



Plain Language Summary for Bill 30: *An Act to Amend the Aurora College Act*

The Government of the Northwest Territories (GNWT), Department of Education, Culture and Employment is making changes to the *Aurora College Act* as part of the transformation of Aurora College into a polytechnic university.

Background

Aurora College has been in the process of transforming into a polytechnic university since 2018. The purpose of the transformation is to increase access to quality post-secondary education opportunities for Northerners and to encourage growth of research that is beneficial to communities and residents in the Northwest Territories (NWT).

In October 2020, the GNWT released the *Aurora College Transformation Implementation Plan* that provides a list of critical milestones and a timeline of when each must be achieved to establish a polytechnic university by May 2025. Within the identified critical milestones, two legislative processes are anticipated. Spreading changes across two legislative processes will allow time for Aurora College and the GNWT to adapt to a new way of working together as Aurora College becomes more arm's length from government.

The first legislative process is now underway to make changes to the existing *Aurora College Act*. The second legislative process is anticipated to take place in 2024 and will establish a *Polytechnic University Act* to replace the amended *Aurora College Act* and formally launch the polytechnic university.

To be recognized as a university in the NWT Aurora College will follow a process required under the *Post-Secondary Education Act*, beginning with meeting the requirements of an external quality assurance review. The *Post-Secondary Education Act* was passed by the Legislative Assembly in 2019 and is anticipated to come into force in 2022. The external review by a designated quality assurance body is a requirement of this legislation. The review will require Aurora College to meet national standards and best practice in post-secondary education. One area of focus of the external quality assurance review will be governance.

The changes presented in Bill 30 will result in a new governance system that will help to ensure Aurora College is effective, efficient and sustainable. Aurora College will be better positioned to identify and respond to the needs of Northern residents, and do so at arm's length from government.

What is Bill 30?

The Bill currently being considered will create a new governance system for Aurora College in advance of becoming a polytechnic university. A governance system is about who makes decisions and how those decisions are made.

The new governance system would include three governing bodies that will lead Aurora College:

- Board of Governors
- Academic Council
- Indigenous Knowledge Holders Council

With three governing bodies, this approach is sometimes referred to as a “tricameral” governance system. Currently, Aurora College only has one governing body as part of the governance system, namely the Board of Governors. All three will now play an important role in the governance system, but the Board of Governors will remain the primary decision-making body.

In addition to establishing the three governance bodies, the Bill proposes changes that will impact the role and authority of the Minister of Education, Culture and Employment (Minister).

Engagement

Development of the current Bill was informed by input received over the past five years regarding changes to the overall post-secondary education system and specifically to Aurora College. In particular, input has shaped how national standards and best practice in post-secondary education will be applied given the NWT’s social and economic context.

As part of developing the *Post-Secondary Education Act*, the GNWT conducted public and stakeholder engagement, grounded in a discussion paper entitled *Governance of Post-Secondary Education in the Northwest Territories*. This discussion paper and a summary were shared with post-secondary education stakeholders, Indigenous governments, and posted online for public feedback. This engagement took place in February - April 2018. The focus of this engagement was on establishing a legal framework that creates a quality assurance system for the NWT’s post-secondary institutions, clearly lays out the role of the Minister in relation to post-secondary education and ensures good governance of post-secondary institutions. It also subsequently helped to inform changes to the governance at Aurora College, including changes to the role of the Minister and accountabilities of the Board of Governors.

In October 2018, the GNWT released the *Government Response to the Findings and Recommendations of the Aurora College Foundational Review*. The process included additional wide-ranging engagement in 2017 and 2018 with Members of the Legislative Assembly, Indigenous and community governments, and former members of the Board of Governors, as well as Aurora College partners, stakeholders, employees, students and members of the public. It focused, in part, on the current governance structure of Aurora College to determine if it meets the criteria for good governance, allows for the establishment and pursuit of education and research priorities, supports efficient and effective operations and clearly defines roles and responsibilities.

In August 2019, the GNWT released the *NWT Post-Secondary Education Strategic Framework 2019-2029*. This was a critical milestone in the transformation process to ensure the work of the GNWT is aligned with the new vision and goals for the post-secondary education system. The *Framework* was informed by engagement with Indigenous governments, communities, industry, post-secondary education partners and public through a survey that ran from March - April 2019.

In August 2020, the GNWT released a discussion paper entitled *Governance of Aurora College and the Polytechnic University*. This discussion paper and a summary were again shared with stakeholders, Indigenous and community governments, and posted online for public feedback.

All historic documents related to the Aurora College Transformation Initiative can be found online: <https://www.ece.gov.nt.ca/aurora-transformation/>

Summary of Bill 30 Aurora College Board of Governors

Following changes to the *Aurora College Act*, the Board of Governors will include:

- The President of Aurora College (non-voting member);
- An Aurora College instructor;
- An Aurora College staff member who is not an instructor;
- An Aurora College student; and
- Eight public members.

In addition, the changes to the *Aurora College Act* will require that a minimum of five of the eight public members be residents of the NWT. It will also require that a minimum of three of these five residents be Indigenous. These are only minimums and the Minister would be required to ensure that the Board of Governors reflects the unique values, histories and people of the NWT.

The Board of Governors will recommend new members to the Minister for approval. Selection of public members will be based on the need for the Board of Governors to possess a set of competencies defined by the Minister. Competencies are the skills, knowledge and abilities required to ensure Aurora College remains effective, efficient and sustainable.

The Minister will have the authority to select additional members for the Board of Governors in order to meet the prescribed competencies. The Minister will also select the Chair and Vice-Chair of the Board of Governors from among the members.

The length of appointments will be two years for Aurora College instructors, non-instructional staff and students; and three years for public members. Members may only be appointed to two consecutive terms.

Some individuals will not be eligible for appointment to the Board of Governors, including those who work for a department of the GNWT, as well as current elected Members of Parliament, the Legislative Assembly, Indigenous governments and municipal councils.

The Board of Governors will continue to be responsible for overseeing the operations of Aurora College, but the scope of responsibility will be expanded, including around development of policies in the areas of administration, operations, programs and the priorities of Aurora College. They will now also be responsible for managing Aurora College finances and property, including erecting buildings and structures that it considers to be necessary.

Currently, the President of Aurora College is appointed by the Minister. Following changes to the *Aurora College Act*, the President of Aurora College will be appointed by and follow the direction of the Board of Governors.

Academic Council

Following changes to the *Aurora College Act*, the Board of Governors will establish an Academic Council and decide how members will be selected.

The purpose of the Academic Council will be to promote best practices in the development of academic programs, research programs and associated supports. This includes continuous quality review of academic programs, research programs and supports.

The Academic Council will make recommendations to the Board of Governors on any matter related to its purpose, including:

- Student entrance and graduation requirements;
- Student appeal processes;
- Program development and review;
- Academic awards;
- Reporting; and
- Any other matter referred to it by the Board of Governors.

The Board of Governors will also have the authority to delegate any of its powers or duties to the Academic Council.

Indigenous Knowledge Holders Council

Following changes to the *Aurora College Act*, the Board of Governors will establish an Indigenous Knowledge Holders Council and decide how members will be selected.

The purpose of the Indigenous Knowledge Holders Council will be to promote policies and operational decisions that foster the success of Indigenous students and staff at Aurora College, and the overall success of Aurora College.

The Indigenous Knowledge Holders Council will develop and monitor implementation of a framework that guides Aurora College in all areas of strategic and operational decision-making.

The Indigenous Knowledge Holders Council will make recommendations to the Board of Governors on any matter related to its purpose, including:

- Success of Indigenous students and staff;
- Strategic direction of Aurora College;
- Awareness of the culture, traditions and histories of Indigenous peoples;
- Program development and review;

- Operational activities;
- Reporting; and
- Any other matter referred to it by the Board of Governors.

The Board of Governors will also have the authority to delegate any of its powers or duties to the Indigenous Knowledge Holders Council.

Minister of Education, Culture and Employment

Following changes to the *Aurora College Act*, the Board of Governors will be required to prepare a statement setting out the mandate of Aurora College for approval by the Minister. Aurora College would then be restricted to operating inside the approved mandate.

As noted above, the Minister would determine the required competencies of the Board of Governors, appoint members and designate a Chair and Vice-Chair. Following a two-thirds vote of the Board of Governors, the Minister would be empowered to remove a member.

The Minister would continue to determine tuition for full-time programs, and approve the annual Aurora College Corporate Plan and the Aurora College Annual Report. Following changes, Aurora College will also be required to provide the Minister with any reports or other information that the Minister considers necessary to carry out the Minister's responsibilities regarding Aurora College.

The changes to the *Aurora College Act* will set limits on the powers of the Minister. In particular, the Minister would not be allowed to take any actions that would interfere with the Board of Governors, Academic Council or Indigenous Knowledge Holders Council regarding:

- Development of Aurora College policies;
- Activities undertaken within the approved mandate; or
- Recommendations made by the Academic Council, Indigenous Knowledge Holders Council or any other council or committee established by the Board of Governors.

For additional information or questions contact:
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