

1995 BILL 2

Third Session, 23rd Legislature, 44 Elizabeth II

THE LEGISLATIVE ASSEMBLY OF ALBERTA

BILL 2

**ADVANCED EDUCATION STATUTES
AMENDMENT ACT, 1995**

THE MINISTER OF ADVANCED EDUCATION
AND CAREER DEVELOPMENT

First Reading

Second Reading

Committee of the Whole

Third Reading

Royal Assent

Bill 2

BILL 2

1995

ADVANCED EDUCATION STATUTES AMENDMENT ACT, 1995

(Assented to _____, 1995)

HER MAJESTY, by and with the advice and consent of the
Legislative Assembly of Alberta, enacts as follows:

Colleges Act

Amends RSA
1980 cC-18

1(1) The Colleges Act is amended by this section.

*(2) Section 4 is amended by adding the following after subsection
(2):*

(2.1) Notwithstanding anything in this section, a person who
is an employee of the board and either

(a) a voting member of the executive body or an officer
of an academic or non-academic staff association, or

(b) a person who has the responsibility, or the joint
responsibility with others, of negotiating with the
board on behalf of such an association the terms and
conditions of service of members of the association,

may not be appointed or be or remain a member of the
board.

(2.2) In subsection (2.1), “non-academic staff association”
means a bargaining agent representing non-academic staff.

(3) Section 7 is amended

(a) in clause (a)

(i) by adding “or programs” after “courses”;

(ii) by striking out “and” at the end;

Explanatory Notes

Colleges Act

- 1(1)** Amends chapter C-18 of the Revised Statutes of Alberta 1980.
- (2)** Prohibition against board membership for certain members of staff associations.

- (3)** Section 7 presently reads:

7 A college board may provide

(a) courses of general, academic, vocational, cultural or practical nature, subject to the approval of the Minister, and

(b) by adding the following after clause (a):

- (a.1) applied degree programs approved by the Minister that are designed to lead to applied degrees on their successful completion,
- (a.2) in the case of the Alberta College of Art, bachelor of fine arts degree programs approved by the Minister, and

(4) The following is added after section 7:

Degrees

7.1(1) A college board may grant applied degrees on the successful completion of applied degree programs referred to in section 7(a.1).

(2) Applied degree programs must

- (a) be based on a combination of 6 semesters of formal classroom instruction and a work experience component of at least 2 semesters of evaluated work experience in an employment situation, and
- (b) be designed with the object of preparing students for careers.

(3) The Alberta College of Art may grant bachelor of fine arts degrees on the successful completion of degree programs referred to in section 7(a.2).

(5) Section 33(1)(b) is amended by striking out "or certificate" and substituting ", certificate or applied or bachelor of fine arts degree".

Technical Institutes Act

Amends SA
1981 cT-3.1

2(1) The Technical Institutes Act is amended by this section.

(2) Section 5 is amended by adding the following after subsection (2):

(2.1) Notwithstanding anything in this section, a person who is an employee of the board and either

- (a) a voting member of the executive body or an officer of an academic or non-academic staff association, or

(b) short courses or short programs to meet the needs of special interest groups.

(4) Degree-granting.

(5) Section 33(1)(b) presently reads:

33(1) In this section,

(b) "program of study" means a group of credit courses that, on completion, leads to the granting of a diploma or certificate;

Technical Institutes Act

2(1) Amends chapter T-3.1 of the Statutes of Alberta, 1981.

(2) Prohibition against board membership for certain members of staff associations.

- (b) a person who has the responsibility, or the joint responsibility with others, of negotiating with the board on behalf of such an association the terms and conditions of service of members of the association,

may not be appointed or be or remain a member of the board.

(2.2) In subsection (2.1), “non-academic staff association” means a bargaining agent representing non-academic staff.

(3) *Section 11(1)(a) is amended*

(a) *by striking out “and” at the end of subclause (i);*

(b) *by adding the following after subclause (i):*

- (i.1) applied degree programs approved by the Minister that are designed to lead to applied degrees on their successful completion, and

(4) *The following is added after section 11:*

Applied
degrees

11.1(1) A board may grant applied degrees on the successful completion of applied degree programs referred to in section 11(1)(a)(i.1).

(2) Applied degree programs must

- (a) be based on a combination of 6 semesters of formal classroom instruction and a work experience component of at least 2 semesters of evaluated work experience in an employment situation, and

- (b) be designed with the object of preparing students for careers.

(5) *Section 25(1)(b) is amended by striking out “or certificate” and substituting “, certificate or applied degree”.*

(3) Section 11(1) presently reads in part:

11(1) A board

(a) may provide

(i) courses or programs of instruction or training of a general, academic, vocational, technical, cultural or practical nature, subject to the approval of the Minister, and

(ii) short courses or short programs of instruction or training to meet the needs of special interest groups,

(4) Applied degrees.

(5) Section 25(1)(b) presently reads:

25(1) In this section,

(b) "program of study" means a group of credit courses that, on completion, leads to the granting of a diploma or certificate;

Universities Act

Amends RSA
1980 cU-5

3(1) The Universities Act is amended by this section.

(2) Section 1(f) is repealed and the following is substituted:

(f) “private college” means any college other than a college established under the *Colleges Act*;

(3) Section 15 is amended by adding the following after subsection (4.1):

(4.2) Notwithstanding anything in this section, a person who is an employee of the board and either

(a) a voting member of the executive body or an officer of an academic or non-academic staff association, or

(b) a person who has the responsibility, or the joint responsibility with others, of negotiating with the board on behalf of such an association the terms and conditions of service of members of the association,

may not be appointed or be or remain a member of the board.

(4.3) In subsection (4.2), “non-academic staff association” means a bargaining agent representing non-academic staff.

*(4) Section 53(2) is amended by adding “or the granting of degrees allowed by the *Colleges Act* or the *Technical Institutes Act*” after “regulations”.*

Universities Act

3(1) Amends chapter U-5 of the Revised Statutes of Alberta 1980.

(2) Section 1(f) presently reads:

1 In this Act,

(f) "private college" means a college incorporated under a private Act of the Legislature, but does not include a public college as defined in the Colleges Act;

(3) Prohibition against board membership for certain members of staff associations.

(4) Section 53 presently reads in part:

53(1) No person other than a university, a private college in respect of a program of study designated under section 64.5 and a non-resident institution approved under the regulations under section 69 shall

(a) grant any degree,

(b) offer a program of study that provides for the granting of any degree to a person who successfully completes the program, or

(c) advertise that it has the authority to do the things referred to in clause (a) or (b), or both.

(2) Subsection (1) does not apply to the granting of degrees in divinity that are described in the regulations.

(5) Section 54(3) is repealed and the following is substituted:

(3) A body that is or purports to be an educational institution shall not use the word “university” or any derivation or abbreviation of it in its name or in any advertising relating to it unless that body

- (a) is a university,**
- (b) is acting in accordance with the authority of the board under subsection (2),**
- (c) is a non-resident institution approved under the regulations under section 69,**
- (d) is an institution specifically authorized to use the word or expression in its name by a provision of an Act of the legislature of another jurisdiction or by the public authority in another jurisdiction having overall responsibility for the body or by an authority having responsibility there for the accreditation of educational institutions of advanced learning, or**
- (e) is a private college designated under section 64.5 that has the Minister’s written approval to use the expression.**

(3.1) In considering the proposal of a private college designated under section 64.5 to call itself a “university”, the Minister shall have regard to whether the college offers a graduate program and has as one of its objects the creation of knowledge through scholarly activity.

(5) Section 54 presently reads in part:

(3) Except as authorized under subsection (2) or in accordance with the authority of the Minister, no person other than a university, a private college designated under section 64.5, a non-resident institution approved under the regulations under section 69 and an institution authorized by an Act of a legislature of a province to grant degrees shall

(a) use the word "university" or any derivation or abbreviation of it as a noun in the name of any business or undertaking that could appear to the public to be an educational institution, or

(b) use the word "university" or any derivation or abbreviation of it as a noun in any advertising relating to an educational institution.