

2009 Bill 4

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Second Session, 27th Legislature, 58 Elizabeth II

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THE LEGISLATIVE ASSEMBLY OF ALBERTA

# **BILL 4**

## **POST-SECONDARY LEARNING AMENDMENT ACT, 2009**

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MR. BHULLAR

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First Reading . . . . .

Second Reading . . . . .

Committee of the Whole . . . . .

Third Reading . . . . .

Royal Assent . . . . .

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*Bill 4*  
*Mr. Bhullar*

## **BILL 4**

2009

### **POST-SECONDARY LEARNING AMENDMENT ACT, 2009**

*(Assented to , 2009)*

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

#### **Amends SA 2003 cP-19.5**

**1 The *Post-secondary Learning Act* is amended by this Act.**

**2 Section 26 is amended by adding the following after  
subsection (2):**

**(3)** A general faculties council may delegate any of its powers, duties and functions under this Act, including the powers referred to in section 31, as it sees fit and may prescribe conditions governing the exercise or performance of any delegated power, duty or function, including the power of subdelegation.

## Explanatory Notes

**1** Amends chapter P-19.5 of the Statutes of Alberta, 2003.

**2** Section 26 presently reads:

*26(1) Subject to the authority of the board, a general faculties council is responsible for the academic affairs of the university and, without restricting the generality of the foregoing, has the authority to*

- (a) exercise any power of a faculty council that the general faculties council considers desirable to exercise;*
- (b) consider and make decisions on the reports of the faculty councils as to the programs of study in the faculties;*
- (c) determine all programs of study to which clause (b) does not apply that are to be offered by the university for credit toward the requirements for any degree or diploma;*
- (d) determine the timetables for examinations and for lectures and other instruction in each faculty;*
- (e) consider and make decisions on the reports of faculty councils as to the appointment of examiners and the conduct and results of examinations in the faculties;*



- (f) provide for the granting and conferring of degrees other than honorary degrees;*
- (g) provide for the preparation and publication of the university calendar;*
- (h) hear and determine appeals from the decisions of faculty councils on applications, requests or petitions by students and others;*
- (i) consider all matters reported to it by any faculty council and communicate its opinion or action on those matters to the faculty council concerned;*
- (j) determine the date for the beginning and end of lectures in the university and also the beginning and end of each university term;*
- (k) make rules and regulations for the management and operation of libraries;*
- (l) recommend to the board the establishment of faculties, schools, departments, chairs and programs of study in the university in any subject that the general faculties council thinks fit;*
- (m) make rules and regulations respecting academic awards;*
- (n) determine standards and policies respecting the admission of persons to the university as students;*
- (o) make recommendations to the board with respect to affiliation with other institutions, academic planning, campus planning, a building program, the budget, the regulation of residences and dining halls, procedures in respect of appointments, promotions, salaries, tenure and dismissals, and any other matters considered by the general faculties council to be of interest to the university;*
- (p) authorize lecturing and teaching on the university premises by persons other than members of the staff of the university;*
- (q) authorize a school to have a school council of the same nature and with the same powers, duties and functions as a faculty council and, in its discretion, revoke any authority so given.*

**3 Section 29 is amended by adding the following after subsection (2):**

(3) A faculty council may delegate any of its powers, duties and functions under this Act as it sees fit and may prescribe conditions governing the exercise or performance of any delegated power, duty or function, including the power of subdelegation.

**4 Section 36(3) is amended by adding the following after clause (b):**

(b.1) is a public post-secondary institution that is, by order under section 36.1, specifically authorized to use the word “university” or the derivation or abbreviation of that word in its name,

*(2) Any recommendations from the general faculties council to the board must be transmitted to the board through the president.*

**3** Section 29 presently reads:

*29(1) A faculty council may*

- (a) determine the programs of study for which the faculty is established,*
- (b) appoint the examiners for examinations in the faculty, conduct the examinations and determine the results of them,*
- (c) provide for the admission of students to the faculty,*
- (d) determine the conditions under which a student must withdraw from or may continue the student's program of studies in the faculty, and*
- (e) authorize the granting of degrees,*

*subject to any conditions or restrictions that are imposed by the general faculties council.*

*(2) A meeting of a faculty council must be held at any time on the summons of the dean of the faculty.*

**4** Section 36(3) presently reads:

*(3) No organization that is or purports to be an educational institution, other than a university established under section 3, may 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 acting in accordance with an authorization of the board under subsection (2),*
- (b) is a non-resident institution approved under the regulations under section 124(k),*
- (c) is an institution specifically authorized to use the word or expression in its name by an Act of the legislature of another jurisdiction, by the public authority in another jurisdiction having overall responsibility for the body or by an authority*

**5 The following is added after section 36:**

**Order changing name**

**36.1(1)** A public post-secondary institution that is, by regulation made under section 102.2(2), assigned to the Baccalaureate and Applied Studies Institutions sector may, by application in writing to the Minister, request that the name of the institution be changed to a name that includes the word “university” or a derivation or abbreviation of that word.

**(2)** If the Minister considers it appropriate that the name of the institution referred to in subsection (1) be changed in the manner requested, the Minister may recommend to the Lieutenant Governor in Council that an order be made under subsection (3).

**(3)** On the recommendation of the Minister under subsection (2), the Lieutenant Governor in Council may by order change the name of the institution to a name that includes the word “university” or a derivation or abbreviation of that word.



*having responsibility in another jurisdiction for the accreditation of post-secondary institutions, or*

- (d) is a private college that has been designated as an institution that may grant a degree and has the Minister's written approval to use the word "university" or any derivation or abbreviation of the word.*

**5** Order changing name.





