



## The New National Data Exchange Network Governance Structure

*Summary of Thematic Findings from the Consultation with the Canadian Higher Education Community- October 2019*

### Overview

This brief provides an overview of the outcomes of the consultation that occurred in winter, spring, and summer 2019 regarding the governance and operating structures for the National Network. The purpose of the consultation exercise was to gather feedback from the Canadian higher education community to support making informed recommendations regarding the long-term operating structure and governance needs for the National Network. The consultation approach and outcomes considered the federated nature of Canadian post-secondary education which extends across 13 provinces and territories.

Those consulted included higher education representatives of Canadian post-secondary institutions, application centres and transcript hubs, government, and other organizations such as the councils on articulation/admissions and transfer. This document includes the questions asked, the responses received from the community (which are thematically summarized), and the broader recommendations.

### Consultation Process

To support consultations, the ARUCC Groningen & Student Mobility Project (“Project”) Steering Committee provided an advance copy of a governance briefing document, which is available [online](#) at the ARUCC Groningen Project website. That document provided background research, articulated the discussion questions, and identified the current operating and governance structure supporting the project along with the operating goals guiding current and near term work for the National Network.

Feedback opportunities were provided throughout the spring and summer 2019 at a variety of venues including during presentations at numerous regional, national, and international conferences (CUCCIO, PCCAT, WARUCC, OURA, Groningen Declaration Summit, etc.) and at regional registrarial meetings within Canada.

In addition, higher education registrarial leaders across Canada were invited to attend three national webinars which occurred at the end of May (2 in English, 1 in French), with invitations to attend distributed to the ARUCC listserv. Of the three webinars, a total of 30 joined the two webinars presented in English, representing institutions and hubs across Canada. No representatives from the Territories participated. While the French webinar did not have any participants, the executive lead and Quebec representative on the ARUCC executive met directly with the Quebec Registrars who were updated on the project and given an opportunity to provide feedback. This was followed up with a fall orientation session and registrarial meeting led by Annik G lineau, the Quebec representative for ARUCC.



## National Network Operating Goals

The current operating goals of the National Network include the following:

1. Advance official document access, curation, and viewing capacities for post-secondary students to facilitate their access to funding, study permits, or mobility into regulatory professions and the workforce
2. Position the Network with the capacity and accountability to ensure a prioritized focus on national student data exchange in a context shaped by provincial, territorial, national, and international privacy laws and legislation for post-secondary education. This involves
  - Maintaining a national focus for the Network
  - Developing models and practices that encourage collaboration and that preserve institutional and provincial/territorial autonomy and authority
  - Ensuring membership of trusted organizations in Canada which is not intended to suggest that sending or receiving documents and data from outside the Network will not happen (e.g., to employers, from recognized international credential depositories, etc.).
3. Maximize inter-provincial/territorial transcript exchange for communities and organizations that are focused solely within their region in terms of data exchange and document sharing supports
4. Build inter-provincial/territorial post-secondary transcript exchange capacity where none exists currently
  - Possibly, build inter-provincial/territorial high school transcript exchange as a support to post-secondary admissions where none exists currently (if a provincial high school transcript repository exists and implementation funding become available)
5. Support international recruitment and study abroad

The National Network requires an appropriately robust governance model supported by a similarly aligned operating structure to ensure these goals are met.

Further background information on the governance structure can be found on the ARUCC Groningen [website](#).



## Discussion Questions and Consultation Feedback

WHAT PRINCIPLES SHOULD INFORM THE NETWORK'S ULTIMATE GOVERNANCE MODEL?

### *Theme 1 - Purpose*

The community identified the potential for an advisory board or committee to help guide the Network. They indicated consideration must be given to the purpose of the Board. For example, should it operate in an advisory, fiduciary, or non-fiduciary capacity? Should the Network be set up as a separate entity to ARUCC or should it report into ARUCC?

- Even though no definitive comments or decisions were made regarding whether the Board should be separate or report to ARUCC, general consensus was that ARUCC continuing to lead the project made sense for the time being given its incorporated status and national focus.
- Further, they indicated the new entity should be supported by a non-fiduciary board to help guide its national focus and priorities, similar in some ways to the existing project steering committee.
- None expressed concerns about the national network reporting to ARUCC or, conversely, of it being separately incorporated.

*Next steps:* ARUCC and the project steering committee will be seeking legal advice regarding the appropriate operating structure and implications for a non-fiduciary Board that operates as a support to the organization to help guide its overarching priorities.

WHAT PRINCIPLES SHOULD INFORM THE NETWORK'S OPERATING STRUCTURE?

### *Theme 2 - Mandate*

To assist with exploring this question, the community also explored the following question: Should the Board, if established, oversee various mandates such as research, governance, and policy? Feedback included the following:

- Having multiple mandates could result in the need for subgroups/committees, which may be an opportunity to incorporate further representation/expertise from Canadian institutions/hubs.
- People were in favour of governance and policy as being part of a Board's mandate but some wondered about the need for research. Some felt a research focus and mandate could prove beneficial while others wondered about how the research framework would be structured and if there would be additional costs to set it up (i.e., develop such functionality within the Network).
- The community suggested that consideration should be given to the potential of implementation delays if a research mandate was added to the Network in the beginning stages. At times, participants noted that allowing for a research mandate later would be desirable. They further noted the value of embedding this mandate and supporting functional capacity early to ensure the potential opportunity was not lost.
- Nobody expressed opposition to the idea of the Network having a research mandate. Most saw it as a future opportunity not to be missed.
- Generally, the community felt that operational needs should be handled by an appropriate management structure and fiduciary body (ie. responsible for the business components of the



organization) and that the advisory, non-fiduciary board with representation from across the country should pursue a broader mandate and not interfere with the daily running or fiduciary requirements of the Network.

*Next steps:* as above, ARUCC and the project steering committee will be seeking legal advice regarding the appropriate operating structure and implications for a non-fiduciary Board that operates as a support to the Network to help guide its overarching priorities. As a support to this discussion, the management structure and fiduciary requirements of the different potential operating structures will be identified and explored further. Additional consultation with the community will likely occur. At the present time and with this validation, ARUCC will continue to lead the RFP and early stage implementation within its current operating structure and with the support of the existing steering and subcommittees for the project.

### *Theme 3 – Board Representation*

The community explore the following questions: What type of membership should be on the Board of the National Network? Is it necessary to ensure equal regional representation based on geography on both or at all?

#### **Non-fiduciary board**

- In general, it was felt that a non-fiduciary Board should consist of enough members to represent all provinces/territories
- Some questioned whether one representative from each province/territory would be sufficient especially from the provinces with a higher number of institutions and/or hubs.
- Discussion also occurred regarding membership appointment to this body. Should they be appointed? By whom? What skills / competencies would they require?
  - They indicated it should have as members, people who are respected within their communities.
  - General consensus suggested that the Board members should have some understanding of the transcript/data exchange environment, which could mean having some expert members, while acknowledging that having multiple representatives on the Board (i.e. institutions/hubs, post-secondary sectors, technical expertise) could mean too large of a group.
  - Consultations that involved representatives mainly from post-secondary institutions wanted the representation to be from post-secondary/hubs while feedback from participants at the PCCAT conference felt representation needed to be from other organizations as well that have shown support for the Network.
  - It seemed the community felt that the Network’s core purpose and national focus should inform the membership model chosen.
    - They suggested calling the non-fiduciary Board an advisory group to represent stakeholders with a goal to have feedback mechanisms to guide its work.



### **Fiduciary Board and Operating Structure**

- The community suggested having an operating board to ‘run’ the business and an advisory board to guide business and ensure the regions are represented.

**Next steps:** The Project will consider this feedback along with legal advice regarding operating structure. More consultation with the community will likely occur once more information becomes available.

WHAT OTHER RELATED CONSIDERATIONS SHOULD THE PROJECT LEADERSHIP BE CONTEMPLATING WHEN ESTABLISHING THE NATIONAL NETWORK?

#### *Theme 4 - Preserving Privacy Legislation, Regulatory Frameworks including Autonomy and Authority*

- Privacy was repeatedly raised in most venues. While everyone understood the importance of making this happen, concerns were voiced on how it may be accomplished through the Network.
- Closely tied to this is one of the Project’s Principles of “[r]especting provincial and territorial regulatory frameworks and institutional and provincial/territorial autonomy and authority”.
  - The community stressed that the governance and operating structures and activities need to allow for/support the preservation of the federal and provincial/territorial legislation and regulatory frameworks. They noted that the Network’s priorities should encourage collaboration and enhancements while preserving institutional and provincial/territorial autonomy and authority.

#### *Theme 5 - Maintaining Student Privacy*

One of the strongest themes that emerged was the need to maintain student privacy including the storage of student data and identity management. These topics were also discussed at length during the Technical Advisory Committee meetings to ensure appropriate language is included in the RFP.

**Next steps:** The Project Steering Committee notes that many of these suggestions are already embedded in the work for the National Network and therefore take this input as validation for implementation practices. It will ensure that the implementation process and all activities continue to promulgate a focus on preserving privacy regulations and institutional and provincial/territorial autonomy and authority. It will also ensure a continued focus on creating a permission-based, learner-focused model. This approach will be recommended as important for the Network to continue and to adopt as appropriate to function in the future governance and operating structure.



### *Theme 6 – Services and Fees*

The community explored questions around revenue models and service layers in the context of the operating and governance structures.

- While services may not have an obvious direct link to the governance model, it is an area that seems to be important to the institutions as they may/may not agree to become part of the Network depending on what service layers are offered.
- On the one hand, participants in the discussion thought some institutions'/current hubs' core businesses could be negatively impacted if the Network does not include a revenue model; whereas, other institutions/hubs suggested they may not be in favour of implementing additional student fees but may be in agreement with charging fees to third parties (e.g., employers and recruitment firms). Still others noted that if they charge fees currently, they'd want to have that capacity sustained.
- Some suggested that no fees should be charged students. There is disagreement across institutions and regions regarding this point but all noted that some kind of revenue/funding model would need to be contemplated in the Network.

**Next steps:** The Project Steering Committee will ensure that implementation plans consider the need for a revenue/funding model at all stages, including preserving existing institutional practices on balance with ensuring the Network is financially sustainable. In addition, it will continue its fundraising efforts.

### *Theme 7 – Technological Sustainability*

The community suggested that technological sustainability needs should be embedded in the operations of the Network. They also suggested the following:

- Consider the future by building a process that ensures continuous assessment
- Consider the sustainability of existing technology which they suggested would require constant refreshment and revisioning
- Ensure how to achieve financial sustainability given the need for technological renewal and reassessment
- Ensure end users are considered
- Have a technology advisory group that holds multiple purposes such as knowledge sharing, engagement to support technological evolution, and future onboarding to change processes

**Next steps:** The Project Steering Committee notes that many of these suggestions are already embedded in the work for the National Network and will take this input as validation as implementation continues to unfold.



## Broader Recommendations

The Project Steering Committee suggests the following recommendations for ARUCC. These recommendations are also being made with awareness that they will need to be reviewed by legal counsel.

### 1. Operating Structure of the National Network

The community understands that ARUCC requires further legal advice on whether to keep the Network within ARUCC or move the Network out from under the ARUCC incorporated structure. None objected to ARUCC continuing to lead the project through its existing incorporated framework and project governance framework for the time being. This approach is encouraged to continue for the time being.

### 2. Mandate of Non-fiduciary Board

Once the Network is established, ARUCC should consider creating a non-fiduciary board to support the Network. Its mandate in the initial stages should be to help guide the Network's creation, particularly in the area of policy. Eventually, it will become an important group to help guide a research mandate and related priorities.

### 3. Representation on the Non-fiduciary Board

ARUCC should consider, based on advice from the Project Steering Committee, how to ensure the non-fiduciary board membership can achieve regional representation without becoming too unwieldy. At minimum, membership on the Board should include people with an array of competencies such as registrarial, financial, policy, governance, and communications.

Since the ARUCC Groningen Student Mobility Project was undertaken by ARUCC, the initial Board membership process should be overseen by the ARUCC Executive.