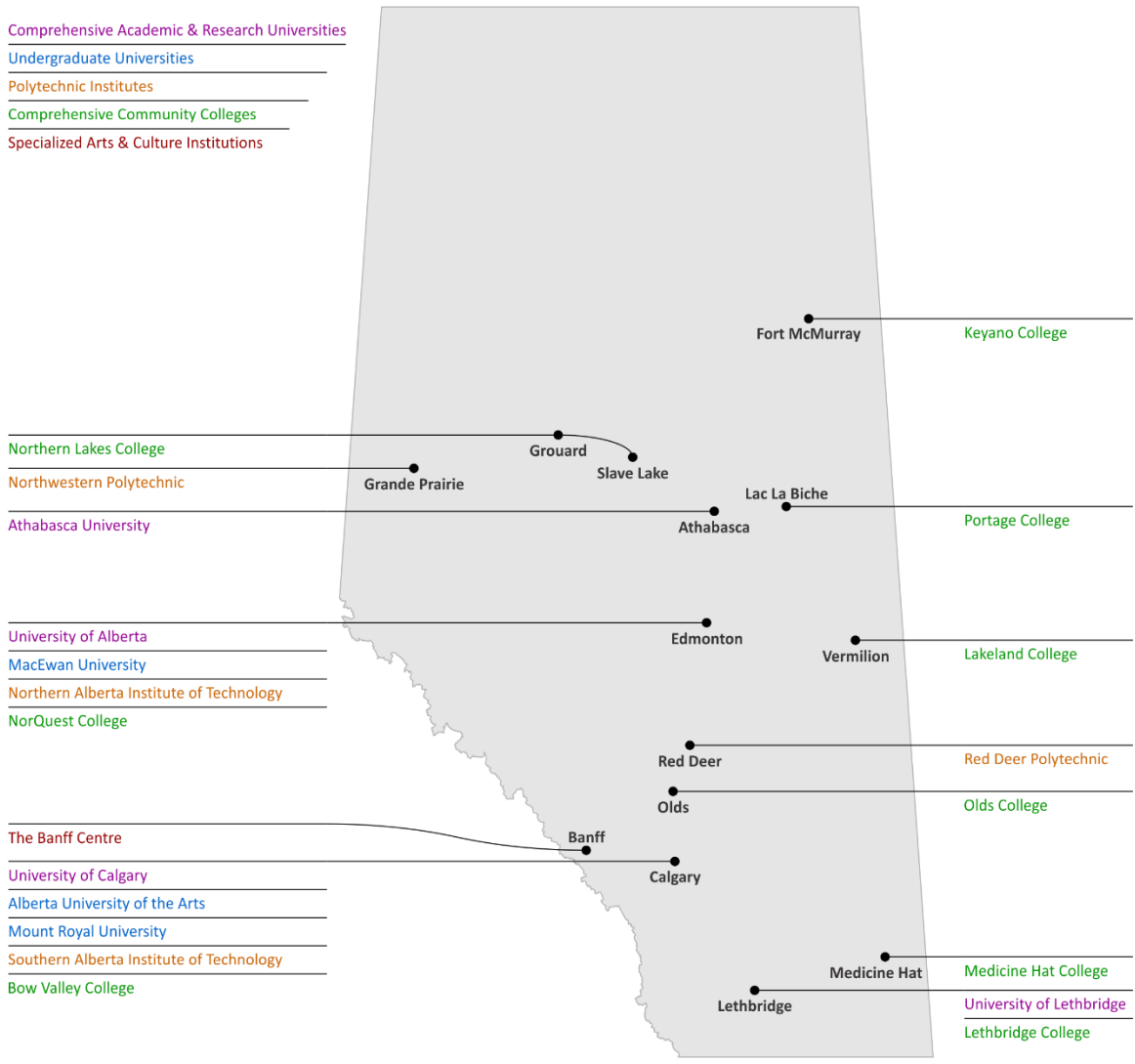Guidelines for board of governors members:

an introduction to board governance at Alberta's public post-secondary institutions

Alberta

These guidelines are a best practice resource designed to support the effective governance of public post-secondary institutions in Alberta. The information contained in this manual has no legislative sanction and has been made available solely for convenience. The official Statutes and Regulations must be consulted for all purposes of interpreting and applying the law.

Comprehensive Academic & Research Universities
Undergraduate Universities
Polytechnic Institutes
Comprehensive Community Colleges
Specialized Arts & Culture Institutions

Fort McMurray — Keyano College

Northern Lakes College
Northwestern Polytechnic
Grouard
Slave Lake
Grande Prairie
Athabasca University
Lac La Biche
Athabasca — Portage College

University of Alberta
MacEwan University
Northern Alberta Institute of Technology
NorQuest College
Edmonton
Vermilion — Lakeland College

Red Deer — Red Deer Polytechnic
Olds — Olds College

The Banff Centre
Banff
University of Calgary
Alberta University of the Arts
Mount Royal University
Southern Alberta Institute of Technology
Bow Valley College
Calgary

Medicine Hat — Medicine Hat College
University of Lethbridge
Lethbridge — Lethbridge College

Alberta University of the Arts	www.auarts.ca
Athabasca University	athabascau.ca
Bow Valley College	bowvalleycollege.ca
Keyano College	keyano.ca
Lakeland College	lakelandcollege.ca
Lethbridge College	lethbridgecollege.ca
Grant MacEwan University	macewan.ca
Medicine Hat College	mhc.ab.ca
Mount Royal University	mtroyal.ca
NorQuest College	norquest.ca
Northwestern Polytechnic	nwpolytech.ca
Northern Alberta Institute of Technology	nait.ca
Northern Lakes College	northernlakescollege.ca
Olds College	oldscollege.ca
Portage College	portagecollege.ca
Red Deer Polytechnic	rdpolytech.ca
Southern Alberta Institute of Technology	sait.ca
The Banff Centre	banffcentre.ca
University of Alberta	ualberta.ca
University of Calgary	ucalgary.ca
University of Lethbridge	uleth.ca

Contents

Chapter 1: Introduction

A Note about Terminology

For the sake of simplicity, these *Guidelines* use a single term in places where many terms may exist. The following are examples:

➢ Twenty of 21 public post-secondary institutions have a "board of governors," so these guidelines refer to the governing body as such. Athabasca University's board, known as "The Governors of Athabasca University," has a different composition (see *Chapter 5*) and some different powers and duties as outlined in the Athabasca University Regulation.

➢ These *Guidelines* refer to "board members." These are the members of the board of governors of each institution.

➢ The term "public agency" as used in these *Guidelines* refers to any agency, board, or commission established by the Government of Alberta, and includes the boards of all public post-secondary institutions.

➢ Unless otherwise noted, the term "Minister" refers to the Minister of Advanced Education.

The Uniqueness of Public Post-secondary Institutions

There are 21 public post-secondary institutions in Alberta, as defined in the *Post-secondary Learning Act* (PSLA). Each institution is ultimately accountable to the people of Alberta through the Minister of Advanced Education (AE). There is an expectation of a high level of accountability and transparency for post-secondary institutions as they are responsible for stewarding public resources. As a public agency, the role of a post-secondary institution's board is to work within the broader context of serving the public interest.

The footnotes include references to related legislation. Acronyms used in these guidelines and elsewhere in the post-secondary system are defined in Appendix A.

Individuals who have participated on the board of a private or not-for-profit organization will recognize many similarities with the practices and responsibilities in their new role with a public agency. However, there are aspects that differentiate public post-secondary boards from other boards:

➢ They are established by, and accountable to, the Government of Alberta.[1]

➢ A majority of board members are appointed by government.

➢ The role of a public post-secondary institution board member is that of a governor or a trustee. Board members have a duty to steward the institution on behalf of the people of Alberta.

Legislative and Policy Framework for Boards of Governors

Governments are elected to make laws, set related policies, and establish programs in the public interest. This authority is given by the people of Alberta to the legislature which, in turn, designates specific Cabinet ministers with responsibility for particular pieces of legislation.

In the case of public post-secondary institutions, the board of each institution is established by the Lieutenant Governor in Council (LGIC) through the PSLA and the *Athabasca University Regulation*. Subject to any limitations set out in the Act, each board has the capacity, rights, powers, and privileges of a natural person (e.g. authority to enter into contracts, ability to initiate and respond to lawsuits).[2]

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1 PSLA s.16(1), 43(1,2)

2 PSLA s.59(1)

With the exception of certain provisions, the PSLA falls under the sole responsibility of the Minister of Advanced Education.[3] The PSLA and its regulations provide for the bulk of the powers of boards as well as limitations on those powers.[4]

There is other legislation besides the PSLA that impacts boards. For example, the *Financial Administration Act* (FAA) provides the legislative authority that governs the financial management of Government of Alberta entities, including public post-secondary institutions. Additionally, the *Alberta Public Agencies Governance Act* (APAGA) establishes governance processes and requirements that all public agencies, including boards of post-secondary institutions, must meet. For a more in depth explanation of the FAA and APAGA as well as a list of legislation most likely to affect boards of governors on a day-to-day basis, see Appendix B.

The Need for Boards of Governors

The Minister is ultimately accountable to the legislature for the operation and performance of the post-secondary system. In particular, the Minister is responsible for ensuring that public post-secondary institutions are fulfilling their mandates and meeting the needs of Albertans in an efficient and effective manner.

The Minister has relationships with the board of each institution. While authority flows from the legislature to the governing board of each institution, accountability flows from the board through the Minister.[5]

Boards play an intermediary role between institutions and the Minister. Boards must steer their institutions in a way that addresses both the unique needs of their institution and the public it serves.[6] Through their chairs, boards provide input into the development of provincial policies. This includes providing advice on issues and trends, reacting to proposals and statements put forward by the Minister and the department, recommending policy changes to the Minister, and keeping the Minister informed about the development of their institutions and their plans for the future.[7]

Board members bring a variety of perspectives to board business through their interests, educational background, professional experiences, and relationships within and outside the institution. This diversity of perspective enables boards to address complex issues and make decisions in the best interest of the institution as a whole. The board's relationships with the institution's president and with the Government of Alberta (which occurs primarily through the Minister) also help the institution fulfill its mandate.

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3 The Minister of Infrastructure has sole responsibility for sections 66(2) and (3) and 67 of the PSLA (Acquisition of Land by Expropriation; Disposition of Land). The Minister of Advanced Education and the Minister of Infrastructure share common responsibility for section 80 (Reports and Information), and section 99(1)(a) and (2) to (6) (Investigation).

4 PSLA s.59(2)

5 The mechanisms in place to fulfill this accountability are described in Chapter 4.

6 PSLA s.60(1)

7 APAGA s.7

Chapter 2: Board Members

Composition

The makeup of boards differs across the types of institutions. Reasons for this may include the presence of a greater number of legislated internal bodies (Comprehensive Academic & Research Universities or CARUs) or the increased involvement of the federal government and professional community (The Banff Centre). The exact composition is legislated in the PSLA and is intended to reflect a balanced range of perspectives to inform discussions and decision making. However, as indicated in the tables below, the Minister (through Cabinet) has some flexibility to appoint additional members to boards.

		Comprehensive Academic and Research Universities (exc. Athabasca University) PSLA s.16(3)	Undergraduate Universities PSLA s.16(3)	Comprehensive Community Colleges PSLA s.44(2)	Polytechnic Institutes PSLA s.44(1)
Public Members	Chair	1	1	1	1
	Other	9 or fewer	9 or fewer	6	9
President		1	1	1	1
Academic Staff		2	2	1	2
Non-Academic Staff		1	1	1	1
Students		2	2	2	2
Graduate Students		1	1[*]	-	-
Chancellor		1	1[†]	-	-
Alumni		2	1[‡]	-	-
Senate Members		1	-	-	-
Additional members as appointed by LGIC		Yes	Yes	Yes	Yes
Total		21 or more	16 or more	12 or more	16 or more

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* If the institution has a graduate students association.

† If the institution has a chancellor, which is at the discretion of the board.

‡ If the institution has an alumni association.

The boards at Athabasca University and The Banff Centre have different compositions than other institutions.

		Athabasca University AUR s.3(1)(2)	The Banff Centre PSLA s.52(1)
Public Members	Chair	1	1
	Other	8 or fewer (or up to 10)§	5
President		1	1
Academic Staff		2	-
Non-Academic Staff		1	-
Students		2	-
Graduate Students		1	-
Tutor		1	-
Alumni		1|	-
Additional members as appointed by LGIC on recommendation of the Minister		Yes	No
Members as appointed by the board		-	9¶
Total		17 or more	16

Regardless of the board's composition, the board is by definition a group of peers. While the administration may work in hierarchical relationships for accountability purposes, in the role of a board member, no single member has authority over another. That said, the board chair often has additional responsibilities, described later in this chapter.

Appointment Process

Almost all members of the board have to be appointed. The only exceptions are those who are members by virtue of their position. This includes the president and, at the University of Alberta, University of Calgary, and University of Lethbridge, the chancellor.[1]

Selecting capable and well-motivated individuals as members of the board is vital to the board's strength and the success of the institution. As a public agency, responsibility for board appointments falls to the Minister, but how this looks in practice depends on the type of member being appointed: a public member or a nominated member.

The Government of Alberta manages a recruitment process for public members that strives to attract diverse, qualified applicants. Core competency requirements are in place for both public member and chair opportunities.

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§ The governing council may request Cabinet appoint two additional public members.

| If the Governing Council requests that the Minister appoint an alumni member.

¶ These nine members are appointed by the remaining members of the board, and one of the nine must be nominated by the Federal Minister responsible for the *National Parks Act*.

1 An undergraduate university is not required to have a chancellor, but the board may determine one is necessary and elect one (PSLA s. 6(2)).

Public Members are appointed through an Order in Council by the Lieutenant Governor in Council. Opportunities for public members may be posted on the Government of Alberta's online recruitment board[2] and may be advertised in other media as well. While the Minister makes the final recommendation to Cabinet and the Lieutenant Governor in Council, the board and the Minister work together during the recruitment process.

In support of recruitment processes, boards should be evaluating existing membership using a competency matrix to determine where there may be gaps and which competencies to recruit.

Board chairs are appointed/designated as such through an Order in Council. Since the role of the chair is particularly critical to effective governance, recruitment to these opportunities may involve additional steps.

Nominated Members are nominated or recommended for appointment by specific constituency groups within the institution and, subject to the Minister's discretion, are appointed by the Minister. Unlike public members, these appointments do not require Lieutenant Governor in Council approval. The process for nomination varies across the groups; however, the appointee cannot be a voting member of the executive body or an officer of an academic or non-academic staff association, or have responsibility for negotiating with the board on behalf of the academic or non-academic staff association.[3]

Orientation and Development

Board member training is an ongoing process. Orientation to the roles and responsibilities of board membership begins immediately following appointment and continues through meetings, committee work, planning sessions, participation in professional organizations, and self-directed learning. The ultimate goal is that all board members are able to exercise their fiduciary duty and steward resources to effectively manage the post-secondary institution. Members must be well enough informed to formulate sound policy and make responsible decisions on any matters brought before the board.

> **Risk Awareness**
> Members should consider the financial, legal, reputational and security risks inherent in any board decisions. While some risk is necessary, board oversight helps manage these risks and avoid negative repercussions. Boards are responsible for having systems in place to prevent financial mismanagement, and for ensuring effective processes manage other types of risk.

Orientation to the Institution, including its specific governance practices, mandate, and environment, is primarily the responsibility of the board, although boards sometimes delegate this task to the institution's administration. As part of this orientation, a new board member may be provided with a brief description of the institution's history and summary of such key information as its academic and administrative organization, policies, programs, priorities, enrolments, faculty characteristics, budget, finances, fundraising programs, and infrastructure priorities. The member may also be offered facility tours, introduced to key senior members of the administration, and provided access to board policies, plans, and similar documents.

Self-Directed Learning, while less formal, should supplement structured orientation activities and may prove to be very meaningful to a new board member. For an intensive period following appointment, members should be prepared to devote time to learning their roles through reading, initiating discussions with the chair, president, and other board members and participating in campus events. In many cases, seeking mentorship from a veteran on the board may be a good way for a new member to learn the board's governance norms and begin contributing sooner.

Members are expected to take personal responsibility to continue learning beyond the orientation stage. Strong board members take the initiative to keep abreast of provincial and national education issues, are empowered to ask questions and seek clarification, and understand developments within their institutions.

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2 www.alberta.ca/public-agency-opportunities.cfm   3 PSLA s.54

Ongoing Development Opportunities may also be facilitated by the board for its members throughout the terms of their appointment. As an example, some boards have chosen to do this by including an educational component as a standing item on the agenda for each meeting. In addition, some boards include educational components in annual retreat agendas or provide opportunities for members to participate in conferences and workshops.

Personal reflection is an important step in effective governance. Following each board meeting, members should reflect on their personal contributions and their effectiveness of contributing to a strong board.

Roles and Responsibilities

In addition to the requirements of being informed on issues impacting the institution, membership on a board involves a considerable time commitment. Regular attendance at board meetings is essential and members may be expected to serve on standing or special committees of the board. Board members must carefully review materials in advance of meetings in order to prepare for discussions around important strategic issues (for example, financial planning, borrowing and investments, the maintenance of property, capital expenditures, major contracts, delegations of authority, or human resources issues), and understand the consequences of any proposed decisions.

During board and committee meetings, and any other times an individual is acting in the capacity of a board member, they bear a **Fiduciary Responsibility** to act in the best interest of their institution.[4] Given the range of perspectives and stakeholders within an institution's community, this is not always a simple task. Board membership is a high calling and requires members to act in a manner that promotes confidence in the fidelity and trust of members, both individually and collectively.

> Boards at post-secondary institutions across Canada have had to deal with serious, high-stakes matters including presidential resignations, financial losses, and high-profile student issues. Careful planning to manage these types of risks is a key board responsibility.

Post-secondary institutions have a public mandate, serving learners, employees, communities, and the people of Alberta. Their boards are distinct from private sector boards as they are accountable for the expenditure of tax dollars. Some key expectations of post-secondary boards around accountability and risk management include:

➢ Ensuring effective stewardship of institutional resources

➢ Setting strategic direction and monitoring implementation

➢ Ensuring effective processes for identifying, monitoring, and managing risk

➢ Ensuring an effective system of internal controls.

Regardless of challenges facing them, board members are equally responsible for the success and reputation of the board and the quality of its decisions. **Once a decision is made, it is the responsibility of each board member to publicly support that decision**. While members should not take these responsibilities lightly, they are not held personally liable for decisions made by the board or actions taken by them in good faith. To this end, **indemnification** is provided for all board members through a provision in the PSLA.

The **chair** is granted additional authority within the context of the board. On top of his/her role as a board member, the chair ensures the board stays on task and conducts itself ethically, complying with applicable legislation and the board's own bylaws. The chair is responsible for running effective meetings, facilitating constructive discussions, and fostering an open and transparent board culture. Since the board speaks with one voice, the chair is also an official signatory of the institution, the official spokesperson of the board, and serves as a link between the board, president, Minister, and community.

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4 PSLA s. 16(5), 44(4), 52(5)

Members Nominated by Specific Constituency Groups within the institution are vital to the full and effective discussion of issues, as each offers the perspective and knowledge of an important stakeholder in the institution's community. However, it is important to remember that these members bear the same fiduciary responsibility as public members, as noted above: to act in the best interest of the institution regardless of the circumstances that bring them to the table.[5]

Conduct and Conflicts of Interest

All members of post-secondary institution boards in Alberta must be committed to acting in the best interests of their institution. They should behave in a manner that promotes confidence in the board and the institution, maintaining high ethical standards and integrity in decision-making.

Under the *Conflicts of Interest Act*, applicable post-secondary institution boards are required to have a Code of Conduct in place that has been approved by the Ethics Commissioner of Alberta.[6] Codes of Conduct include rules around conflicts of interest. They require board members to act impartially and prohibit them from acting in self-interest or furthering their private interests by virtue of their position on the board.

Manageable conflicts of interest can occur for any member appointed to a board, whether they are a shareholder or director in a business that provides contracted services to the institution, were nominated by a specific constituent group, or have an interest in another community organization that could affect their ability to impartially discuss the institution's relationship with that organization.

Board members are also required to disclose any real or apparent conflicts of interest, whether they are personal, professional or financial in nature. Most boards have mechanisms in place to manage conflicts; for example a member with an interest in a particular matter may have to excuse themselves from meetings when that topic is being discussed and abstain from voting on that matter.

Managing conflicts of interest preserves the public's confidence in boards and post-secondary institutions, demonstrating transparency and a proactive approach to any potential concerns.

Confidentiality is another crucial matter. Members are privy to confidential information of all types, both during and outside of meetings. This can include information on collective bargaining negotiations, individual personnel matters, and other matters discussed in closed sessions or provided in confidence. Members are expected to observe the strict confidentiality of these matters.

Breaches of a Board's Code of Conduct can have serious consequences. Depending on the severity of the breach, this may necessitate disciplinary action, the involvement of an outside party, and notification of the Minister. In cases involving a nominated member, breaches can also sour relationships between the board, administration, and the constituents that nominated the member.

Access to Administration is a topic that boards must consider. Board members have a high level of access to the time and attention of key senior officials, including the president. This access is often required for board members to adequately fulfill their fiduciary responsibilities to the institution. It should not be used as a mechanism to communicate board direction or advance interests outside of the board's agenda.

Remuneration

Public service is a core part of serving on a public agency board. While the PSLA allows the board to set remuneration rates for its members,[7] members should not expect rates to be comparable to those in the private sector for similar work. In fact, many institution boards have chosen to forego direct payment to members, and

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5 PSLA s. 16(5), 44(4), 52(5)
6 https://www.alberta.ca/conflicts-of-interest-legislation.aspx

7 PSLA s.55

others only offer a small honoraria for time spent on board work. The *Public Sector Compensation Transparency Act* requires institutions to disclose any board member remuneration.[8]

Members may claim expenses related to the performance of their duties. Many boards also set aside funds to support members in attending conferences and workshops.

Term Lengths

Appointed board members may hold office for a maximum term of three years,[9] with the possibility of reappointment(s), to a maximum of six years of consecutive service.[10] A board chair has a maximum service limit of 10 consecutive years, per APAGA.[11]

Term lengths vary by type of member. Public members are commonly appointed for three-year terms. However, terms can also be set at any length up to three years so that expiries are staggered and boards can arrange for succession planning. Students are often nominated to serve for one academic year at a time. In some cases, academic and non-academic staff members serve for two years depending on the nomination and election processes. Term lengths are prescribed in the appointment.

A member continues to hold office after their term until one of the following occurs:[12]

> ➢ the member is reappointed,
> ➢ a successor is appointed, or
> ➢ a period of three months has elapsed after the expiration of their term.

An appointed public member of a board is eligible for appointment as chair even if the member has, at the time of the member's appointment, concluded six years of consecutive services as a member of the board.[13]

Members intending to resign before their term has expired should inform the board chair. This notice is needed so that the process to fill the vacancy can begin, and to ensure membership of the board is properly constituted at all times. In some cases another individual may be appointed to serve the balance of the exiting member's term.[14] If appointed to serve the balance of an unexpired term, the service is not included in calculating years of continuous service.[15]

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8 *Public Sector Compensation Transparency Act*, s.3
9 PSLA s.56(1)(a)
10 PSLA s.56(2)
11 APAGA s. 14(2)(b)

12 PSLA s.56(1)(b)
13 PSLA s.56(3)(b)
14 PSLA s.56(4)
15 PSLA s.56(5)

Classification: Public

Chapter 3: Board Activity

Considerable Variance in Practices

Provincial legislation does not specify exactly how a board should conduct its business. With the variety of communities, needs, and mandates represented across the adult learning system, individual boards have used this flexibility to conduct their operations in the best interests of their institution.

Notwithstanding boards' liberty to organize meetings and determine procedures that are most appropriate for their needs, they must adhere to core principles of good governance:

- Strategic vision and leadership
- Accountability
- Ethics and Integrity
- Effectiveness
- Transparency

Strong boards steward resources efficiently and effectively on behalf of the people of Alberta. They abide by strong codes of conduct, undertake regular reviews in order to continually learn and serve, and use informed approaches to risk management, financial oversight, succession planning, leadership development, and policy and strategic planning.

This chapter provides an introduction to board activity and will lead into the specific in-depth orientation provided by each board to its members. Members should also refer to their board bylaws and Code of Conduct for direction.

Meetings

Board meetings provide a venue for members to learn together, contemplate and deliberate together, and decide together. The procedural rules governing these meetings are determined by the board itself and are incorporated into the board's bylaws or policies. While often different across the province, such processes allow the board to fulfill its mandate in a transparent and accountable way.

In general, board meetings occur in three formats: open, closed, and in-camera. For the sake of transparency, most boards conduct as many open meetings as possible, allowing any community member to witness the proceedings. Closed sessions only involve the board and its support staff and, at times, outside presenters. These are reserved for matters of greater confidentiality such as collective bargaining negotiations or individual personnel matters. In-camera (in private) sessions only involve the board and are necessary when highly confidential information must be shared with board members and sensitive topics are discussed.

The term "quorum" represents the minimum number of members that must be present for the board to conduct its business. Having a sufficient number of board members present helps to ensure that decisions are made using the group's collective wisdom, and having considered various perspectives. For the purposes of the PSLA, quorum is 50% +1 of the board's existing membership, not the board's potential membership. When quorum is present, the board is able to make decisions and all members (present or not) are bound to these decisions.[1]

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1 PSLA s.58(1), (2)

Board Committees

As discussed in Chapter 2, board members may be expected to serve on standing or special committees of the board. Standing committees are those that have a long-term responsibility to the board to thoroughly examine issues in one or more areas. Special committees are established to deal with specific problems or activities and are then disbanded after their tasks are complete. The committee structure of each board must be outlined in its Mandate and Roles Document.[2]

In some cases, boards may delegate authority to specific committees to make decisions on administrative matters. This delegation may be made to enable the board to spend more time pursuing issues of policy or strategic importance; however, the board maintains full responsibility for the quality of all decisions made. In this context, committees exist to help the board do its job, not to remove difficult choices from the board table. Important decisions should be made by the board as a whole and some decisions, such as collective agreements developed by committee, must be approved by the board before they come into effect.

Board and Member Evaluation

The Public Agency Governance Policy expects Alberta public agencies to have an evaluation process that assesses how well they and their individual members are fulfilling their roles and responsibilities. [3] Board evaluation mechanisms may include member self-evaluation, one-on-one meetings between members and the chair, annual evaluations of board effectiveness, and formal reviews of the board by an external organization.

Regardless of how it is conducted, evaluation is an integral part of the governance process. It enables members to continually improve and increases the effectiveness of the board itself in advancing the institution's mandate and the overall success of the adult learning system.

The Public Agency Secretariat website provides a number of governance resources, including tools and templates for boards to implement an evaluation system that is appropriate for their work.[4]

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2 APAGA s.3(1)(f)

3 https://open.alberta.ca/publications/public-agency-governance-policy

4 https://www.alberta.ca/public-agency-resources.aspx

Chapter 4: The Board Relating to Government

Government Overview

Members of the Legislative Assembly of Alberta (MLAs) are elected to make laws and set policies to benefit the people of Alberta. As the head of government, the Premier selects MLAs to serve as Cabinet ministers. Each minister is responsible for a department or ministry, and Cabinet as a group makes decisions on the government's policy directions.

The Government of Alberta is comprised of government ministries that deliver the programs and services mandated by Alberta's laws. Public agencies, including post-secondary institution boards, are boards, commissions, tribunals or other organizations established by government, but not part of a government department. They work alongside ministries to deliver programs and services.

Legislative changes, including new budgets, are considered by department staff and the Deputy Minister before being forwarded to Cabinet committees, and then Cabinet as a whole. The Treasury Board is specifically responsible for budget and financial issues. Once Cabinet and the Treasury Board are ready to introduce legislative changes and budgets, these are debated in the Legislature before they can be approved.

Boards and the Government

The relationship between an institution's board of governors and the provincial government is an important one. Boards are accountable to the Minister of Advanced Education, who has primary responsibility for the PSLA.

The Minister oversees strategic planning and direction setting for Alberta's advanced learning system, policy development, funding for general operations and specific purposes, and the promotion of transparency and accountability. The Minister is responsible for providing clear mandate direction to boards, establishing clear expectations for oversight and accountability, and for participating in an ongoing dialogue with boards on important issues.

The board has a governance oversight role in relation to the institution it governs. Because the chair serves as the voice of the board, and is directly accountable to the Minister, the relationship between the Minister and the chair is critical.

Other officials, such as the Deputy Minister, who is effectively the chief executive officer overseeing operations in Advanced Education, will typically be in closer contact with institution presidents and vice-presidents. Similarly, department staff at a variety of levels may be in regular contact with staff of the institutions for a variety of reasons.

Institution Mandates

Each public institution is required to include its mandate as part of the Investment Management Agreement it enters into with the Minister of Advanced Education. The mandate has to be consistent with its sector (or institution-type) under the PSLA. The sector (institution-type) provides a scope for the types of activities the institution may engage in, including the credentials and programming that it can or must offer, research activity that it can engage in, and any collaborative requirements. As the priorities of an institution evolve in response to changes in society and demographic or economic pressures, institutions may propose changes to their mandates. Any such proposals must take into consideration the institution's role and relationships with the adult learning system. Consultations between the institution and Advanced Education would follow any proposed change to an institution's mandate, and the Minister's approval is required for any changes to proceed.

Boards must also have a **Mandate and Roles Document**[1] – not to be confused with the Roles and Mandates Policy Framework. This document provides a high-level understanding of the board's role within the government structure. It outlines the roles and responsibilities of key parties, such as the Minister, Deputy Minister, board chair, board members and institution president.

Mandate and Roles Documents are a requirement under the *Alberta Public Agencies Governance Act.* They must be reviewed and renewed, amended or replaced every three years. As public documents, Mandate and Roles Documents offer the public an opportunity to understand the mandate and roles of each public agency in a transparent manner.

Budget and Institutional Planning

Each spring, the Government of Alberta releases a budget and a three-year business plan. In support of this, Advanced Education releases its own budget and business plan.[2] Advanced Education's budget is generally finalized in February or March and incorporated into the Government of Alberta's Estimates of Expenditures which, in turn, is often tabled along with the annual Budget Address during the Spring Session of the Legislative Assembly. Each institution has an Operating and Program Support Grant Agreement with government. These agreements cover a term of three-years and will provide overall funding projections for each of the three years.

Institutions are also required, by law, to submit a budget and capital plan to government each year.

In addition to the provincial and ministry business plan and budget, several other tools and processes facilitate dialogue within the post-secondary system and guide institutional planning:

Investment Management Agreements (IMAs) outline an institution's mandate and priorities, as well as the financial commitment from government to the institution. IMAs include performance metrics based on skills and labour market outcomes, institutional performance, and teaching and research. A percentage of an institution's funding allocation is contingent upon the institution's achievement in these metrics.

The **Post-secondary Capital Plan** is an internal government planning process. It supports the Government of Alberta's strategic capital plans to ensure post-secondary facilities are adequately maintained and there is sufficient capacity to meet projected enrolment demand. Government reviews and prioritizes institution requests within the context of the Campus Alberta Planning Resource. In addition, institutions are expected to develop long-range land use and development plans relating to land owned by or leased to them.

Research Grants are available to public post-secondary institutions in accordance with their research mandate While a portion of each Comprehensive and Academic Research University's Operating and Program Support Grant implicitly supports pure and sponsored research activity, the province also invests in research through other programs, providing the tools and facilities required to conduct leading-edge research, build capacity and excellence, develop, attract and train highly qualified personnel, and recruit and retain full-time academic faculty members at Alberta institutions.

Institutional Consultations occur with Advanced Education officials representing planning, programming, research, and accountability perspectives to share information and discuss the institution's plans, opportunities, and challenges for moving forward. These meetings are a key instrument in establishing the positive working relationships that are essential for institutions to fulfill their mandates.

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1 https://open.alberta.ca/publications/mandate-and-roles-document-guidebook-for-public-agencies

2 https://open.alberta.ca/publications/advanced-education-business-plan

Required Government Approvals

In some cases, approval is required from government before a board can implement activities. The source of approval differs depending on the action requested. The following are examples of actions requiring the Minister's approval:

- Revisions to an institution's mandate.
- Establishment, change, or discontinuation of programs of study, as discussed below.
- Establishment of an Alternative Academic Council[3] to replace the Academic Council (Polytechnic Institutions; and Comprehensive Community Colleges only).
- A deficit budget[4] (i.e. where the consolidated operating expense exceeds the consolidated operating revenue).
- Long-term borrowing[5] for purposes that include capital expansion and renovation. [TBF]
- Setting up or dissolving a subsidiary corporation or acquiring a subsidiary corporation.[6] [LGIC TBF]
- Establishing a registered pension plan[7, LGIC] or a supplementary pension plan.[8]

The Minister of Infrastructure must approve the following:

- Expropriation of land[9] for the purposes of the institution. [LGIC]
- Sale or exchange of an interest in land[10] (other than donated land), or the lease of land for a term longer than five years.

> **TBF** *These items also require Treasury Board and Finance approval.*
>
> **LGIC** *These items require final approval by the Lieutenant Governor in Council (i.e. Cabinet) after the Minister has approved the request.*

Program Approvals

Boards and academic bodies play an internal approval role for programs of study at institutions, including ministry-approved programs, and institution-approved programs. Ministry approvals can involve new programs, program changes, program suspensions and program terminations. Individual institutions have internal policies that document the roles various officials and academic bodies play in program approval, and in what circumstances board approval is delegated.

With respect to ministry-approved programs, Advanced Education manages a rigorous review and approval process. This includes a system coordination review that assesses the alignment of the proposed program with the approved institutional mandate, as well as looking at the relationship with programs and initiatives in the adult learning system, student and labour market demand, financial sustainability and risk issues, benefits and affordability for learners, institutional capacity, and fit with provincial strategic priorities, including those of partner ministries.

For degree programs, a quality review is conducted by the Campus Alberta Quality Council (CAQC). These reviews require institutions to demonstrate they can offer education of sufficient breadth and depth to meet

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3 PSLA s.47.1(1)
4 PSLA s.78(6)
5 PSLA s.73(1), FAA s.81
6 PSLA s.77
7 PSLA s.69(2)(b)
8 PSLA s.69(2)(c)
9 PSLA s.66
10 PSLA s.67(1.1)

national and international program standards related to faculty and staff, academic policies, resource capacity, program content, regulation and accreditation and research and graduate supervision plans.

Once a decision has been made regarding a program approval request, a letter will be sent to the institution, and the program's approval, change, suspension or termination will be recorded in Advanced Education's Provider and Program Registry System.

Funding

An important role that Advanced Education plays within the adult learning system is the provision of funding support for post-secondary institutions. Institutions that receive support from other government and non-government sources must steward all funds responsibly, and for the benefit of the institution, regardless of the source of funds.

The **Operating and Program Support Grant** supports the delivery of approved credit programming, apprenticeship seats, and research at Alberta's publicly funded post-secondary institutions. Supported activities include access, instruction and program operating costs, academic support, student services, computing, network and communications services, institutional support, and facilities management, operations, and maintenance. The institution's annual grant agreement includes accountability requirements for this funding.

Capital Investment Grants support the infrastructure needs of Alberta's 21 public institutions related to instruction, research, and administration. This funding supports new and expansion projects needed to increase student access and research capacity, as well as preservation projects needed to maintain and improve existing buildings. Specific funding through the Capital Maintenance and Renewal program provides additional funding support for the preservation and maintenance of facilities. Capital grants do not support facilities for revenue generation or ancillary services, such as parkades or student/staff residences.

Research Grants are available to public post-secondary institutions in accordance with their research mandate. While a portion of each Comprehensive and Academic Research University's Operating and Program Support Grant implicitly supports pure and sponsored research activity, the province also invests in research through other programs, providing the tools and facilities required to conduct leading-edge research, build capacity and excellence, develop, attract and train highly qualified personnel, and recruit and retain full-time academic faculty members at Alberta institutions.

The **Apprenticeship Technical Training Grant** is a dynamic funding mechanism that allows apprenticeship classroom instruction providers (i.e. Polytechnic Institutions and some Comprehensive Community Colleges) to plan for and respond adequately to learner demand. It supplements the apprenticeship seats funded through the Operating and Program Support Grant. Advanced Education estimates the number of seats required at each institution according to criteria which include the number of registered apprentices eligible for training in each region, training facility availability, and current and historical class fill rates.

Apprenticeship classroom instruction seats are conservatively estimated for initial registration. Since apprentices can begin their classes at many points during the year, seats can be added accordingly when there is evidence they will be filled.

Accountability and Reporting Requirements

All public institutions are ultimately accountable to the people of Alberta (through the Minister), and must demonstrate that public funds are being used effectively and appropriately. With the exception of audits by the Auditor General, this accountability is primarily the responsibility of the board and the Minister. The Minister has the authority to request any reports and other information from the institution, which the institution is required to provide.

As required by the PSLA, each board of governors must enter into an Investment Management Agreement with the Minister that includes the mandate of the institution, performance metrics for the institution, and anything else determined by the Minister.

Each board's annual report includes audited financial statements for the preceding fiscal year. Details on each institution's specific accountability and reporting requirements can be found in their annual Operating and Program Support Grant agreement, and are also outlined in the board's Mandate and Roles Document.[11]

Relationships with Other Government Departments

Post-secondary institutions have varied relationships with provincial ministries other than Advanced Education. These relationships are based on the unique mandates of each ministry and each institution in question. Other ministries may offer funding opportunities (with associated accountability requirements); provide strategic planning and oversight of local, provincial, national, and international initiatives; and execute contracts for research and the provision of training. For example, institutions with a strong academic focus on agriculture may receive research funding from Agriculture and Forestry. Institutions training students in health related subjects may liaise closely with Alberta Health. Institutions seeking to build new facilities may partner with Alberta Infrastructure.

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11 https://www.alberta.ca/public-agency-list.cfm#ae

Chapter 5: The Board Relating to the Institution

Governance and Administration

The Board of Governors is a policy-making and governance oversight body with responsibility for senior oversight of the institution, and ensuring the activities of the institution are consistent with its mandate. Policies are made and approved by the board, in consultation with the administration and other stakeholders, to govern all major areas. This includes both strategic policy as well as more operational policy related to programming, finances, student services, personnel, infrastructure, and internal and external relations. The following are some of the specific tasks and responsibilities given to the board in the PSLA:

- Appointing the president[12] and monitoring his/her performance
- Collective agreements[13]
- Government relations and accountability[14]
- Developing investment policies[15]
- Long-range land-use plans[16]
- Approving tuition levels[17]
- Community relations
- General supervision of student discipline[18] (at CARUs, this responsibility belongs to the General Faculties Council[19])
- Serving as an appeal body[20]

For most institutions, governance is defined generally as being the realm of the board of governors. However, at some institutions, responsibility for business affairs rests with the board, and responsibility for academic affairs rests with a second body (subject to the overall authority of the board). The name of the second body differs depending on the type of institution. See Relationships with Internal Bodies below for information.

Outside of these tasks, the board also exists as a reminder that the institution has a public mandate.[21] This public mandate is best served not only by thinking more broadly than the wants and needs of one constituency group, but by considering what is best for the adult learning system as a whole.

While the PSLA imposes some specific requirements on boards, it also authorizes the board to delegate any of its powers, duties or functions (with the exception of the power to make bylaws) to any person in the institution's administration as the board sees fit.[22] For effective governance, it is critical that any delegation of authority is clearly articulated and that, once made, the delegation is respected so that board members have a clear understanding of their role versus the role of administration.

The **Administration** (which includes the president, vice-presidents, registrar, and other senior officials) is given responsibility for the day-to-day operations of the institution and other tasks as determined by the board. Administration is accountable to the board for how well these tasks are accomplished. Whereas the board is primarily a policy-making and oversight body, the administration's role is in the implementation of board policies and direction, although it has a role in proposing policies and at times developing them under the direction of the

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12 PSLA s.81(1)
13 PSLA s.84(1), (3)
14 PSLA s.78-80
15 PSLA s.75(3)
16 PSLA s.121(2) (CARUs only)
17 PSLA s.61(1); TFR
18 PSLA s.64
19 PSLA s.31(1)
20 PSLA 63
21 PSLA s.60(1)(a)
22 PSLA s.62

board. Since the board is accountable for the quality and performance of the institution, it is important that it evaluates the administration's overall efficiency and effectiveness in using financial and human resources to meet institutional objectives.

Board's Relationship with the President

As noted above, the board is responsible for appointing the president and monitoring his or her performance. The president's role is to ensure staff members fulfill the expectations of the board by supervising and directing the operation of the institution. However, in an organization with anywhere between 250 and 15,000 staff and faculty, this can be a significant undertaking. This is why the president may assign and delegate any of his or her powers, duties, or functions.[23]

Since the board is ultimately responsible for the quality and performance of the institution's administration, a crucial board responsibility is the recruitment of a president to lead the institution's operations. Unlike other governance models, the president is a member of the board at post-secondary institutions because of their position and knowledge of the institution and the adult learning system. While boards, usually through their chairs, have a relationship with the Minister of Advanced Education, the president ordinarily connects with the Deputy Minister.

Presidential Recruitment processes vary across institutions, but in all cases, the board has primary responsibility for recruitment, appointment, and prescribing the term of office and remuneration[24] for a president, within parameters established by legislation.[25] When approaching this process, boards should keep in mind that a successful president must possess certain personal attributes: an understanding of education, administrative skills, interpersonal skills, personal integrity, and leadership ability. Aside from these, the qualities desirable in a president depend largely upon the particular needs of the institution and how the board envisions its future direction.

In **Regular Decision Making**, it is important that the board respects the responsibilities and authority delegated to the president as such matters should not be decided by the board or its committees. This does not take away from the board's ultimate accountability for decisions, but points to the importance of setting clear expectations for the president and then holding him or her to account that those expectations are being met.

Regular Performance Reviews are the most effective way to develop and maintain objective relationships between the board and president, which in itself is essential to the institution's success. It is important that the evaluation criteria used are clearly established when the president is appointed and revised or reinforced with each successive performance appraisal.

Relationships with Internal Bodies

The PSLA establishes several internal bodies within an institution and empowers them to engage in certain activities, either on behalf of constituent groups within the institution or the general public. In every case, the board is the senior body with overarching authority, normally drawing upon the advice of these groups to satisfy its responsibilities. The existence of some of these groups differs across types of institutions, with a higher number existing at CARUs than other types of institutions.

Appendix F highlights the internal bodies established by or discussed in the PSLA. Except in cases where the name is legislated by the PSLA, some may operate under different names at various institutions.

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23 PSLA s.81(4)

24 PSLA s.81(1), (2); APAGA s.17(1)

25 *Reform of Agencies, Boards and Commissions Act; Reform of Agencies, Boards and Commissions (Post-secondary Institutions) Compensation Regulation*

Chapter 6: Alberta's Adult Learning System

Alberta's adult learning system is comprised of a large and diverse range of educational providers that work together to provide accessible, affordable and quality learning opportunities for Albertans, including apprenticeship and experiential learning, in an accountable and coordinated fashion that ensures that Alberta's post secondary institutions continue to build on their record of global excellence in research and innovation. This includes public post-secondary institutions, publicly-funded private post-secondary institutions, First Nations Colleges, community adult learning providers and private career colleges. Although all adult learning providers are unique and serve diverse populations, they also work together collaboratively and in complementary roles to ensure the different needs of Alberta learners and communities are met.

Through the *Alberta 2030: Building Skills for Jobs Strategy*, the Government of Alberta committed to the following vision for post-secondary education in the province:

> *Alberta's world-class post-secondary system will equip Albertans with the skills, knowledge and competencies they need to succeed in their lifelong pursuits. The system will be highly responsive to labour market needs and, through innovative programming and excellence in research, contribute to the betterment of an innovative and prosperous Alberta.*

Roles of Institutions within the Adult Learning System

Alberta's 26 publicly-funded post-secondary institutions include 21 public post-secondary institutions and five publicly-funded private post-secondary institutions. The majority of adult learners in Alberta attend one of these institutions. These institutions provide high-quality learning experiences, coordinate and play a significant role in Alberta's research commercialization and innovation agenda, and generate human and information resources that lead the province's knowledge-driven economy.

The public post-secondary institutions (except for The Banff Centre) are organized into one of two categories (or sectors), based on the overriding purpose of the institution. The categories are:

Colleges and Polytechnics	Bow Valley College
	Keyano College
	Lakeland College
	Lethbridge College
	Medicine Hat College
	NorQuest College
	Northern Alberta Institute of Technology
	Northern Lakes College
	Northwestern Polytechnic
	Olds College
	Portage College
	Red Deer Polytechnics
	Southern Alberta Institute of Technology
Universities	Alberta University of the Arts
	Athabasca University
	Grant MacEwan University
	Mount Royal University
	University of Alberta

	University of Calgary
	University of Lethbridge

In addition, all 26 publicly funded post-secondary institutions are assigned to a particular sector (institution-type), with a specific programming, research and collaboration mandates as set out in the PSLA and regulations. Assignation by sector (institution-type) is outlined below, with further information provided in *Appendix E.*

Comprehensive Academic and Research Universities (CARU)	Athabasca University
	University of Alberta
	University of Calgary
	University of Lethbridge
Comprehensive Community Colleges (CCC)	Bow Valley College
	Keyano College
	Lakeland College
	Lethbridge College
	Medicine Hat College
	NorQuest College
	Northern Lakes College
	Olds College
	Portage College
Independent Academic Institutions (IAI)	Ambrose University
	Burman University
	Concordia University of Edmonton
	The King's University
	St. Mary's University
Polytechnic Institutions (PI)	Northern Alberta Institute of Technology
	Northwestern Polytechnic
	Red Deer Polytechnic
	Southern Alberta Institute of Technology
Specialized Arts and Culture Institutions (SACI)	The Banff Centre
Undergraduate Universities (UU)	Alberta University of the Arts
	Grant MacEwan University
	Mount Royal University

The Board's Role within the Adult Learning System

Each public post-secondary institution board is uniquely positioned to contribute to the success of Alberta's adult learning system. As a public agency, the board's role in guiding its institution with wisdom and foresight takes place within a public mandate to pursue the advancement of communities and the province as a whole. However, reflecting on the diversity of learners and societal demands, it is clear that acting alone, an institution cannot meet every need for training and education in its region.

Boards continue to work with partner institutions to maximize learner pathways and credential recognition. When institutions work together, their reach and capacity increases and they contribute to the long-term sustainability of

the system. Together, institutions are better equipped to contribute to the growth of the innovative, educated, and highly skilled population that will drive Alberta's prosperity for generations to come.

Appendix A: Common Acronyms

Legislation Referenced in these Guidelines

The following Acts and Regulations are referenced by acronym in these *Guidelines*. A brief overview of each is available in *Appendix B*, and consolidated (unofficial) versions are accessible at **qp.alberta.ca**.

AACR	Alternative Academic Council Regulation
APAGA	*Alberta Public Agencies Governance Act*
AUR	Athabasca University Regulation
FAA	*Financial Administration Act*
LRC	Labour Relations Code
PSLA	*Post-secondary Learning Act*
TFR	Tuition and Fees Regulation

Programs, Orientation, etc.

The following acronyms may be encountered by board members during their course of duty:

AE	**Advanced Education**
	The government ministry that supports Albertans by providing education and training opportunities to prepare them for the workforce.
ACFA	**Alberta Capital Finance Authority**
	A provincial authority that provides local school boards, municipalities, and other entities with low interest financing for capital projects.
ACIFA	**Alberta Colleges and Institutes Faculties Association**
	Professional association acting on behalf of academic staff associations at Alberta's colleges and technical institutes. Promotes the professional and economic interests of its members.
ab-GPAC	**Alberta Graduate Provincial Advocacy Council**
	Represents and promotes the interests of graduate students in Alberta to the provincial government and other interested stakeholders.
AIT	**Apprenticeship and Industry Training**
	An industry-driven partnership with government that ensures a highly skilled, internationally competitive workforce in almost 60 designated trades and occupations. Also a work unit within Advanced Education.
ALIS	**Alberta Learning Information Service**
	An online information resource that helps Albertans plan and achieve educational and career success. The website provides information on career planning, post-secondary education and training, educational funding, job search, labour market trends, and workplace issues.
APAS	**Alberta Post-secondary Application System**
	Online system that allows students to apply at one or more post-secondary institutions and authorize transcript transfers between participating institutions in the province. Known as ApplyAlberta.
ARIF	**Alberta Research and Innovation Framework**
	A provincial strategic framework that helps convey and align strategic priorities for research and innovation in Alberta.

ASEC	**Alberta Students' Executive Council**	
	Advocates to government on behalf of the students of 15 Alberta public post-secondary institutions.	
ASI	**Application Submission Initiative**	
	Data on student application and enrolments used for ministry and institutional planning.	
ASN	**Alberta Student Number**	
	A single unique identifier for all Alberta learners.	
AUA	**Alberta Universities Association**	
	Advocacy group for Alberta's four Comprehensive Academic and Research Universities.	
CAFA	**Confederation of Alberta Faculty Associations**	
	A federation of four associations: Association of Academic Staff University of Alberta, Athabasca University Faculty Association, Faculty Association of the University of Calgary, and University of Lethbridge Faculty Association.	
CALP	**Community Adult Learning Program**	
	Provides non-credit learning opportunities to adults in English as a Second Language/French as a Second Language, foundational learning, literacy, and employability enhancement. Located across Alberta.	
CAQC	**Campus Alberta Quality Council**	
	An arms-length quality assurance agency that makes recommendations to the Minister of Advanced Education on applications from post-secondary institutions seeking to offer new degree programs in Alberta.	
CARU	**Comprehensive Academic and Research University**	
	Includes four institutions: Athabasca University, University of Alberta, University of Calgary and University of Lethbridge. They focus on students seeking undergraduate and graduate level education in a comprehensive research environment.	
CAUS	**Council of Alberta University Students**	
	Represents the interests of undergraduate students in Alberta from the University of Alberta, the University of Calgary, the University of Lethbridge, Mount Royal University, and Grant MacEwan University.	
CAUT	**Canadian Association of University Teachers**	
	The national voice for academic staff. Representing 72,000 teachers, librarians, researchers, and other academic professionals and general staff.	
CCC	**Comprehensive Community College**	
	Includes 11 institutions spread throughout the province. Focus on learners interested in preparatory, career, and academic programming.	
CMEC	**Council of Ministers of Education, Canada**	
	An intergovernmental body composed of the ministers responsible for elementary-secondary and advanced education from the provinces and territories.	
COPPOA	**Council of Post-Secondary Presidents of Alberta**	
	COPPOA is a body made up of presidents from Alberta's 26 publicly funded post-secondary institutions.	
CPI	**Consumer Price Index**	
	A measure estimating the average price of consumer goods and services purchased by households.	
FIRS	**Financial Information Reporting System**	
	Deals with revenue, expense and related financial data, tuition fee data, and basic information on staff submitted by the publicly funded post-secondary institutions.	
FLE	**Full-Load Equivalent**	
	A unit measure of enrolment in which one FLE represents one student for a year of study (typically September through April) taking a full load.	

FNAHEC	**First Nations Adult Higher Education Consortium**
	Not-for-profit group whose membership includes 11 adult and post-secondary institutions from Western Canada. Coordinates the efforts of its members to provide quality adult and higher education. Controlled entirely by people of the affiliated First Nations.
FNC	**First Nations College**
	There are five First Nations Colleges in Alberta: Maskwacis Cultural College, Old Sun Community College, Red Crow Community College, Yellowhead Tribal College and University nuhelot'įne thaiyots'į nistameyimâkanak Blue Quills. They provide programming ranging from foundational learning to college level certificates and diplomas. They may offer degrees in collaboration with public institutions.
IAI	**Independent Academic Institution**
	Includes five institutions in Alberta. Focus on learners interested in academic programs which may be within a faith-based environment.
IMP	**Infrastructure Maintenance Program**
	Provides funds to post-secondary institutions to assist with maintaining the condition of facilities and to cover the cost of repairs, upgrades, maintenance to and replacement of building systems and major building components.
KPIRS	**Key Performance Indicators Reporting System**
	Collects data about performance indicators such as operations costs per FLE, graduate student satisfaction, and university transfer program leavers.
LERS	**Learner and Enrolment Reporting System**
	Designed to collect, check, report, and analyze information regarding learners and their enrolments in approved credit programs offered by the public post-secondary institutions.
LGIC	**Lieutenant Governor in Council**
	Consists of members of Executive Council (or cabinet) and the Lieutenant Governor, the provincial representative of the monarch, and the head of state. It reviews and passes orders in council.
MRD	**Mandate and Roles Document**
	Requirement of all Alberta public agencies under the Alberta Public Agencies Governance Act. Provides an understanding of the agency's role within government structure and outlines the goals and performance expectations of the responsible minister.
NWPTA	**New West Partnership Trade Agreement**
	A comprehensive British Columbia/Alberta/Saskatchewan/Manitoba trade agreement that commits its parties to removing barriers to trade, investment, and labour mobility, further enhancing the competitiveness of Canada's western provinces.
PI	**Polytechnic Institution**
	Includes three institutions: NAIT, SAIT, Red Deer Polytechnic, and Northwestern Polytechnic. Focus on learners interested in career and technical programming.
PLAR	**Prior Learning Assessment Recognition**
	Assessment and recognition of learning gained through experiences other than taking formal credit courses.
PAPRS	**Provider and Program Registry System**
	The province's official database for all ministry-approved programs offered by publicly funded post-secondary institutions. Collects program data for all post-secondary training providers/institutions. Source of information on credit programs for publicly funded institutions to facilitate enrolment counting and for government publications to advise potential students on program availability.
PAS	**Public Agency Secretariat**
	Promotes a consistent approach to governance among Alberta's public agencies.
PSE	**Post-Secondary Education**
	Formal education following the full or partial completion of secondary education (Grade 12).

PSI	**Post-Secondary Institution**
	Advance the adult learning system vision, provide world-class learning experiences, and generate the human and information resources that will lead Alberta's knowledge-driven future.
RAP	**Registered Apprenticeship Program**
	A successful program that enables students to become employed apprentices while they complete high school.
RESP	**Registered Education Savings Plan**
	A special savings account that allows families to save early for their children's education and training after high school. Money in RESPs can grow with interest and will not be taxed as income until withdrawn by a student.
SACI	**Specialized Arts and Culture Institution**
	Includes one institution: The Banff Centre. Focus on learners interested in the fine arts and creativity.
TFP	**Tuition Fee Policy**
	Aims to ensure cost is not a barrier to post-secondary education for learners. Enshrined in the Tuition and Fees Regulation.
TILMA	**Trade, Investment and Labour Market Agreement**
	An Alberta/British Columbia trade agreement that commits its parties to removing barriers to trade, investment, and labour mobility. Supplanted by the NWPTA.
UC	**Universities Canada**
	Represents the majority of Canadian public universities, not-for-profit universities, and university degree level colleges. Develops policy on higher education.
UCEP	**University and College Entrance Preparation Program**
	Programs that enable students to complete the courses needed to gain entrance requirements for college and university programs.
UT	**University Transfer**
	A program allowing students to complete up to 60 credits of courses at an institution before transferring to a degree-granting institution to complete the program.
UU	**Undergraduate University**
	Includes three Alberta institutions, Alberta University of the Arts, Grant MacEwan University and Mount Royal University. Focus on learners interested in education oriented toward employment or academic study.

Classification: Public

Appendix B: Relevant Legislation

The following legislation has a direct impact on the operations of public post-secondary institutions. This information is provided for general reference only and is not intended to be relied on as a substitute for legal advice. Because statutes can be amended or repealed at any time, please contact Advanced Education with any specific questions about current legislation.

> Consolidated (unofficial) versions of Alberta legislation can be accessed and printed directly from the Queen's Printer website: qp.alberta.ca
> When relevant, other websites are listed below for further information.

The Advanced Learning System

The *Apprenticeship and Industry Training Act* provides the framework for Alberta's apprenticeship and industry training system and outlines the requirement for government to provide training in designated trades. It also regulates who can work in compulsory certification trades. In addition, there are regulations for each designated trade.[1]

The *Skilled Trades and Apprenticeship Education Act* provides the framework for apprenticeship education and governance of designated trades in Alberta. It provides for the establishment and administration of apprenticeship education programs and industry training programs including the issuance of academic credentials. The Act also provides for the designation of trades and establishes the Alberta Board of Skilled Trades to govern designated trades. Upon coming into force, the Act will replace the *Apprenticeship and Industry Training Act.*[2]

The *Post-secondary Learning Act* (PSLA) and the following regulations under that Act, comprehensively govern the post-secondary system. References to PSLA requirements are provided throughout these guidelines.

> ➤ *Alternative Academic Council Regulation*
> ➤ *Athabasca University Regulation*
> ➤ *Independent Academic Institutions Sector Regulation*
> ➤ *Land Use Regulation*
> ➤ *Pension Validation Regulation*
> ➤ *Programs of Study Regulation*
> ➤ *Sessional Faculty Regulation*
> ➤ *Tuition and Fees Regulation*

Governance and Accountability

The *Alberta Public Agencies Governance Act* outlines the Government of Alberta's expectations on governance practices for public agencies. It includes the requirements for a Mandate and Roles Document and competency-based recruitment process. These documents must be made publicly available.

The *Auditor General Act* provides that the Auditor General of Alberta (AG) is the auditor of every ministry, department, regulated fund, and public agency. The AG must report annually to the Legislative Assembly on the results of audits and any significant recommendations. Section 71 of the PSLA clarifies that the AG is the auditor

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1 In 2022, the *Apprenticeship and Industry Training Act* will be repealed.

2 In 2022, the *Skilled Trades and Apprenticeship Education Act* will be proclaimed.

of the board of every public post-secondary institution other than The Banff Centre. In practice, however, the audited financial statements of The Banff Centre are also reported to the Legislative Assembly.

The *Conflicts of Interest Act* establishes conflict rules, code of conduct requirements, and financial reporting and post-employment restrictions for Members of the Legislative Assembly of Alberta and for political staffers.

The *Financial Administration Act* (FAA) is the primary legislative authority for the financial management of the Government of Alberta. With the exception of The Banff Centre, boards of public post-secondary institutions must comply with the FAA since the majority of their members are appointed by the Lieutenant Governor in Council or the Minister. Only the following provisions of the FAA apply to these boards:

- ➤ Section 1   Interpretation
- ➤ Section 2   Application of the FAA
- ➤ Section 5   Duties of Treasury Board
- ➤ Section 7   Treasury Board regulations and directives
- ➤ Section 13(3)   Power to obtain information
- ➤ Section 80   Incorporation and acquisition of subsidiaries;
                    Lieutenant Governor in Council approval required
- ➤ Section 81   Control of Provincial corporation borrowings;
                    Lieutenant Governor in Council approval required

The *Freedom of Information and Protection of Privacy Act*[3] (FOIP Act) ensures that public bodies are open and accountable to the public by providing a right of access to records, and protects the privacy of individuals by controlling the manner in which public bodies collect, use, and disclose personal information. Each public post-secondary institution under the PSLA is a public body as defined in the FOIP Act. Each institution has its own FOIP Coordinator.

The *Government Organization Act* and the Designation and Transfer of Responsibility Regulation establish the departments of the Government of Alberta, designate specific ministers to administer those departments and to be responsible for specific Acts (solely, or in common with other ministers), and specify the powers, duties, and functions to be exercised or performed by specific ministers.

The *Lobbyists Act*[4] recognizes that lobbying public office holders is a legitimate activity, but that the public and public office holders should be able to know who is engaged in lobbying activities and who is contracting with the Government of Alberta and provincial entities. Schedule 1 to the Lobbyists Act General Regulation identifies which provincial entities are "prescribed provincial entities." This includes both public post-secondary institutions as well as their boards. The impact of being a prescribed provincial entity is threefold:

1. Individuals who lobby a prescribed provincial entity must register as lobbyists and information about them and their lobbying activities will be publicly available as part of the lobbyist registry.
2. Those individuals must comply with the prohibition against providing paid advice and lobbying on the same issue at the same time.
3. Once regulations regarding payment information are enacted, each prescribed provincial entity will be required to publish information about the payments they have made.

The *Public Interest Disclosure (Whistleblower Protection) Act* facilitates the disclosure and investigation of significant and serious matters an employee believes may be unlawful, dangerous or injurious to the public interest, and protects employees who make such a disclosure.

The *Public Sector Compensation Transparency Act* requires the public disclosure of compensation paid to public sector employees, appointees and others.

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3 https://www.qp.alberta.ca/documents/Acts/F25.pdf
4 https://www.qp.alberta.ca/documents/Acts/L20P5.pdf

The *Reform of Agencies, Boards and Commissions Compensation Act* authorizes the Lieutenant Governor, acting on the advice of Cabinet, to establish compensation frameworks for public agencies that fall under the *Alberta Public Agencies Governance Act*.

Land and Facilities Management

The *Alberta Land Stewardship Act* (ALSA) sets out the regional planning process and potentially affects all activities on land in Alberta and all Albertans. ALSA makes regional plans binding on all provincial government departments and decision-making boards and agencies (which includes boards of universities, public colleges, and polytechnic institutes). ALSA made a consequential amendment to the PSLA (section 121(3.1)), which provides that the board of a university must act in accordance with any applicable ALSA regional plan.

Part 17 of the *Municipal Government Act* (MGA) establishes the authority for municipal planning, subdivision, and development control. Municipalities may adopt plans and land use bylaws and make planning decisions to achieve the beneficial use of land without infringing on the rights of individuals, except to the extent necessary for the greater public interest. The MGA is applicable to public post-secondary institutions; however, section 121 of the PSLA provides that building codes, land use bylaw, and statutory plans as defined in part 17 of the MGA, do not apply to the use or development of land by the board of a CARU (unless it is for primarily commercial purposes as defined in the *Land Use Regulation* under the PSLA). As noted under the *Alberta Land Stewardship Act* (ALSA), the board of a university must act in accordance with any applicable ALSA regional plan.

As noted above, a Land Use Regulation as established under the *Post-secondary Learning Act* relates to land development and planning.

The *Safety Codes Act* and the regulations under that Act, including any code adopted under that Act, apply to the use and development of any land owned by or leased to a public post-secondary institution.

Appendix C: Agencies under Advanced Education

Public agencies such as post-secondary institution boards, play a vital role in advancing the priorities of Advanced Education and supporting the businesses of the adult learning system and the apprenticeship and industry training system. They accomplish this by providing coordination, planning, and advice to the Minister, governing institutions and corporations, and providing services to the public. Each agency is established through provincial legislation and abides by the requirements of other statutes such as those noted in *Appendix B*.[1] Some key agencies are described below.

Alberta Board of Skilled Trades supports designated trades in Alberta by making recommendations to the Minister respecting the designation of trades, the restriction of activities within designated trades, and the people who may perform restricted activities. The board governs the standards for designated trades by defining the scope and activities of each trade, and setting the requirements for certification. The board also establishes committees to consult with industry and promotes the value of designated trades careers and the need for welcoming and inclusive work environments.

Alberta Council on Admissions and Transfer[2] (ACAT) serves as a body through which stakeholders work cooperatively for the benefit of learners to ensure smooth transitions—both secondary to post-secondary and post-secondary to post-secondary—and effective transferability of courses and programs within the post-secondary system.

Campus Alberta Quality Council[3] (CAQC) makes recommendations to the Minister of Advanced Education regarding the quality review of proposals from post-secondary institutions for new degree programs in Alberta, and monitors degree programs to ensure quality standards continue to be met.

Minister's Advisory Council on Higher Education and Skills (MACHES) draws input and recommendations from students, higher education and industry to advise the Minister of Advanced Education on metrics for measuring performance, and long-term strategic goals for the direction of Alberta's advanced education system.

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1 Also see https://www.alberta.ca/public-agency-list.cfm for information on each Advanced Education agency.

2 Established under the powers granted to the Minister in section 7 of the *Government Organization Act* (acat.gov.ab.ca)

3 Established in 2004 under section 108 of the *Post-secondary Learning Act*; duties and powers outlined in the Programs of Study Regulation (caqc.gov.ab.ca)

Appendix D: Other Advanced Learning Providers

Alberta's advanced education landscape is broader than the system of 21 public institutions that are the subject of these guidelines. Other advanced learning providers in Alberta include the following:

First Nations Colleges are band-governed post-secondary providers that offer a range of learning opportunities within a culturally affirming environment. Some programs may be offered in collaboration with a publicly funded institution and transfer agreements for programs and courses may exist between these and other institutions. All of Alberta's First Nations Colleges are members of the First Nations Adult and Higher Education Consortium. Advanced Education provides the First Nations College Grant to these colleges. The colleges do not receive capital funding. Programs at the colleges are not approved by the Minister, but a few are licensed under the *Private Vocational Training Act*; students in those programs may be eligible for student financial assistance.

Community-Based Adult Learning Providers receive funding and other supports through Advanced Education's Community Adult Learning Program to facilitate part-time, primarily non-formal, adult learning opportunities in local communities. This network of over 100 funded organizations strives to build safe and welcoming local access points to meet the unique needs of the learners that walk through their doors. The Community Adult Learning Program promotes a vision that: *Adults acquire and build on foundational learning skills through vibrant learning communities.*

Through the Community Adult Learning Program, organizations provide programming to support the development of adult and family literacy, numeracy, basic computer and foundational life skills, as well as English language learning. Organizations also work closely with their local Comprehensive Community College (CCC) to identify learning needs in the region, and work together to address those needs.

English as a Second Language (ESL) Schools are distinct private corporations that operate ESL schools, typically providing services to international students. These institutions do not receive government funding. Some of these institutions belong to either the Canadian Association for Private Language Schools or the Canadian Language Council, both of which have their own quality accreditation systems.

Independent Academic Institutions (IAIs) provide Minister-approved[1] and publicly funded degree programming, primarily in the liberal arts, sciences, business, and education. Unlike public institutions, these not-for-profit private institutions are not established in the PSLA but are empowered through it.[2] Because they receive some public funding for approved degree programs, they have accountability requirements that are similar to public institutions.[3]

Non-Resident Institutions, in certain circumstances, are authorized to offer ministry-approved degree programs in Alberta. While these institutions must be accredited or recognized in their home jurisdiction, their degree programs are still reviewed by Advanced Education and approved by the Minister to ensure they meet Alberta's quality standards[4]. Non-resident institutions do not receive government support, although students at these institutions may be eligible to apply for student financial assistance.

Private Career Colleges offer both licensed and non-licensed short-term, vocation-specific training programs. The approximately 220 private vocational providers offering licensed programs operate under the *Private Vocational Training Act* and regulation.

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1 See Required Government Approvals in Chapter 4

2 PSLA s.106(2)(b)

3 See Appendix E.

4 See Required Government Approvals in Chapter 4.

The licensing process requires demonstration of industry support and labour market demand for graduates, relevance of the curriculum, appropriateness of admission requirements to students, and suitability of the instructor's qualifications. If there is a professional body that regulates the field, its requirements need to be met prior to an organization applying to offer training. Institutions offering licensed programs must remain in compliance with the *Private Vocational Training Act* and regulation in order to maintain their license. Private vocational training institutions do not receive funding from Advanced Education, although students enrolled in licensed programs may be eligible to apply for student financial assistance.

Religious Training Institutions operate under the names of theological colleges, Bible colleges or institutes and seminaries, and offer religious and faith-grounded vocational education in Alberta. Some of these institutions offer combined programs where students earn both a provincially recognized credential and a non-ministry approved divinity degree. Students at some of these institutions may be eligible to apply for student financial assistance.

Appendix E: Sectors (Institution-Types)

Institution	Programming	Research	Collaboration
Comprehensive Academic and Research Universities			
Athabasca University University of Alberta University of Calgary University of Lethbridge	Must provide approved undergraduate and graduate degree programs. May offer approved diploma and certificate programs.	May undertake all forms of research, including discovery.	May collaborate with other post-secondary institutions and sectors to support regional access to undergraduate degree programs. *Athabasca University shall collaborate with other post-secondary institutions to support regional access to undergraduate programs.
Comprehensive Community Colleges			
Bow Valley College Keyano College Lakeland College Lethbridge College Medicine Hat College NorQuest College Northern Lakes College Olds College Portage College	Must provide approved foundational learning programs, as well as diploma and certificate programs. May provide apprenticeship programming where demand warrants, as well as undergraduate degree programming primarily in collaboration with a degree-granting institution, or autonomously under particular conditions and subject to Ministerial approval. Not permitted to offer graduate level programs.	May undertake research and scholarly activity in alignment with credentials offered or focused on industry or community needs that support regional economic and social development.	Must collaborate with other post-secondary institutions and partners in the community, business, and industry sectors to support regional access to foundational learning, diploma, certificate, and undergraduate degree programming.
Independent Academic Institutions			
Ambrose University Burman University Concordia University The King's University St. Mary's University	May provide foundational learning, diploma, certificate, and approved undergraduate degree programming. Undergraduate diploma and certificate programs may be either ministry-approved or board-approved. May provide graduate level programs in niche areas under particular conditions.	May undertake research and scholarly activity in alignment with credentials offered.	May collaborate with other institutions and sectors to support regional access to undergraduate degree programming.

Institution	Programming	Research	Collaboration
Polytechnic Institutions			
Northern Alberta Institute of Technology Northwestern Polytechnic Red Deer Polytechnic Southern Alberta Institute of Technology	Must provide approved apprenticeship, diploma, and certificate programs. May provide approved foundational learning and undergraduate degree programs. Not permitted to offer graduate level programming.	May undertake research and scholarly activity in alignment with credentials offered, and/or research that is focused on strengthening economic development in Alberta.	Must collaborate with other institutions and sectors support regional access to polytechnic education. May collaborate to support access to diploma, certificate or undergraduate degree programming.
Specialized Arts and Culture Institutions			
The Banff Centre	May provide non-credential, certificate and diploma programming.	May undertake research and scholarly activity in alignment with programs offered.	May collaborate with other sectors as necessary to support regional access to specialized arts and culture programming, through provision of non-credential certificate and diploma programming.
Undergraduate Universities			
Alberta University of the Arts Grant McEwan University Mount Royal University	Must provide approved undergraduate degree programming. May offer approved foundational learning diploma or certificate programs. *Not permitted to offer graduate level programming unless previously approved to do so.	May undertake research and scholarly activity that enriches undergraduate education.	Must collaborate with other post-secondary institutions and sectors to support regional access to undergraduate degree programming.

Appendix F: Other Bodies within an Institution

Applies to	Body	Role	Membership
Academic Decisions and Recommendations			
Comprehensive Academic and Research Universities (for Athabasca University's General Faculties Council, membership also includes tutors and non-academic staff) Undergraduate Universities	General Faculties Council	Has responsibility for academic affairs,[1] and can make recommendations to the board on any matter within its purview, which the board must consider.[2] Such matters include, but are not limited to, the establishment of faculties, schools, departments, chairs and programs of study, affiliation with another institution, and academic planning.[3] Also has general supervision of student affairs[4] and may discipline students, subject to the right of appeal to the board.	Members by virtue of their position, including President (chair), Vice-Presidents, Dean of each faculty, and others 2 students and 1 graduate student Members elected to represent faculties and schools, numbering twice the number of persons members by virtue of their position[5]
	Faculty Council	Subject to the oversight of the General Faculties Council, each has several powers and duties related to its faculty in regards to programs of study and student admissions, examinations, and conditions for withdrawal.[6]	President Dean (chair) All full-time academic staff of the faculty Members of related professional associations Other members as determined by the general faculties council[7]

1 PSLA s.26(1)
2 PSLA s.19
3 PSLA s.26(1)(l)-(o)
4 PSLA s.31(1)

5 PSLA s.23-25
6 PSLA s.29
7 PSLA s.28(2)

Applies to	*Body*	*Role*	*Membership*
Academic Decisions and Recommendations			
Polytechnic Institutes Comprehensive Community Colleges	Academic Council	Makes recommendations to the board respecting any academic issue, including topics such as academic awards, standards and procedures for the selection and admission of students (outside of apprenticeship programs), and courses and programs of instruction to be provided by the institution.[8]	President (chair) Not more than 4 senior officials Not more than 10 academic staff Not more than 10 students Not more than 5 additional members[9]
	Alternative Academic Council	May be established in place of an Academic Council, with the minister's approval.[10] The powers and duties of this council more closely mirror a General Faculties Council, allowing it to make academic decisions rather than submitting recommendations for academic matters to the board.[11]	President Vice-president in charge of academic programs) Not more than 5 students Not more than 10 senior officials Other members as determined by the board[12]
Public Interest			
Comprehensive Academic and Research Universities (excluding Athabasca University)	Senate	Inquires into any matter that might benefit the university and enhance its position in the community.[13] Within this broad mandate it has a ceremonial role which includes conferring honorary degrees.	6 members by virtue of their position, inc. Chancellor (chair) and President 16 members appointed from different constituents within the institution 9 members appointed by the Minister from the public 30 members representing different geographical areas and interests in the institution[14]
All other public institutions	Board of Governors	Described in these *Guidelines*.	See Chapter 5.
Broad Role, as Delegated			
Comprehensive Academic and Research Universities Undergraduate Universities	Deans' Council	Advisory body to the board, GFC, and President, with the powers, duties, and functions delegated to it.[15]	President (chair) Vice-Presidents Dean of each faculty Other officers[16]

8 PSLA s.47
9 PSLA s.46
10 PSLA s.47.1
11 AACR s.6
12 AACR s.5

13 PSLA s.13(1)
14 PSLA s.11(3)
15 PSLA s.27(2)
16 PSLA s.27(1)

Applies to	Body	Role	Primary Clients
Staff Associations			
Comprehensive Academic and Research Universities Undergraduate Universities Polytechnic Institutes Comprehensive Community Colleges	Academic Staff Association	Represents academic staff members to the board and has the exclusive authority, on behalf of academic staff members, to negotiate and enter into an agreement with the board.[17] These agreements are binding on the board, the Academic Staff Association, and academic staff members.[18] As a separate statutory corporation, the Academic Staff Association may charge membership fees, elect an executive, and acquire, manage and dispose of property. After consultation with the Academic Staff Association, the board may designate employees or categories of employees as academic staff members or non-academic staff members.[19]	All academic staff members
	Non-academic Staff Association	The bargaining agent responsible for negotiating and entering into agreements with the board in respect to non-academic staff members. In some cases, this role is undertaken by a union such as the Alberta Union of Provincial Employees or the Canadian Union of Public Employees, although it may also be an institution-specific association.	All non-academic staff members

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17 LRC s.58.3
18 LRC s.128

19 PSLA s.60(2)(a)

Applies to	Body	Role	Primary Clients
Student Associations			
Comprehensive Academic and Research Universities Undergraduate Universities Polytechnic Institutes Comprehensive Community Colleges	Students' Association (SA)	Responsible for the administration of student affairs at the institution, subject to the authority of the board[20] (and at a CARU, the President and the GFC).[21] This may include the development and management of student committees, the development and enforcement of rules relating to student affairs, and the promotion of the general welfare of students. The SA may levy fees on its members and also acquire, hold, and dispose of property[22] with the approval of the board. The council of the SA is the official channel of communication[23] between students in credit courses (with the exception of graduate students at a CARU) and the board, and also nominates student members to other internal bodies.	All students, with the exception of graduate students at CARUs
Comprehensive Academic and Research Universities	Graduate Students' Association (GSA)	Has similar powers and duties to a SA (see above), including the ability to acquire, hold, and dispose of property.[24] Its council is the official channel of communication between graduate students and the board.[25] The GSA also has the exclusive authority, on behalf of graduate students, to negotiate and enter into employment agreements with boards on behalf of graduate students employed by the institution.[26] Such an agreement is binding on the board, the GSA, and the graduate students.[27]	All graduate students at a CARU

20 PSLA s.93
21 PSLA s.31(2)
22 PSLA s.93(4)
23 PSLA s.95(4)

24 PSLA s.94(4)
25 PSLA s.95(5)
26 LRC s.58.4
27 LRC s.128