Government of   Gouvernement des
Northwest Territories   Territoires du Nord-Ouest

Plain Language Summary for Bill 39: *An Act to Amend the Post-Secondary Education Act*

The Minister of Education, Culture and Employment is sponsoring Bill 39, *An Act to Amend the Post-Secondary Education Act* (the Bill).

The *Post-Secondary Education Act* (the Act) received assent on August 21, 2019 and is not yet in force. It will come into force on a day set by an order of the Commissioner. The Act creates a structure for recognizing post-secondary institutions within the Northwest Territories and enable the transformation of Aurora College into a polytechnic university.

During the drafting of regulations required for implementing the Act, the Department of Education, Culture and Employment identified several areas where amendments are required to address gaps or inconsistencies and correct errors so the Act will function as desired when it comes into force. As well, an opportunity was identified to amend the section on Indigenous institutions to ensure it is more closely aligned with the 19th Legislative Assembly priority to implement the Articles of the *United Nations Declaration on the Rights of Indigenous Peoples*.

The significant amendments included in the Bill are as follows:

1. Removing a step for the recognition of an Indigenous institution.

The current provisions of the Act require an organization seeking recognition as an Indigenous institution to first go through the process for recognition as a post-secondary institution. The Bill amends the Act to remove barriers to the establishment of Indigenous institutions by eliminating the requirement for an Indigenous institution to first go through the process of recognition for a post-secondary institution. An organization will be able to directly go to the process set out for recognizing Indigenous institutions, which will be outlined within the regulations.

The Department will be engaging Indigenous governments and organizations toward the development of regulations governing the recognition of Indigenous institutions.

2. Establishing the authority for fees and charges to be collected for certain services, to ensure consistency and clarity within the Act.

The Act currently authorizes fees to be collected in several different situations but does not specifically contemplate fees collected for applications or renewals by institutions looking for authority to grant degrees or offer other post-secondary programs, or for quality assurance reviews or costs associated with these reviews. The Bill amends the Act to allow for fees and charges to be collected in these circumstances.

3. Clarifying the role and authority of the Post-Secondary Education Advisory Committee.

The Act gives the Minister the authority to establish a Post-Secondary Advisory Committee as well as designate quality assurance bodies, each with the authority to review matters referred to them by the Minister. Currently it is not clear within the Act that the Post-Secondary Education Advisory Committee is supposed to act as a quality assurance body for non-degree granting institutions, with other external designated quality assurance bodies conducting reviews for other institutions. The Bill amends the Act to clarify the role of the Committee as a quality assurance body for non-degree granting institutions, with further clarification to be set out in regulations.

The Bill also amends the Act to provide clarity around appointment of members to the Committee, and allows for regulations to be made relating to the standards the Committee must apply in conducting quality assurance reviews.

4. Establishing a quality assurance requirement for Private Vocational Training and Private Training Institutions.

The Bill amends the Act to include a quality assurance review process for Private Vocational Training and Private Training Institutions.

For additional information or questions contact:

Meagan Wohlberg
Director, Policy, Legislation and Communications
Education, Culture and Employment
Government of the Northwest Territories
Call: (867) 767-9352 ext. 71070
Meagan_Wohlberg@gov.nt.ca