

# Immigration Advising & Support Compliance Procedure

This procedure is governed by its parent policy. Questions regarding this procedure are to be directed to the identified Procedure Administrator.

<b>Functional category</b>	Operations
<b>Parent policy</b>	Internationalization Policy
<b>Approval date</b>	February 9, 2024
<b>Effective date</b>	February 9, 2024
<b>Procedure owner</b>	Vice President, College Life
<b>Procedure administrator</b>	Director, International Markets

## Overview

NorQuest College (College) is accredited by the Alberta Government as a Designated Learning Institution (DLI), a school that has been authorized to accept international students. One of the requirements for maintaining status as a DLI is that institutions are compliant with regulations set out by Immigration, Refugees and Citizenship Canada (IRCC). Institutions must also ensure international students are supported by institutional processes in order to themselves remain compliant with IRCC regulations.

The purpose of this procedure is to outline the framework of responsibilities of NorQuest College for maintaining compliance with IRCC regulations when providing immigration advice as well as determining the role of the varying college departments involved in immigration-related processes.

Authority to establish this policy is derived from the [NorQuest College Board of Governors Policy No. 5](#), which delegates authority to the President and CEO to establish policies and procedures for the college's management and operation.

## Procedure

### 1. General

1.1 Pursuant to section 91 of the [Immigration and Refugee Protection Act](#) (IRPA), immigration related advising of any kind, including interpretation of immigration related policy, will be provided exclusively by college staff who hold an active and in good standing designation of Regulated International Student Immigration Advisor (RISIA), or that of Regulated Canadian Immigration Consultant (RCIC) from the [College of Immigration and Citizenship Consultants](#) (CICC) (collectively "Licensed Advisors").

1.2 NorQuest International (NQI) employs Licensed Advisors and is the only department on campus that is responsible for providing immigration advice to international students. When immigration questions are directed to other areas of the college, students must be referred to NQI or to publicly available information, such as NQI and IRCC webpages.

1.3 Undesignated faculty or staff cannot provide immigration advice of any kind to students. This includes making interpretations about which section of a public website to refer a student to, giving advice based on personal experience, making referrals to external lawyers and licensed immigration consultants, etc.

### 2. Scope of Immigration Advising

2.1 Immigration advising services at NorQuest College are available to:

- current international students and their accompanying dependents (spouses, common-law partners, and/or dependent children);
- international students who have been withdrawn or suspended for one term;
- former international students who completed a NorQuest program less than one calendar year ago; and

- prospective international students as part of recruitment activities or recruiters' prospective advising.

2.2 Licensed Advisors at NQI can provide advice in relation to:

- study permits;
- temporary resident visas;
- work permits, including co-op work permits and post-graduation work permits; and
- how these visas and permits relate to Canadian Permanent Residence programs.

2.3 In cases where a student is found in need of legal representation, e.g., a lawsuit, or assistance with completing an immigration form, NQI's Licensed Advisors will:

- recommend the student seek advice from an external lawyer or licensed immigration consultant;
- provide students with information on how to find a reputable external lawyer or immigration consultant;
- provide the appropriate link to IRCC's website, where students can find additional information; and
- highlight to students that they can access [mylegalplan](#), a program offered by SANQC that provides access to a legal hotline, library and counsel.

### **3. Commitment to Assist International Students to Achieve Equity**

3.1 NorQuest College recognizes that immigration regulations expose international students to a variety of additional challenges and barriers. As a DLI, NorQuest is committed to tailoring services for international students to the best of its ability to account for these additional barriers. This includes adapting current business operations and streamlining college processes to align with the requirements of IRCC in a timely manner.

3.2 To assist international students in overcoming additional barriers and to achieve equity among different student groups, NorQuest College commits to granting exceptions, within reason, to international students in situations of emergency, when appropriate and upon discretion of the involved

departments. International students may be granted exceptions including expedited services for document issuance and other related matters:

- when this urgency is justified by evidence;
- when the issue is occurring due to a process constraint on the part of the college that is occurring through no fault of the student; and
- where a given situation creates undue hardship for a student due to their status as a temporary resident. For example:
  - a student receives a deadline from IRCC to provide additional information on a given application and urgently requires documents from the college before the deadline; or
  - changes in a program's structure occur which undermine a student's eligibility for the Post-Graduation Work Permit Program (PGWPP) and create a need for additional consideration.

#### **4. Roles and Responsibilities**

4.1 According to the Alberta Designation Requirements (ADR) for DLIs, there are certain immigration related requirements institutions must adhere to. These include employing a staff member who can advise international students on immigration related matters, maintaining a compliance reporting schedule in which the enrollment status for current international students is reported to IRCC, and providing Letters of Admission that meet certain standards as outlined by IRCC. The roles and responsibilities of differing departments and program areas as pertains to the DLI status of the college are outlined below:

<b>Role</b>	<b>Office Responsible for Ensuring Compliance</b>
Providing centralized oversight and leadership on institutional immigration compliance, including supervision for processes required of DLIs, provision of international students' immigration supports, and the college's compliance with immigration regulations as an employer organization.	NQI

Collecting immigration information as it pertains to international students, making interpretations/clarifications on immigration regulation, streamlining processes, delivering key messages and/or briefings to other departments, program areas, students, or the Executive Team, and verifying study permits and co-op work permits.	NQI
Liasing with IRCC on behalf of the college whenever additional clarification on immigration regulations as they pertain to institutional processes is needed.	NQI (lead role)
Providing up-to-date information and accurate advice on immigration matters within the defined scope and in the best interest of students.	NQI's Licensed Advisors

4.2 NQI's Licensed Advisors cannot be held liable for the outcome of students' chosen course of actions, decisions made by IRCC on applications, or potential consequences that may result from any changes in IRCC polices or regulations that occur after the date of advice.

4.3 NorQuest College will purchase professional liability insurance that includes errors and omissions coverage and acknowledges that this is a requirement of CICC in order for Licensed Advisors to provide immigration advice to students.

4.4 Undesignated faculty and staff are not permitted to speak with IRCC on matters pertaining to college processes or on behalf of students. However, NQI recognizes that:

- other departments (e.g., the Office of the Registrar) may need to liaise with IRCC on matters that are not related to institutional immigration processes, such as those regarding individual student records; and
- the college's Government Relations staff, in consultation with NQI, may wish to liaise directly with IRCC to advocate on immigration related matters impacting the college.

4.5 Institution-wide immigration compliance also requires involvement and collaboration from key stakeholders such as the Office of the Registrar, program areas, the Work-Integrated Learning and Career Education Centre (WILCEC) team, and People & Talent. Key stakeholders who wish to have international learners enrolled in a given program are required to consult with NQI prior to:

- designing or redesigning new or existing programs on matters pertaining to program structure and scheduled breaks, academic load, program delivery mode, program length, and WIL placements if the program has international student enrollment targets;
- making major changes in admission or enrollment procedures, as well as any changes in official documentation issuance, which would potentially impact international students;
- introducing an operational procedure which would potentially impact students' immigration compliance; and
- publishing immigration-related information on the college's website or marketing materials.

Consultation with NQI will ensure compliance with the ADR and prevent any interruptions in study or immigration related issues for international students.

4.6 Additional requirements for key stakeholders to ensure NorQuest College is compliant with the requirements of IRCC include:

<b>Role</b>	<b>Office Responsible for Ensuring Compliance</b>
Completion of the college's compliance reporting as it pertains to immigration-related matters.	Office of the Registrar
Issuing suitable Letters of Admission according to the requirements set out by IRCC.	Office of the Registrar
Verifying letters of admission in accordance with the requirements set out by IRCC.	Office of the Registrar

Responding to IRCC's inquiries on international students' statuses within the timelines stipulated by IRCC.	Office of the Registrar
Adjusting official documentation pertaining to international students' statuses, enrolment, and graduation when required by IRCC.	Office of the Registrar
Following criteria set by IRCC related to the PGWPP when considering program design, structure and delivery, and making adjustments for affected students should changes in program enrolment plans occur that impact their eligibility for a PGWP occur e.g. course cancellations, or lack of available in-person delivery (only in programs with international student enrollment targets).	Program Areas
Ensuring there is a standard enrolment plan for each program that allows international students to complete the program within the timelines indicated on the Letter of Admission. This includes ensuring there are enough courses available for students to follow the program in the specified timeline.	Program Areas
Providing adequate academic accommodations and supports for international students in situations of students being off-track in the program or away on authorized leave whenever there is evidence of an acceptable reason for such an absence.	Program Areas
Verifying international students' eligibility for taking WIL placements, e.g. practicums, clinical, co-op placements, etc., prior to the WIL's start date and liaising with NQI for guidance if the international student is deemed ineligible.	WILCEC

Reporting any noncompliance issues of international students in WIL placements to NQI.	WILCEC
Consulting with NQI prior to hiring an employee with a temporary resident status for verification of work authorization purposes.	People & Talent

4.7 NQI will support the Office of the Registrar by answering questions related to immigration policy/regulation as pertains to their compliance reporting responsibilities, and IRCC requirements for document issuance.

4.8 Additional and shared areas of responsibility include:

- ensuring the college’s process allow students to meet IRCC requirements;
- referring international students to NQI when they need immigration advising or in situations when they are believed to be at risk of noncompliance, including but not limited to:
  - suspension and withdrawal;
  - financial hardship;
  - lack of available courses that would enable a full-time course load or lack of courses with an in-person delivery status;
  - not having a co-op work permit in place prior to partaking in a WIL; and
  - student requests for supporting documentation for immigration purposes that is beyond the college's standard documentation.

## **5. Risks of Non-Compliance with Immigration Legislation**

5.1 Depending on the nature of institutional non-compliance with immigration legislation, failure to abide with the regulations may result in suspension or revocation of the DLI status, restriction on the number of new international students to be admitted, or prohibition from enrolling any new international students. Non-compliance may also result in damage to the college's reputation, enforced legal actions, and financial implications. In addition, external stakeholders, such as employers providing WIL placements, may be placed at risk.



5.2 Adhering to the provisions of the Immigration Advising & Support Compliance Procedure will mitigate the risks associated with noncompliance and will assure a high standard of service for international students.

## Definitions

**Alberta Designation Requirement:** agreement signed by postsecondary institutions meeting eligibility requirements. Designation confirms that a post-secondary program of study is able to enroll international students.

**College of Immigration and Citizenship Consultants (CICC):** the regulatory body that designates Individuals as either RISIA or RCIC and provides the professional code of conduct through which Individuals need to adhere.

**Designated Learning Institution (DLI):** a learning institution that offers one or more designated learning programs authorized to accept international students.

**Immigration Advising:** a process of communication between an advisor and a student, during which interpretations of immigration law are discussed and solutions to existing Immigration-related issues are offered.

**Immigration, Refugees and Citizenship Canada (IRCC):** a branch of the Government of Canada that deals with matters related to immigration.

**International Student:** a foreign national, who is legally authorized to study in Canada on a temporary basis.

**Post-Graduation Work Permit Program (PGWPP):** a permit available to international students who graduate from a post-secondary program that meets IRCC's requirements, that enables them to engage in paid work.

**Study Permit:** a written authorization, issued by an IRCC officer, permitting a foreign national to engage in academic, professional, vocational, or other education or training in Canada.

## Related information

### NorQuest College

- [Authorized Leave of Absence Procedure \(for International Students\)](#)
- [Co-op Work Permits](#)
- [Internationalization Policy](#)
- [NorQuest International](#)
- [Work-Integrated Learning Procedure](#)

### External

- [Alberta Designation Requirements](#)
- [College of Immigration and Citizenship Consultants \(CICC\)](#)
- [Code of Professional Conduct for CICC Licensees](#)
- [Immigration and Refugee Protection Act \(IRPA\) Section 91 Representation or Advice](#)

## Next review date

February 2028

## Revision history

Date	Version Number	Action
February 2024	V1	New