parties acknowledge “the number and quality of Nova Scotia’s post-secondary education (PSE) institutions is one of our greatest competitive advantages in a world where advanced skills and knowledge have become the basis for economic prosperity”¹;

And whereas the Parties are aware of the fiscal and demographic realities facing Nova Scotia and understand that collaboration, creativity, and innovation are necessary to maintain and build on

¹ WE CHOOSE NOW, A Playbook for Nova Scotians, ONE Nova Scotia Coalition Collaborative Action Plan, *Universities and NSCC as Innovation Hubs*, 31.

excellence in a university sector made up of autonomous institutions which take pride in their record of legislative self-governance;

And whereas the Parties recognize that the future success of the university sector will require ongoing efforts to work collaboratively to achieve a sustainable higher education sector;

And whereas the Parties agree Nova Scotia's universities play a key constructive role in Nova Scotia's economic, cultural and social development, particularly in rural parts of the province;

And whereas the Parties are aware that the *Universities Accountability and Sustainability Act* came into effect in May 2015 in order to create greater accountability and sustainability;

And whereas the Parties commit to build on the efforts of the 2012-15 Memorandum of Understanding (MOU);

Therefore, the Parties agree to enter into this MOU as outlined below.

The core objectives of this MOU are to achieve a sector-wide cost structure that is sustainable relative to the fiscal capacities of the Province, and to work together to advance the economic, social and cultural aspirations of the Province and its people. The Universities and the Province therefore agree to work together through a Partnership, as described in Clause 1, to continue collective and institutional commitments to efficiency and effectiveness, and financial sustainability across the sector. Further, the Parties agree to ensure alignment of shared priorities of government and universities.

GOVERNANCE

1. The Universities agree to continue to participate in a Partnership with the Province to provide leadership to achieve the implementation of the MOU.
 - (1) The Partnership Committee includes all university presidents and several deputy ministers. This Partnership Committee will meet at least three times per year.
 - (2) The Partnership Committee has established a Steering Committee, which consists of a smaller group of university presidents and the Deputy Minister for Labour and Advanced Education. The Steering Committee will meet at least three times per year and will include the President of Dalhousie University, the chair of the Council of Nova Scotia University Presidents (CONSUP), the Deputy Minister of Labour and Advanced Education (LAE), and three other university presidents.
 - (3) The Partnership Committee has established an Innovation Team. The Innovation Team is composed of: the ten university presidents; the Nova Scotia Community College (NSCC) president; the Deputy Ministers of LAE, Executive Council Office and Intergovernmental Affairs, Finance and Treasury Board, Office of Planning and Priorities, Health and Wellness, Business, and Education and Early Childhood Development; the Vice-President of Atlantic Canada Opportunities Agency (ACOA); and LAE senior staff.

- (4) In order to investigate key themes and opportunities related to Nova Scotia's post-secondary education sector, the Innovation Team has established working committees as follows: Entrepreneurship; Experiential Learning; Student Recruitment and Retention; Technology Enabled Learning; and R&D and Commercialization. Additional working committees may be added as needed. The working committees are composed of representatives from the Province, the Universities, the NSCC, ACOA, and industry specific experts relevant to each particular working committee theme.
- (5) The Parties entered into bilateral agreements which expired on March 31, 2016. These agreements supported coordinated, strategic, sector-wide planning. The agreements identified key activities that each university was to undertake and allowed each institution to articulate opportunities, challenges and plans to ensure sustainability. The bilateral agreements included key activities which reflected shared priorities of a sustainable high quality university sector and growing Nova Scotia's prosperity, cultural development and social well-being. After March 31, 2016 the bilateral agreements are to be replaced with "outcome agreements" with a focus on measurable outcomes.
- (6) The Parties agree that institutional outcome agreements, which will include sector and institution-specific outcomes, will be established between the Universities and the Province of Nova Scotia. The new outcome agreements will include:
 - (a) Specific measures that will be taken by the universities to advance their long-term strategies and commitment to quality and sustainability;
 - (b) Measures that establish the strategic connection between the social, cultural and economic priorities of the Province of Nova Scotia and that enable and encourage the delivery of learning, research and knowledge; and
 - (c) Any additional measures that may be agreed upon.
- (7) The Partnership Committee will report annually to the Minister of LAE on the implementation of the MOU.
- (8) The Parties are committed to ongoing consultation with stakeholders throughout the term of the MOU. Consultations may occur on specific issues at individual institutions, with CONSUP, and with the Province. In addition, the Partnership Committee will meet annually with elected student leaders to discuss the implementation of the MOU and to obtain student input.

PRIORITIES

2. The Parties commit to working actively over the four years of this MOU to ensure a high quality, sustainable and accessible university sector that meets the changing needs of Nova Scotians and reflects the reality of Nova Scotia's place in a global world. Through the work of the Innovation Team's working committees, the Parties will strive to:

- (1) Enhance PSE institutions as anchors for regional economic and social development and innovation;
 - (2) Support R&D and commercialization partnerships and collaboration between PSE institutions and the private sector to foster a knowledge-intensive economy;
 - (3) Develop student talent and skills through co-ops and experiential learning and create environments that promote innovation, creativity and entrepreneurship;
 - (4) Support provincial, national and international student recruitment, retention and residency efforts, with an emphasis on retaining students in Nova Scotia after graduation; and
 - (5) Facilitate student learning through the increased use of technology and opportunities that encourage and make it easier for individuals to continue, or return to, post-secondary studies.
3. Through the mechanisms described in Clause 1, the Parties agree to the implementation of an MOU work plan to achieve the following:
- (1) A predictable, multi-year Government funding commitment;
 - (2) Enhanced financial transparency and accountability;
 - (3) Executive compensation at Nova Scotia universities that is fair and competitive with similar institutions in Canada;
 - (4) Improved educational quality through collaboration, outcome agreements and the utilization of key performance indicators appropriate to higher education to measure progress;
 - (5) Tuition policies which maintain accessibility for Nova Scotia students who are enrolled in programs at Nova Scotia universities;
 - (6) A review of the consultation process with students on auxiliary and ancillary fees, and developing a mutually agreed upon definition of “consultation with students” as it relates to any changes in these fees;
 - (7) Improved accessibility, particularly for under-represented Nova Scotia students studying in Nova Scotia universities, with measurable benchmarks for success, developed in collaboration with these communities;
 - (8) Collaborative and innovative initiatives that align with the social and economic development goals of the Province as outlined in Clause 1 (4);
 - (9) Collaboration through student engagement with the Province and the Universities;

- (10) Improved supports for student success through collaborative and other initiatives that specifically identify ways to improve mental health services, services for students with disabilities, and develop sexual violence policies which encompass sexual assault and sexual harassment;
- (11) A better understanding of the pathways students follow as they move through Nova Scotia universities and colleges and into the labour market;
- (12) Sector-wide sustainability, including continued collaboration among universities, to reduce operating costs and maintain quality, with an overall goal to achieve a more cohesive sector; and
- (13) Programs developed in partnership with Nova Scotia's Aboriginal people that advance the Truth and Reconciliation Commission of Canada's Calls to Action. The Partnership will particularly focus on programs that support greater awareness of Treaty Education in Nova Scotia in recognition that We Are All Treaty People.

FUNDING FOR UNIVERSITIES

4. The Province, in part, provides the funding that universities need to protect educational quality over the long term. In order to ensure the stability and predictability of funding in the university system, the Province commits to a funding stability mechanism. Accordingly, the University Operating Grant will increase by one percent (1%) from the previous year in each of the four years of the MOU.
5. The funding allocation formula utilized in 2014-15 will be utilized in 2015-16 and 2016-17, and a new funding allocation formula will be developed in 2016-17 for implementation in 2017-18.
6. The Parties to the MOU agree to produce an assessment and analysis document that could assist the Parties in assessing infrastructure needs and potentially align infrastructure needs with federal funding programs.

TRANSPARENCY AND ACCOUNTABILITY

7. The Parties agree that transparency and accountability are the hallmarks of an efficient and sustainable sector. The Parties therefore agree that universities will provide to the Province annual financial reports and projections, using a standardized template. The Province will meet with each university to review their financial reports on an annual basis.

EXECUTIVE COMPENSATION

8. The Province recognizes that universities are independent entities responsible for their own operations and strategic direction, and that each institution's Board of Governors has the full

authority to set the terms and conditions of executive compensation. Within that context, the following guidelines are recommended:

- (1) Compensation is fair and competitive with similar institutions in Canada, ensuring Nova Scotia's ability to attract and retain the best talent;
- (2) Each institution commits to developing a reasonable compensation framework for administrative leave that reflects principles of accountability, fairness and fiscal responsibility (subject to the approval of its Board of Governors); and
- (3) Executive contracts should be publicly available.

EDUCATIONAL QUALITY AND MEASURES

9. The Parties agree to pursue opportunities for faculty and staff development which would enhance institutional learning.
10. Furthermore, the Parties recognize the importance of measuring educational quality, and agree to support the following measures which pertain to program quality assurance and student experience, as previously agreed to by the Partnership:
 - (1) The Universities will utilize a Program Quality Assurance Key Performance Indicator (KPI), which consists of four metrics: statement of approval of programs at the institution; first cycle review; ongoing review with external reviewers; and institutional responsiveness to review recommendations.
 - (2) The Universities will utilize three Student Experience KPIs: student satisfaction with educational experience; student experience post-graduation; and student progress within the Nova Scotia post-secondary education system.

TUITION POLICY

11. The Province acknowledges that universities are independent institutions, and must have the flexibility to make decisions to protect quality over the long term. The Parties agree that a primary focus is to maintain accessibility for Nova Scotia students who study at Nova Scotia universities. For the duration of this MOU, the Parties agree to the following policies which pertain to tuition fees:
 - (1) Universities are permitted to make one-time market adjustments to tuition in order to charge similar amounts for similar programs at peer institutions. Universities have the option to phase in the market adjustments over the four years of the MOU beginning in 2015-16;
 - (2) In addition to the market adjustments described in 11 (1), universities may apply an annual tuition increase of up to 3% for Nova Scotia students enrolled in undergraduate programs;

- (3) Market adjustments will reflect a fair and competitive tuition policy framework;
- (4) The three percent (3%) annual tuition cap does not apply to out-of-province students or international students; and
- (5) The three percent (3%) annual tuition cap does not apply to graduate programs or to programs in Medicine, Dentistry or Law.
- (6) The Universities agree to submit to the Province, by April 30 of each year, tuition fee schedules for all programs for the next academic year.

AUXILIARY AND ANCILLARY FEES

12. The Parties agree to the following with respect to auxiliary and ancillary fees:

- (1) Auxiliary fees are fees for supplies, equipment, labs, field trips, or other items that students are required to pay in order to enroll in or complete a program or course;
- (2) Ancillary fees are fees for non-academic services such as residence accommodation, food services, health services, and athletic services;
- (3) The Universities commit to clearly outlining a process for reviewing any auxiliary and ancillary fees that are charged to students above and beyond program tuition fees. The process must include consultation with students, including the Executive Committee of each university's student union that will be impacted by the proposed change in fees;
- (4) The Universities commit to being transparent about the goods and services the fees are applied against. Any submission to the Province advising the Minister of changes to such fees will include:
 - (a) An explanation of the need for any new or changes to existing auxiliary and ancillary fees;
 - (b) Evidence that increases in auxiliary and ancillary fees have not exceeded increases in the costs of providing the services or goods provided;
 - (c) Evidence that auxiliary or ancillary fees, within the university's control, have not been increased to compensate for an inability to raise revenue beyond the agreed framework; and
 - (d) Evidence that the fee is not being charged for a good or service that is already being covered by existing tuition, or existing auxiliary and ancillary fees.
- (5) Universities shall clearly outline, and make public, their process for consulting with students. The process must be understandable and easily accessible by students. If there are proposed changes or increases to auxiliary and ancillary fees, the universities shall:

- (a) Provide students with information concerning the rationale for making changes to the fees;
 - (b) Provide students with options for fee changes, with rationale; and
 - (c) Offer students the opportunity to provide feedback on the proposed fee changes, which will be reviewed by the university before a final decision is made.
- (6) The Parties recognize that developing institutional policies that outline a consultation process for increasing or adding new ancillary and auxiliary fees is a preferred practice. The development of a formal consultation process would ensure transparency with regard to changes in auxiliary and ancillary fees;
- (7) Universities must notify LAE of the proposed increases to auxiliary or ancillary fees at least four weeks in advance of the approval by the university of the proposed increase. The consultation process should precede the notification to LAE; and
- (8) Any increases that appear to be inconsistent with these principles will be subject to review.

MAINTAIN AND IMPROVE ACCESSIBILITY

13. The Parties recognize that high quality, relevant learning opportunities in higher education should be accessible to qualified Nova Scotians.
- (1) The Partnership will continue to recognize the importance of access and affordability and will:
 - (a) Focus on increasing access and affordability for under-represented groups with specific attention to existing and new policies that target these segments of the population;
 - (b) Identify effective measures to enhance affordability and increase university access by students from low-income families;
 - (c) Convene a Working Group to explore opportunities to create a common data collection process whereby each university will track students who self-identify as being a member of at least one of the following groups: Aboriginal, African Nova Scotian/Black, students with disabilities, low-income, students who reside in rural areas, racially visible, mature, Acadian/Francophone, and students in care.² The Working Group will analyze the data to determine the participation level of these groups, explore their unique needs, and identify policies that may support them through to graduation; and
 - (d) Consider the ongoing work and activities of external groups and agencies as it relates to access and affordability.

² Under the 2012-15 MOU, the Access and Affordability Working Group gathered both quantitative and qualitative data on eight populations which were commonly identified in an initial literature scan as under-represented. Additionally, improving access for students in care has been identified as a priority.

COLLABORATION

14. The Parties recognize the importance of innovation and collaboration in post-secondary education. Such activities are supported through examples such as Sandbox projects, new business start-ups and partnerships with the private sector.
15. In order to identify new and emerging opportunities and areas of mutual interest and benefit, the Parties agree to collaborate through participation on the Innovation Team and its working committees as outlined in Clause 1 (4). This work will identify areas where greater efficiencies can be achieved, as well as identify innovative and collaborative solutions that will support Nova Scotia's economic and social objectives and demonstrate the important role of universities in the prosperity of Nova Scotia's economy and in the enhancement of its social well-being and cultural life.
 - (1) The Innovation Team will work to strengthen post-secondary education in Nova Scotia by improving collaboration among post-secondary institutions, between institutions and Government, and between institutions and the private sector. The Innovation Team will establish working committees to investigate key areas and opportunities connected to the priorities agreed upon between the Universities and the Nova Scotia Government and to make recommendations for collaborative, innovative solutions in order to support the province's economy and its social and cultural life.
 - (2) The Parties commit to a collaborative partnership through the Innovation Team, which also includes representation from key Provincial Government departments, the Federal Government (ACOA), the private sector and other collaborative agencies.
 - (3) Through the Innovation Team, the Parties commit to supporting agreed-upon goals and initiatives which will engage people in meaningful post-secondary education that connects them to opportunities in Nova Scotia. The overall goals of the Innovation Team are to:
 - (a) Advance agreed-upon priorities as they relate to education and training;
 - (b) Connect Nova Scotians to the labour market through entrepreneurship training and experiential learning;
 - (c) Help work toward retaining more university students and graduates, reducing out-migration and increasing immigration;
 - (d) Promote research and development opportunities that connect to the private sector; and
 - (e) Enhance the overall economic, social and cultural well-being of the province.
 - (4) In order to advance these goals, the Innovation Team has created five working committees.
 - (a) The Entrepreneurship Working Committee works to broadly embed a culture of entrepreneurship within all universities and the NSCC. This will involve creating and

fostering partnerships with the private sector in order to promote innovation, technology transfer and new start-ups within post-secondary institutions.

- (b) The Experiential Learning Working Committee works to broaden opportunities for experiential learning at Nova Scotia universities and the NSCC. This work will include exploring opportunities for universities and the NSCC to collaborate in delivering co-operative education, and working with the business sector to encourage employers to engage in co-operative education and experiential learning.
- (c) The Student Recruitment and Retention Working Committee works to support provincial, national and international student recruitment, retention and residency efforts, with an emphasis on retaining students through their post-secondary studies and encouraging students to consider settling in Nova Scotia after graduation.
- (d) The Technology Enabled Learning Working Committee works to facilitate student learning through the increased use of current technology, including distance education, online education and blended learning. The Working Committee will also explore opportunities with respect to tools that encourage and make it easier for individuals to continue, or return to post-secondary studies, or to pursue programs while working.
- (e) The R&D and Commercialization Working Committee will establish and foster partnerships between, and among, post-secondary institutions and the private sector. This work includes: improving two-way knowledge transfer between institutions and the private sector; supporting private sector research and development; promoting commercialization of research and development efforts; identifying research and development gaps that post-secondary institutions can help address; and exploring ways to better align research and innovation efforts across campuses and institutions.

(5) Any project proposals and requests for funding by the working committees will be reviewed and considered for approval by the Innovation Team.

16. The Parties are committed to ongoing, meaningful consultation with students throughout the term of the MOU. Consultation may occur at individual institutions, with CONSUP, and with the Province, and on specific issues through existing and new working groups.

IMPROVED SUPPORTS FOR STUDENT SUCCESS

17. The Parties agree to specifically identify ways to improve student assistance and supports through collaborative and other initiatives aimed to address healthy minds, improve disability services, and a collective commitment to sexual violence prevention.

- (1) Nova Scotia universities are committed to working with local and regional partners to develop policies, programs and activities that serve to enhance awareness and understanding of issues related to healthy minds and spiritual and physical well-being. These policies, programs and activities include but are not limited to: increasing

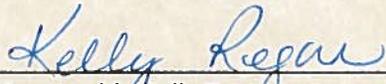
education and awareness about these issues; policy development; and facilitating student engagement.

- (2) Annual funding provided for the delivery of disability services under the Canada-Nova Scotia Labour Market Agreement for Persons with Disabilities (C-NS LMAPD) is contingent on all federally required accountability data being provided to the Post-Secondary Disability Services Division. The Province, through the Higher Education Branch of LAE, will work with each of the universities to ensure compliance.
- (3) In the context of the Province's efforts to address the issue of sexual violence through its strategy, *Breaking the Silence: A Coordinated Response to Sexual Violence in Nova Scotia*, the parties commit to working together to address this issue on university campuses.
 - (a) Nova Scotia universities are committed to working with local and regional partners to develop policies, programs and activities that serve to enhance awareness and understanding of sexual violence, including sexual harassment and consent.
 - (b) The Universities therefore commit to adopting stand-alone policies that address sexual violence, including sexual harassment and consent. The policies should be developed and renewed every three years through an inclusive process.
 - i. One of the key objectives of the policies should be a focus on prevention by promoting greater awareness through education;
 - ii. The policies must clearly state complaint procedures and response protocols for addressing the issue within the institution; and
 - iii. The policies must be published in a manner that is understandable, easily accessible, and publicly available.
 - (c) The Universities commit to engaging with elected student representatives to help ensure student involvement.
 - (d) The Partnership commits to forming a working committee comprised of government representatives, elected student representatives, first responders on campuses, faculty, administration, and representatives from community-based organizations with expertise in sexual violence prevention. The mandate of the working committee will be to work towards sexual violence prevention on campus, with a key task to prepare a report and recommendations on sexual violence prevention for the Partnership.
 - (e) The Universities commit to ensuring that all students have access to information about preventing sexual violence, and that students in all years of study are informed about resources and supports, beginning in their first week of orientation and continuing throughout the year.
 - (f) The Universities commit to ensuring the inclusion of sexual violence first-response education, consent education, and an equity and inclusion framework in all orientation and training.

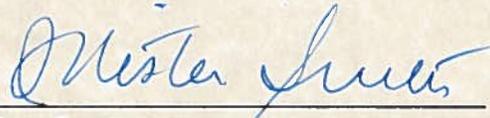
- (g) The Universities commit to broadly promoting sexual violence prevention resources and supports, both on campus and in the community.

AMENDMENTS

18. Amendments may be made to this MOU by mutual consent of the Parties.
19. This MOU is effective as of April 1, 2015 and will expire on March 31, 2019 unless renewed by mutual consent of the Parties.



Honourable Kelly Regan
Minister
Labour and Advanced Education



Allister Surette
Recteur et vice-chancelier
Université Sainte-Anne
and Chair, Council of Nova Scotia University
Presidents

On behalf of the Province of Nova Scotia



Date

On behalf of the Universities of Nova Scotia



Date