



SUBJECT	TUITION EXEMPTIONS FOR SELECTED INTERNATIONAL STUDENTS
MEETING DATE	FEBRUARY 7, 2019

Forwarded on the Recommendation of the President

**APPROVED FOR
SUBMISSION**

Santa J. Ono, President and Vice-Chancellor

DECISION REQUESTED	<p>IT IS HEREBY REQUESTED that <i>approval be granted to exempt from international tuition rates international students who fall within one of the following categories, and to assess their tuition at domestic rates:</i></p> <ul style="list-style-type: none"> • <i>Students who are in Canada with a full-time long-term work permit, or are the dependant or the spouse of an individual who is in Canada with a full-time long term work permit;</i> • <i>Students without Canadian citizenship but who are members of Indigenous nations of Canada; or,</i> • <i>Students who are American citizens and are affiliated with an Indigenous nation that is bisected by the Canada-U.S. border.</i>
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Report Date	November 20, 2018
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Presented By Andrew Szeri, Provost and Vice-President Academic, Vancouver
 Deborah Buszard, Deputy Vice-Chancellor & Principal, UBC Okanagan
 Peter Smailes, Vice-President Finance & Operations
 Ananya Mukherjee-Reed, Provost & Vice-Principal Academic, UBC Okanagan

EXECUTIVE SUMMARY

International students who fall within one of the following categories are recommended to have their tuition exempt from international tuition rates and to be assessed at domestic tuition rates:

- Students who are in Canada with full-time long-term work permits or who are dependants or spouses of individuals who are in Canada with full-time long term work permits.
- Students without Canadian citizenship but who are members of Indigenous nations of Canada.
- Students who are American citizens and affiliated with an Indigenous nation that is bisected by the Canada-U.S. border.

The recommended changes are to align with the Ministry of Advanced Education, Skills and Training guidelines of 2002 (*BC Ministry of Advanced Education Guidelines Respecting International Students at British Columbia Public Post Secondary Institutions* – see attached) and to formalize existing practice of allowing international Indigenous students with documented connections to an Indigenous nation in Canada to be exempt from international student fees.

Attachments

1. *BC Ministry of Advanced Education Guidelines Respecting International Students at British Columbia Public Post Secondary Institutions*
2. *Tuition Exemption Guidelines Respecting International Students at UBC*

STRATEGIC CORE AREAS SUPPORTED

People and Places Research Excellence Transformative Learning Local / Global Engagement

DESCRIPTION & RATIONALE**Description**

In accordance with the 2002 guidelines established by the British Columbia Ministry of Education, there are seven categories of exemption from international tuition fees. A working committee was formed in Enrolment Services in 2017 to review the Ministry guidelines, and concluded that UBC was not in complete compliance. Following consultation with senior staff the working committee recommended that UBC extend our current practice and grant exemptions of international tuition fees for students who meet the category vi criteria in the Ministry guidelines: an individual or dependent of an individual with a full-time long-term work permit (at least one year or longer, excluding open work permits and work authorizations obtained because of foreign student status). These students should be assessed domestic tuition.

The committee also recommended that two categories of Indigenous students be granted an exemption and assessed domestic tuition: (a) students without Canadian citizenship but who are members of Indigenous nations of Canada and (b) students who are American citizens and who are affiliated with an Indigenous nation that is bisected by the Canada-U.S. border. Although these categories are not included in the Ministry's guidelines, we recommend that these two groups of students qualify for international tuition exemptions, when supporting documents are provided.

Rationale

For individuals or dependents of individuals with a full-time long term work permit (at least one year or longer), we recommend that they be assessed domestic tuition because they or their parents would file tax returns in Canada. This practice would align with the practices of peer institutions, including Simon Fraser University and the University of Toronto.

Two categories of Indigenous students are also recommended to be assessed domestic tuition:

1. Students without Canadian citizenship but who are members of Indigenous nations of Canada.
2. Students who are American citizens and affiliated with an Indigenous nation that is bisected by the Canada-U.S. border.

Our current practice allows international Indigenous students with documented connections to an Indigenous Nation in Canada to be exempt from international tuition fees; they are assessed domestic tuition. Formalizing the practice in this guideline allows us to be more transparent and provide clear guidance to the advisors providing support to these students.

The status of all international students who are eligible for exemptions from international tuition fee assessments must be fully documented and validated during the academic period for which they have been granted domestic fee assessments. No retroactive changes will be permitted.

BENEFITS Learning, Research, Financial, Sustainability & Reputational	The recommended additions will fully align with the Ministry's guidelines and provide clear guidelines as to which group of students should be exempt from international tuition assessments and eligible for domestic tuition assessments.
SCHEDULE Implementation Timeline	Effective May 1, 2019.
CONSULTATION Relevant Units, Internal & External Constituencies	Meetings with key stakeholders including the Executive Director of the International Student Initiative and Director of International Student Development were held in 2017.

Previous Report Date	N/A
Decision	N/A
Action / Follow Up	N/A



GUIDELINES RESPECTING INTERNATIONAL STUDENTS AT BRITISH COLUMBIA PUBLIC POST SECONDARY INSTITUTIONS

The Government of British Columbia recognizes that students from other countries contribute to the cultural, personal, and economic foundations for improved international relations and economic development.

Institutional boards establish tuition fees for programs offered at public post-secondary institutions.

The Ministry of Advanced Education encourages public post-secondary institutions to enrol international students based on the following guidelines:

1. Institutions set tuition fees for international students at a level that covers direct costs and overhead.
2. International students not displace a Canadian citizen or permanent resident* from British Columbia or from other parts of Canada from a space funded through institutional block grants.
3. International student numbers be excluded from the institutions' full-time equivalent (FTE) target established through the block grant.
4. International students registering for a semester or longer at a public institution provide evidence of sufficient health care insurance coverage for the duration of their stay.

Citizenship and Immigration Canada, Government of Canada, has established policies under the *Immigration and Refugee Protection Act* and the *Citizenship Act* pertaining to and defining exceptions applicable to foreign students wishing to study in Canada. To be treated as a domestic student for the purpose of funding and reporting, an individual will fall within one of the following categories:

- i. A live-in caregiver with a valid work permit.
- ii. An individual who is in Canada to carry out official duties as a diplomatic or consular officer; or as a representative or official of a country other than Canada, or of the United Nations or any of its agencies, or of any intergovernmental organization in which Canada participates; or as a dependent* or a member of the staff of any such diplomat, consular officer, representative, or official and is able to substantiate with an identity card issued by the Department of Foreign Affairs and International Trade, which gives his/her position, date of issuance, and date of validity.
- iii. Any person who is in Canada, who has been determined under the *Immigration and Refugee Act* to be a Convention Refugee and can present a letter from Citizenship and Immigration Canada confirming this.

- iv. A person under an international exchange, scholarship, or fellowship agreement where there has been joint approval by the receiving institution.
- v. A legal dependent* of a Canadian citizen or a permanent resident* of Canada providing that the dependent status is fully documented and has been established a minimum of one year prior to the student's application for exemption.
- vi. By special class application to the institution, an individual with a full-time long term work permit (at least one year or longer) and his/her dependents, may be eligible for treatment as a domestic student; persons on a working holiday work permit or refugee claimants who have yet to be determined Convention refugees are eligible or considered to be domestic students.
- vii. At the discretion of the institution, an individual who is in Canada, who has applied for Permanent Resident Status and who can provide evidence of proof of application to Citizenship and Immigration Canada with a fee paid receipt may be eligible. This might include: the spouse of a Canadian Resident or Permanent Resident, dependent child of the spouse of a Canadian Resident or Permanent Resident, or dependent child of a Canadian Resident or Permanent Resident.

*The interpretation of the terms "permanent resident" and "dependent" will be the same as defined by Citizenship and Immigration Canada.

Ministry of Advanced Education

Updated: October, 2002

Tuition Exemption Guidelines Respecting International Students at UBC

In Response to the BC Ministry of Advanced Educations 2002 Guidelines Respecting International Students at British Columbia Public Post-Secondary Institutions, UBC is reviewing its practices in relation to the categories of international students that could be treated as domestic students for the purpose of tuition and fee assessment and reporting. This includes recognition of the seven categories in the Ministry guidelines and the addition of two categories related to students affiliated with Indigenous nations.

ASSESSMENT OF TUITION AND FEES

UBC currently treats students in three of the categories as domestic when assessing fees and there is no proposed changed to practice for these students;

- II. An individual who is in Canada to carry out official duties as a diplomatic or consular official, or as a dependent of any such official or as a member of the staff of any such diplomat.
- III. Any person who is in Canada, who has been determined to be a Convention Refugee.
- IV. A person under an international exchange scholarship, or fellowship agreement where there has been joint approval with UBC.

Eligibility in all cases is confirmed by having the student present an original official document (passport, citizenship card, etc.) and validating through picture ID that the identity matches. A copy of the official document is retained.

Recommendations for Policy Clarification

- Identify that diplomatic and consular officials must be assigned to Canada and resident in Canada. The current wording of the UBC policy is open to the technical possibility of diplomatic staff who is in Canada but assigned to another country to claim this benefit for themselves, or their children.
- Dependent children of diplomatic or consular officials should be eligible for domestic tuition and fee assessment, but not other members of their staff. There is no obvious difference in status between foreign staff in consular offices and foreign staff employed by other Canadian businesses and in general, foreign staff are not eligible.

Based on the Ministry guidelines, the four remaining categories that UBC may consider as domestic when assessing tuition and fees are;

- I. A live-in caregiver with a valid work permit

Recommendation

Do not recommend inclusion – The live-in caregiver program no longer exists. Federal Government has discontinued this program effective February 2018.

- V. A legal dependent of a Canadian citizen or permanent resident of Canada.
and
- VII. An individual who is in Canada, who has applied for Permanent Resident Status. This might include the spouse, dependent child, or dependent child of the spouse of a Canadian Resident or Permanent Resident.

Recommendation

Tuition Exemption Guidelines Respecting International Students at UBC

- Legal dependent children of Canadian Citizens, or permanent resident of Canada should be eligible for domestic tuition and fee assessment.
- Spouses and other relatives of permanent residents of Canada who are not themselves citizens or permanent residents of Canada should not be eligible for domestic tuition or fee assessments. These individuals should seek and attain permanent resident status if they wish to be assessed as such. Application status is not sufficient.
- No Change to policy for VII: If an international student becomes a permanent resident of Canada on or before the tuition fee Payment Due Dates of the term, domestic tuition fees will be assessed for that term. If an international student becomes a permanent resident of Canada after the tuition fee Payment Due Dates for a current term, international tuition fees will be assessed for that current term and domestic fees will be assessed for subsequent terms. Permanent resident status is attained as of the "Landed on" date, indicated on the Record of Landing, not the "Date Issued".

VI. An individual with a long-term work permit and his/her dependents

Recommendation

A student is in Canada with a full-time long term work permit (at least one year or longer, excluding work authorization obtained on foreign student status, and must not be open work permit) or is a dependent or a spouse of an individual who is in Canada with a full-time long term work permit.

This is recommended because UBC requires students to be enrolled for at least 1 years to receive a UBC degree.

Eligibility

- Work-permit duration at least one year, and must not be an open work permit
- Immigration and Refugee Protection Regulations defines "dependent child", in respect of a parent, meaning a child who:
 - Is the biological child of the parent, if the child has not been adopted by a person other than the spouse or common-law partner of the parent, or
 - Is the adopted child of the parent; and is in one of the following situations:
 - is less than 22 years of age and is not a spouse or common-law partner, or
- Domestic tuition rates will not be accorded following expiration of the work permit.
- An initial proof of valid work permit must be provided by the students to an Enrolment Service Advisors or Student Services (at UBC Okanagan). Students are required to contact Enrolment Services each year to update the tuition fees. Enrolment Service Advisors provide the copy of documentation to Student Financial Services. Student Financial Services will check the work permit date online and confirm students are still eligible for the domestic tuition (without the need to ask for proofs of documentation again).
- Retroactive exemption is NOT allowed.

Supporting Documentation Required

- Valid passport

Tuition Exemption Guidelines Respecting International Students at UBC

- Working permit with duration of at least one year and indicating employer's name and location in Canada
- Expiry date of work permit must be after the term for registered courses
- Documents showing proof of relationship with the student or situation of dependency (marriage certificate, birth certificate, etc.)

In addition to the seven categories outlined in the Ministry guidelines, UBC will recognize two new categories: individuals who are not Canadian citizens but who have an affiliation to an Indigenous nation of Canada (First Nations, Metis, Inuit), and those who are affiliated with transborder Indigenous nations (American Indian tribes or Alaska native).

An individual with an affiliation to an Indigenous nation of Canada

Recommendation

- Individuals with an affiliation to an Indigenous nation of Canada (First Nations, Metis, or Inuit) should be eligible for domestic tuition and fee assessment. Eligibility will be determined by supporting documentation. Those without formal documentation may be considered on a case-by-case basis.

Supporting Documentation

- Certificate of Indian Status
- Metis citizenship card that meets the Metis National Council Guidelines

An individual of a transborder Indigenous nation (American Indian tribes or Alaska Natives)

Recommendation

- American citizens affiliated with an Indigenous nation bisected by the Canada-United States border should be eligible for domestic tuition and fee assessment. Examples of eligible Nations include American members of the Okanagan Nation Alliance, Kootenai Tribes, and the Haudenosaunee Confederacy. Eligibility will be determined by supporting documentation. Those without formal documentation may be considered on a case-by-case basis.

Supporting Documentation

- Enhanced tribal identification cards (preferred)
- Recognition from an American Indian tribe or an Alaskan Native community

GOVERNMENT REPORTING

It is recommended that the basis of reporting not be changed; that separation between domestic and international reporting be based on citizenship and visa status. Permanent residents and refugees will continue to be counted as domestic.

It is important to be clear on the separation of classifications by citizenship from classifications based on point of origin. Canadian students can come to UBC from foreign locations and international students can come most recently from within Canada.

Tuition Exemption Guidelines Respecting International Students at UBC

Practices of Peer Institutions

Simon Fraser University

In Simon Fraser University (SFU), international students who fall within one of the following categories are eligible to have their tuition assessed as domestic tuition fees:

- A student is in Canada as a live-in caregiver with a valid work permit.
- A student is in Canada to carry out official duties as a diplomatic or consular officer; or is a dependent or spouse of any such diplomat or consular officer.
- A student is in Canada, who has been determined under the Immigration and Refugee Act to be a Convention Refugee and can confirm this.
- A student is in Canada under an international exchange, scholarship, or fellowship agreement where there has been joint approval by the receiving institution.
- A student is in Canada with a full-time long term work permit (at least one year or longer, and excluding work authorization obtained on foreign student status) or is a dependent or a spouse of an individual who is in Canada with a full-time long term work permit (at least one year or longer, and excluding work authorization obtained on foreign student status).

SFU has followed the Ministry guidelines since 2012/13 and the number of eligible exemptions have not been high. On average they have 6 to 7 active students under the categories of diplomats and refugees requesting for exemptions. 172 students were under exchange, scholarship, or fellowship agreement where here has been joint approval by the receiving institutions. 2 students reported as persons or dependents of persons with full-time long-term work permit (at least one year or longer). No students requested exemption as a result of being a live-in caregiver with a valid work permit.

As per the Ministry guideline, SFU classified these students as international students but charge them domestic fees.

Out of Province Institutions

In some provinces in Canada (Quebec and Ontario), institutions provide international tuition exemptions to spouses and dependents of certain temporary workers (holders of work permit with a limited period). Their exemption policies are based on guidelines established by the Ministry of Education in Quebec and Ontario.

McGill

McGill University allows tuition exemptions from the international tuition. In accordance with the regulations prescribed by the Quebec Ministry of Education, there are nine categories of exemption from international tuition fees:

- Citizens of France
- Citizens of certain countries
- Diplomatic, consular or other representatives
- Convention refugees
- Enrolled in certain French language courses
- CSQ Exemptions
- Spouse or dependent of an individual with a temporary work permit
- International non-governmental organization
- Fonds de la recherche en sante du Quebec

Tuition Exemption Guidelines Respecting International Students at UBC

How they apply it in the system is that they have a different fee residency code (Quebec, Canadian out of Province, International, or Government Exemption). These students are reported as international students in their numbers.

Additionally, the Quebec government gives McGill a certain number of permits that they can apply to international students to waive the international tuition. The number is in the 250-350 range. The University's policy has been to give them to international graduate students, mostly PhDs, as a part of their funding packages.

University of Toronto

In the University of Toronto, if an international student fits into one of the categories below, one may apply for an international fee exemption by reporting status and providing supporting documentation to one's faculty or campus registrar office. Supporting documentation provided must be received before the stated deadlines:

- Canadian citizens/native Canadians and dependents of Canadian citizens – within the meaning of the Citizenship act
- Permanent residents and dependents of permanent residents
- A diplomatic or consular officer
- Religious worker (work permit exempt)
- Protected Persons or dependents of protected persons, including a Convention refugee or person in need of protection, or a refugee claimant who has applied to the Federal Government for Convention refugee status prior to January 1, 1989.
- A visitor, and his/her dependents, who is authorized to work in Canada having been issued a work permit. The following students are excluded from this category:
 - a) A visitor who is a graduate teaching assistant;
 - b) An international student holding a work permit to complete his/her co-op, internship or medical residency employment;
 - c) An international student holding an open work permit for post-graduate work (usually for up to three years of work opportunities upon graduation);
 - d) An international student whose spouse or common-law partner has received a work permit as a result of the international student holding a valid Study Permit;
 - e) An international student holding an "Off-Campus Work Permit".
 - f) International clinical fellows and dependents
 - g) Dependents of post-doctorate fellows who received their study permit prior to their parent, spouse, or common law partner receiving their work permit

Tuition Exemption Guidelines Respecting International Students at UBC

Appendix 1 Count of UBC students by currently recognized category and program 2014-2016

Row Labels	2014			2015		2016		Grand Total
	DIPL	REFG	WRKP	DIPL	REFG	DIPL	REFG	
	1						3	4
BA	4	12		6	7	3	9	41
BASC							2	2
BCOM	2	3		2	4		5	16
BMLS					1		1	2
BSC	4	9		3	12	2	13	43
BSCN	1							1
BSC-O		2			1		1	4
BSGR		1			1			2
DACC	1			1				2
JD							1	1
MEL							2	2
MFA	1			1		1		3
MPPGA							1	1
MSC	1			1				2
PHD		1	1		1		1	4
Grand Total	15	28	1	14	27	6	39	130

Tuition Exemption Guidelines Respecting International Students at UBC

Appendix 2: University of Toronto – Categories of International Tuition and Examples of Supporting Documentation

IE Status Type	Examples of Supporting Documentation
Canadian Citizens/ Native Canadians	Canadian Passport, Canadian Birth Certificate, Canadian Citizenship card, Certificate of Indian Status Card (issued by DIAND/INAC/AANDC)
Permanent Residents	Canadian Permanent Residency Card, Confirmation of Permanent Residence (IMM 5292, IMM 5688), Letter from Immigration Canada approving “in principle” the application for permanent residence
A visitor with a work permit (exclusions apply)	Work permit for a specified employer within Ontario and letter of employment
A Visitor with Diplomatic Status	Diplomatic or Consular Card, Diplomatic Visa, Consular passport, foreign military card
Religious Workers (work permit exempt)	Offer of employment from the religious organization, statement/letter from the religious organization providing information about the religious worker and the religious organization, proof of ordination or proof of appointment of the foreign national, visitor record (IMM 1097)
Protected Persons	“Notice of Decision” issued by the Immigration and Refugee Board, A protected person document (IMM 5520) issued by issued by Citizenship and Immigration Canada under section 31(1) of the Immigration and Refugee Protection Act
Dependents of any of the above (e.g., child, spouse, common-law partner)	<p>In addition to the documents listed above, dependents are also required to present:</p> <ul style="list-style-type: none"> • Supporting documentation proving their dependent relationship (e.g., statutory declaration or affidavit of common law status, marriage certificate, legal adoption documentation, birth certificate, etc.) • A valid study permit (if applicable) • Currently valid photo identification for both the dependent and their parent(s), spouse, or common-law partner