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gouvernance du Collège Aurora et de
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AUGUST 2020



DISCUSSION PAPER

Aurora College and Polytechnic University Governance

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English

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French

Kīspin ki nitawihtīn ē nīhīyawihk ōma ācimōwin, tipwāsinān.

Cree

TŁICHO YATI K'EE. DI WEGODI NEWO DÈ, GOTS'O GONEDE.

Tl;chø

ʔERIHTŁÍS DËNE SÚLINÉ YATI T'A HUTS'ELKËR
XA BEYÁYATI THE?A ?AT'E. NUWE TS'ËN YÓTLI.

Chipewyan

K'ÁHSHÓ GOT'ÍNE XƏDÉ K'É HEDERI SEDUHLÉ XERINIYE NÍDÉ DÚLE

TERMINOLOGY

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vinohthan ii' diiits'at ginobkhii

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1. INTRODUCTION

This discussion paper outlines a proposed system of governance for the polytechnic university and broadly identifies how those changes could take place. It draws on information from a wide range of sources that reflect national standards and best practices in post-secondary education (PSE) governance.

In considering the approach proposed below, it is important to keep in mind that the establishment of a polytechnic university, including the governance model that will guide it, will be completed through interim changes to the *Aurora College Act* and the eventual replacement of this legislation with a *Polytechnic University Act*. To inform the legislative processes, this discussion paper provides an opportunity for input from stakeholders. There will continue to be further opportunities for engagement through the two legislative processes.

This discussion paper emphasizes the importance of implementing a different approach to governance and, in doing so, draws on previous Government of the Northwest Territories (GNWT) work, including the Government Response to the Findings and Recommendations of the Aurora College Foundational Review (Government Response), GNWT Discussion Paper on Governance of Post-Secondary Education in the Northwest Territories, and NWT Post-Secondary Education Strategic Framework, 2019-2029. In particular, the GNWT's recent work in establishing the territory's first *Post-Secondary Education Act* remains highly relevant to governance changes as part of Aurora College's transformation to a polytechnic university.

The three overarching goals of the discussion paper are to:

1. Establish an understanding of how Aurora College has been governed in the past and why change is needed;
2. Outline the key elements of a proposed system of governance for the polytechnic university; and
3. Receive feedback from key stakeholders on the proposed system of governance.

What is governance?

All PSE institutions must have the legal characteristics and governance structure necessary to organize and manage their corporate, teaching and research activities. Governance systems at public PSE institutions include a clearly defined relationship between government, the institution's Board of Governors (Board) and the institution's executive leadership (i.e., President and Vice Presidents). The roles and responsibilities of these parties and their relationships define the governance system. Effective governance means they are well defined and support delivery of high quality education and research programs.

When considering governance, it is important to note that governance is not management. It is the legitimate authority to enact decisions and ultimate responsibility for the outcome of those decisions. The implementation or operationalization of decisions is the responsibility of the institution's leadership, beginning with the President who should be directly accountable to the Board.

Why change governance?

In developing a governance system for the new polytechnic university, consideration must be given to best practices in other jurisdictions as well as some unique circumstances in the Northwest Territories (NWT).

In recent years, the governance of PSE institutions in other jurisdictions has been changing, particularly around the role of government. Looking holistically at other governance models and the opportunities they provide is helping to guide this area of the transformation. However, consideration is also given to the NWT's own economic, social and geographic contexts. Although much can be learned from the experience of other jurisdictions, there are a wide range of considerations that remain unique to the North and, to some extent, to the NWT.

The Government Response outlined an approach to governance that is very different from the one currently in place at Aurora College. In particular, it was noted that the greatest potential for success in all areas will be achieved under a governance system that more effectively defines, supports, recognizes and rewards success.

In the long term, establishing an effective, efficient and sustainable institution will rely on it having an appropriate relationship with government. Specifically, it is evident that the polytechnic university must be empowered to function at “arm’s length” in its strategic decision-making and operations.

Structure of the discussion paper

The overall structure of the discussion paper is intended to walk the reader through where Aurora College is today, why governance needs to change and a proposal for how it should change.

Section 2 (Background) begins with a brief overview of Aurora College, the transformation process and how engagement to date has helped to inform this discussion paper and will continue to be a key element of the transformation.

Section 3 (Principles of Good Governance) proposes principles that should guide the design and implementation of a governance system for the polytechnic university.

Section 4 (Characteristics of Success) highlights characteristics of any successful PSE institution that will be priorities in the establishment of a new governance system for the polytechnic university.

Section 5 (Past Aurora College System of Governance) includes background information on the governance structure required under the *Aurora College Act*.

Section 6 (Transforming Governance) details steps that will be implemented to support effective governance through the appointment of a competency-based Board, including Board orientation, development and evaluation.

Section 7 (Polytechnic University Bicameral Governance) outlines the areas of decision making between a Board and Senate under a bicameral governance model and highlights the role of both the President and Chancellor.

Section 8 (Representative Governance) highlights the importance of the governing body being representative of the people it serves.

Section 9 (Board Members) describes the competencies that will be met by the Board of Aurora College and the polytechnic university, the attributes that will be displayed and the proposed composition of the Board under an updated *Aurora College Act*.

Section 10 (Senate Members) presents the composition of an Academic Council, a proposed intermediary change to the *Aurora College Act*, and a precursor to the establishment of a Senate.

Section 11 (Next Steps) outlines the intermediary changes that are anticipated for the *Aurora College Act* and the process that will be followed in the establishment of the *Polytechnic University Act*.

2. BACKGROUND

Aurora College is a public college in the NWT and is mandated to deliver a broad spectrum of adult and PSE programs to meet the needs of individuals, communities and the labour market. This includes the delivery of certificate, college and university-level programs, and granting of prescribed university degrees and applied bachelor degrees by university partners.

As the research division of Aurora College, the mandate of the Aurora Research Institute (ARI) is to improve the quality of life for NWT residents by applying scientific, technological and Indigenous knowledge to solve Northern problems and advance social and economic goals.

Aurora College programs and services are currently delivered through three campus locations and 21 community learning centres.

Aurora College Foundational Review

Aurora College underwent a Foundational Review between 2017 and 2018 that concluded with the Government Response. The Government Response agreed with the recommendation that addressing current gaps in performance and realizing untapped opportunities requires the transformation of Aurora College into a polytechnic university. It proposed that such a transformation would lead to the delivery of world-class programming and transform the College into a destination university in the North and for the North. More Northerners will be able to develop skills needed for the Northern jobs of the future, and will be able to do so in the NWT.

Establishing a polytechnic university will have an added benefit of mitigating the economic loss that results from students leaving the NWT to study in other Canadian PSE institutions. As the new polytechnic university matures, students from other provinces and territories will be increasingly drawn to unique learning opportunities in the NWT, as it becomes recognized as “the place to be” for defined areas of specialization.

The path forward for Aurora College continues to be grounded in the commitments made in the Government Response, but the timelines and critical milestones in the transformation will be further articulated in an Implementation Plan that is anticipated for release in fall 2020.

What is a polytechnic university?

Generally, a polytechnic university combines the practical approach of a college education and the depth of study usually associated with a university program. Polytechnic programs are skills -intensive and technology-based. Hands-on learning opportunities provide students with practical training for in-demand jobs. Program and curriculum decisions at polytechnic universities are also made in close collaboration with representatives from industry, ensuring graduates attain skills that are relevant to the current job market.

The transformation of Aurora College into a polytechnic university represents a significant organizational change that is anticipated to create a new range of opportunities for prospective students and the territory as whole. Teaching at a polytechnic university is grounded in applied

learning. Students start with a foundation in practical knowledge and then move beyond the theoretical to test what they have learned. The new institution would continue to focus mainly on applied and technical programs, as has been the case with Aurora College in the past, but with a wider range of credentials/qualifications available to students. At polytechnic institutions, students have the opportunity to bridge certificate and diploma credentials into bachelor's degrees, allowing for a great deal of flexibility within a defined range of academic programs. The teaching and research will be geared toward the evolving needs of regional, national and global employment markets.

Engagement to-date

Where we are now in the process of transforming Aurora College into a polytechnic university builds on four years of engagement with Indigenous governments, communities, post-secondary stakeholders, industry and other stakeholders. These engagements have been an essential part of the GNWT's wide-ranging work to strengthen the post-secondary education system and advance priorities such as establishing a polytechnic university.

Over the past four years, input directly or indirectly supporting transformation has come from engagements during drafting of the Aurora College Foundational Review Report, the Government Response and the NWT Post-Secondary Education Strategic Framework 2019-2029, as well as during the legislative process leading to completion of the *Post-Secondary Education Act*. Aurora College is near completion of a new three-year strategic plan that incorporates wide-ranging input from Aurora College employees, Indigenous and community leadership, and stakeholders.

These engagements have included town hall meetings in campus communities, in-person and telephone interviews, and online surveys. A speaker series on post-secondary education hosted in conjunction with the development of the Post-Secondary Education Strategic Framework allowed stakeholders and members of the public the chance to share their vision and ideas for the future. As highlighted at several points in this discussion paper, engagement is ongoing and will continue to shape various aspects of the polytechnic university. Sharing this discussion paper is a form of engagement and supports informed feedback on the key aspects of the future governance system for the polytechnic university.

3. PRINCIPLES OF GOOD GOVERNANCE

Good governance is a way of assessing how public institutions, such as the polytechnic university, conduct public affairs and manage public resources. Such conduct can be easily understood in terms of upholding a set of clearly defined principles.

A principle is a commitment to a particular value and helps to link that value to actions. The following principles are universal, but identifying them in the context of the Aurora College transformation can help to establish a common understanding of what good governance means with regard to the polytechnic university.

Effectiveness

The polytechnic university should strive to be effective in meeting the needs of those it serves as described in its vision, mission and values. Effectiveness is more than achieving positive outcomes, it is about successfully meeting or exceeding expectations.

Efficiency

Changes to governance should ensure the overall efficiency of the polytechnic university. This should include increased capacity to continuously evaluate operations and make changes that maximize the benefits from a limited supply of resources.

Sustainability

Changes to governance should ensure the sustainability of continuous improvements to the polytechnic university. This should include the capacity to assess and respond to the wide-ranging risks facing PSE institutions.

Transparency

Changes to governance should increase transparency and result in relevant and timely information being made available to the public about the strategies, tactics and operations of the polytechnic university. Frequent and ongoing communication must be built into practices to demonstrate transparency.

Accountability

Changes to governance should hold the leadership at the polytechnic university accountable by ensuring a system of governance that links desired outcomes with strategic objectives that are clearly aligned to the institution's mission, vision and values.

Responsiveness

Changes to governance should increase the responsiveness of the polytechnic university to emerging opportunities and threats. This should include the capacity to monitor and respond quickly to changing social and economic circumstances across the territory in the management of academic and research programs.

4. CHARACTERISTICS OF SUCCESS

There are a wide range of characteristics indicative of an effective, efficient and sustainable PSE institution, but the following are priorities in the establishment of a new governance system for Aurora College and the polytechnic university and are common features of successful PSE institutions across Canada and internationally.

Strong Leadership

An effective, efficient and sustainable institution begins with strong leadership. Establishing a new governance system for the polytechnic university is fundamentally about ensuring the institution has the right kind of leadership and that leaders are properly supported and held accountable.

The outcomes of strong leadership at the polytechnic university will include effective decision making, mentorship and dedication to the people it serves. Strong leaders must have the ability to create and provide the opportunity to communicate regularly. As such, strong leadership will keep the polytechnic university on the right path, and play an integral part in strengthening the culture of the institution.

Arm's Length from Government

An arm's length institution has a governing body or bodies that have the authority to carry out the mandate and mission of the institution and operate as an independent policy-making body. Decisions at an arm's length typically include all financial and academic decisions. Programming, student entrance requirements and how the polytechnic university will be staffed are examples of decisions that must be made independent of government.

The need to be arm's length does not mean complete independence from government. A public PSE institution is owned and base-funded by the government and, as is the case with all public intuitions, must be held accountable to the public through elected representatives.

The government will continue to play a role in determining the polytechnic university's mandate. How that mandate is implemented will be determined by the Board, and the government will, in turn, hold the Board accountable for achieving the desired outcomes.

Academic Freedom

Academic freedom is the freedom to teach, conduct research and publish in an academic environment without fear of sanction or discipline. It is fundamental to the mandate of universities to pursue truth, educate students and disseminate knowledge. In teaching, academic freedom is essential to the protection of the rights of the teacher to teach and the students to learn without undue interference. Academic freedom also includes the right to communicate knowledge freely through sharing of research results or findings.

Academic freedom must be based on institutional integrity and rigorous standards. The concept of academic freedom must be embedded in the policies, processes and practices of the polytechnic university that encourage academic honesty and integrity.

As Aurora College transforms into a polytechnic university, research and research-informed teaching will become a priority of the institution. A commitment to academic freedom helps to ensure that faculty will be able to integrate their research into their course and program design and delivery. This will greatly improve enrich the learning experience and improve employment prospects.

Continuous Quality Improvement

The capacity for continuous quality improvement (CQI) is an essential feature of any modern PSE institution. It is a quality management philosophy that encourages all team members, including board members and employees, to continuously reflect on what can be done to improve efficiency, effectiveness and the ability to remain responsive and sustainable. It emphasizes incremental, continuous steps to improvement rather than big changes.

As part of the formal process of approval for the establishment of a polytechnic university, Aurora College will need to undergo a quality assurance process administered by an approved quality assurance body. Many of the capacities gained through a CQI approach will be required as part of the quality assurance process, which is an evaluation of the polytechnic university's capacity to meet the challenges of the future.

A critical component of the quality assurance process is an effective governance system that can lead CQI processes in all areas of the institution, including academics, research and corporate affairs. Again, this is not a one-time effort, but an ongoing process of support for CQI that depends on a Board that:

- Regularly develops and publishes a mandate and mission;
- Implements strategic priorities and activities that are resourced to succeed;
- Maintains administrative capacity to support operations;
- Ensures academic policies are transparent and up to date;
- Ensures regular CQI processes such as academic program reviews are completed;
- Ensures qualified and competent employees are hired; and
- Establishes policies and facilitates scholarships, research and innovation across the institution.

5. PAST AURORA COLLEGE SYSTEM OF GOVERNANCE

In many ways, Aurora College's governance system, particularly its relationship with the GNWT, remains rooted in its early existence as an Adult Vocational Training Centre with community learning centres functioning independently. Key aspects of the governance system continue to reflect how the federal and territorial governments coordinated the secondary school system during those early years, including the close involvement of federal and later territorial officials in operational decision making.

Despite ongoing efforts to update its mission and vision in response to changing social, economic and political circumstances, Aurora College has remained limited by its governance system and relationship with the GNWT. This has been detrimental to the growth and development of Aurora College, and has limited the GNWT's ability to advance its broader post-secondary education and research policy objectives.

As a public institution, NWT residents will continue to look to the GNWT to ensure the institution is properly structured, resourced and on track for success. It is also the responsibility of the GNWT to clearly define what long-term success means for the polytechnic university. However, to empower the polytechnic university to achieve long-term success, the GNWT must enable increased decision making, and support capacity development within the institution.

The process of transforming Aurora College into a polytechnic university will allow the GNWT to take a step back and support the polytechnic university in finding its own footing and to engage as a partner in meeting the post-secondary education and research needs of NWT residents.

Aurora College Administrator

In June 2017, the Board was temporarily replaced by a single Administrator who was appointed in accordance with section 31(1) of the *Aurora College Act* which states:

Where, in the opinion of the Minister it is in the public interest to do so, the Minister may appoint an administrator for Aurora College.

As outlined in the Government Response, an Administrator will remain in place until a Board can be re-established under the conditions committed to in the Government Response. Having a single Administrator who receives direction from the Minister has maintained stability and continuity while changes to the College are considered and implemented.

Moving a public PSE institution into administration is rare in Canada; however, the ability to do so remains a common feature of PSE legislation in other jurisdictions.

Aurora College Governance System

If the Aurora College Board was restored today, it would continue under the existing governance system as defined in the *Aurora College Act*.

The Minister of Education, Culture and Employment (Minister) currently holds significant responsibilities under the *Act*. A notable feature of the current governance system is the level of direct involvement and oversight by the Minister with regard to operational matters. Most prominent is the authority to appoint the President, a form of involvement that is not present in most other jurisdictions. The current system also lacks specific reference to inclusion of Indigenous representation.

Currently, the Board must include the following Board Members, appointed by the Minister, as outlined in Section 9 of the *Aurora College Act*:

- a) One member for each region who must be ordinarily resident in that region;
- b) One member recommended by the President from among the staff of Aurora College;
- c) One member who is a student of Aurora College recommended by the student council or, if there is more than one student council, the student councils; and
- d) Such additional members who the Minister considers to have expertise that would contribute to the operation of Aurora College.

Sections 15 and 16 of the *Aurora College Act* outline the accountability of the Board, which include:

- Develop policies respecting the administration of Aurora College;
- Recommend priorities to the Minister for the establishment of programs or courses;
- Ensure that an estimate of revenues and expenditures are prepared annually and that it does not result in a deficit and submit to the Minister;
- Establish and maintain one or more bank accounts in the name of Aurora College;
- Ensure that all revenue and monetary gifts are deposited to the Aurora College bank;
- Recommend the establishment or closure of campuses and community learning centres;
- Enter into agreements on behalf of Aurora College to carry out provisions of the *Act* and Regulations;
- With the approval of the Minister, establish the admission requirements for the students of Aurora College;
- With the approval of the Minister, determine tuition fees;
- Fix the fees to be paid by students for accommodations in student residences or through boarding programs;
- Determine other fees to be paid by students;
- Establish committees and assign tasks to them;
- Join and pay fees to educational associations;
- Determine fees to charge for an educational facility used by the community;
- With the approval of the Minister, make bylaws around student conduct and consequences; establish scholarships; and
- Recommend research and development programs to help find the solutions for social and economic problems and to aid in achieving social and economic goals;

Note that the points above exemplify some of the current accountabilities of the Board, but those interested should refer to *Aurora College Act* for a complete list.

6. TRANSFORMING GOVERNANCE

Aurora College is undergoing a transformation, which completely reshapes an institution's strategy, operations and culture. During transformational change, every aspect of the institution is considered, and changes are typically more fundamental. Transformational change also comes with distinct challenges.

Although the GNWT has made the direction clear, establishing a clear picture of the destination is part of the transformational journey. What the polytechnic university model will look like will emerge through the engagement, planning and incremental decision making. This includes a clear understanding of the governance system and operational changes required to support that governance system. This incremental approach is more time-consuming and complex, but will provide a strong foundation for the polytechnic university's continued growth and development after the transformation is complete.

Aurora College Transformation Commitments

The Government Response makes commitments about governance. Through the Government Response, the GNWT recognized the need to establish a more appropriate and arm's length governance system, as well as the benefits of shared decision making between a Board and Senate. The Government Response also commits that Aurora College will receive an increased level of operational and strategic independence from the GNWT.

Further commitments in the Government Response relating to governance include:

- The development of a board skills matrix (Competency-Based Board) that outlines the skills, knowledge and attributes that will be required to ensure that the Board is effective.
- Updates to governance policies and establishment of bylaws that outline the roles and responsibilities of the different positions and committees on the Board.
- Development of a Board orientation and training package, as well as an evaluation process for the members of the Board and the Board as a whole.

The Government Response sets out actions that will support the development of a governance system and supporting structures to establish a polytechnic university. However, it is not prescriptive in the "what and how" of these actions. Nor does it outline the steps needed to establish an effective and sustainable governance system. This leaves room to make incremental decisions based on internal and external feedback, as well as time to gradually build the necessary support mechanisms.

Legislative Change

Aurora College is a public college established by the *Aurora College Act* under the authority of the Legislative Assembly of the Northwest Territories. It is accountable to the Minister of Education, Culture and Employment as outlined in the *Aurora College Act* and *Post-Secondary Education Act*. Operationally, Aurora College also functions as a public corporation and must adhere to requirements of the *Financial Administration Act*.

The underlying need for public accountability will not change following the transformation to a polytechnic university. The GNWT and Minister will continue to have ultimate responsibility for establishing a polytechnic university and ensuring it is effective, efficient and sustainable.

As part of transformation, the relationship between the institution and the GNWT, including the scope of Ministerial authority, and the ways in which the polytechnic university is held accountable, will change significantly.

Transformational change in the area of governance involves changes at both Aurora College and the GNWT and it is being proposed that governance changes are made incrementally to allow time for Aurora College and the GNWT to adapt their respective strategies, operations and culture in alignment with governance changes.

Board Member Training and Support

Board members will be required to participate in an orientation program and ongoing professional development. This will include a standard set of training modules completed during the on-boarding process and additional training as recommended by the Board. Resources will be developed and mandated in the institution's policies and bylaws. Board members will also be expected to undertake any required training and take time to educate themselves on emerging issues related to post-secondary education and research.

New Board members will be expected to engage in Indigenous cultural awareness training. Such training typically provides information and context for the communities and regions where the polytechnic university will operate and the students it will serve. Its content will be Northern specific and provide historical information on the different government and Indigenous relationships that exist in different parts of the territory. The training will also reaffirm Indigenous values and partnerships as critical to the polytechnic university.

In general, Board members will be expected to devote the necessary time and attention to be able to make informed decisions on issues that are brought before them. Board members have a responsibility to review all meeting material and information provided and request any additional information they think necessary to make an informed decision.

Board Secretary

The Board will have a formal Board Secretary that reports to the President but will be accountable to the Board Chair for Board-related activities.

The Board Secretary will support the Board by coordinating and facilitating the activities of the Board and its committees to ensure the effective and efficient operation of the governance system. The Board Secretary acts as a liaison between the Board, the Senate and the executive of the polytechnic university.

The Board Secretary will be responsible for the organization and administration for all Board-related matters and the organization and maintenance of governance records, including governance

compliance matters. They work with the executive on agendas and work planning for the Board to ensure the timely submission of reports to the Board.

Other duties include:

- a) Recommending an annual schedule of Board meetings;
- b) Developing, for approval by the Board and monitoring expenditures of, the annual Board budget; and
- c) Ensuring appropriate minutes for the Board and Board committees are recorded.

Board Evaluation

Individual and Board-level evaluations will be required of the polytechnic university Board. The objective of the Board evaluation process is to:

- a) Assess the overall performance of the Board;
- b) Evaluate the mechanisms in place for the Board to operate effectively and make decisions in the best interests of the polytechnic university;
- c) Evaluate the ability of the Board to maintain good governance practices; and
- d) Assess the contributions made by Board members to the polytechnic university.

The objective of individual board member self-evaluation is to provide aggregate feedback to the Board on individual board member performance and effectiveness so the Board may identify opportunities for improvement. The individual self-evaluation is based on the competencies they bring to the Board. It will include such things as key areas of contribution, level of engagement, communications style; and how each board member's contributions could be greater.

7. POLYTECHNIC UNIVERSITY BICAMERAL GOVERNANCE

A bicameral governance system is the most common approach to governance of PSE institutions in Canada and will be incorporated into the planning for the polytechnic university. A bicameral governance system has two branches of decision making. In the case of the polytechnic university, it will include a Board as the main governing body and a Senate as the academic authority.

The manner in which the Board and Senate interact will be defined by legislation, internal policy and practice. Their authority and respective roles will be written into the new *Polytechnic University Act* anticipated in 2024, but how they work together will evolve over time, particularly as the institution matures and builds a strong base of experienced academic faculty.

When considering governance, it is important to note that governance is not management. It is the legitimate authority to enact decisions and ultimate responsibility for the outcome of those decisions. The implementation or operationalization of decisions is the responsibility of the institution's leadership, beginning with the President who will be directly accountable to the Board.

The Board is the only part of a public university that is directly accountable to the government. Governments provide strategic direction, set performance goals and dictate how funding is distributed. It is also common for governments to have authority over appointments and dismissal of Board members. In the NWT, roles are defined in multiple pieces of legislation, including the *Post-Secondary Education Act*, the *Finance Administration Act* and the *Aurora College Act*.

Board of Governors

The polytechnic university's Board will have the authority to decide all matters that are not explicitly the authority of the Senate. The Board will be the most senior corporate body and will be responsible for oversight of the management and control of the polytechnic university, including its property, revenues and expenditures.

A key role of the Board will be to protect the independence of the institution. Without an independent Board, financial oversight and management would be prone to political interference. In order to further protect its independence, the majority of the members are appointed from outside the institution to ensure it represents the public interest.

The Board will have authority to determine all matters on which the Senate recommends, whether or not a recommendation is forthcoming. It would be unusual for a Board not to hear what Senate might have to say on an issue it regards as important.

Proposed responsibilities of the polytechnic university Board include:

- Attracting and ensuring strong executive leadership;
- Identifying the skills and competencies required of the President and monitoring their performance;
- Safeguarding financial resources and the long-term viability of the institution;

- Establishing strategic direction of the institution;
- Ensuring that risks have been identified and that appropriate systems to manage these risks have been implemented;
- Ensuring compliance with legal obligations, audit and accounting principles, and by-laws and policies;
- Monitoring performance against the objectives defined in the Strategic Plan;
- Overseeing capital assets, including property and infrastructure;
- Planning for Board succession by identifying those competencies required to fulfill its responsibilities, recruiting appropriate candidates, and planning for the succession;
- Ensuring appropriate strategies are in place to provide for transparent and effective relationships with key stakeholders; and
- Strengthening the image and profile of the polytechnic university.

Senate

The polytechnic university Senate will be responsible for establishing and overseeing academic programs, research programs and associated supports. For instance, the approval of all courses of study are matters that the Senate will have the power to determine. The Senate normally only acts on such matters in consultation with faculty, students and other stakeholders, and is thus better positioned to make informed decisions about academic and research programs.

A Senate also has authority to make recommendations to the Board on any matter that it considers to be of interest to the university. A notable feature of a Senate is that it follows a model of “collegial governance” that provides a meaningful role for faculty and other important groups within the university to contribute to effective institutional governance. The establishment of a Senate recognizes that faculty at the institution have the relevant knowledge and expertise to lead in the areas of academics and research, and that the Board would need to be informed about the impact their decisions will have.

Proposed responsibilities of the polytechnic university Senate include:

- Faculty and staff requirements related to a particular academic or research program;
- How many students the institution can accommodate by program and overall;
- Program or course design and outcomes;
- Policies for research;
- Admission requirements by program;
- Graduation requirements by program;
- Student integrity policies;
- Student consequences when policies are breached; and
- Any other decision the Board delegates to the Senate.

President

The President will be the chief executive officer and have supervision over all academic work and general administration of the polytechnic university. The President will continue to be accountable to the Board, but an important change to the *Aurora College Act* will also see the President appointed by the Board.

Chancellor

As with other universities in Canada, the polytechnic university will have a Chancellor. This person will be responsible for carrying out the ceremonial and official functions of the polytechnic university.

The details of these roles will be discussed through future engagements with Indigenous governments and key stakeholders. The *Polytechnic University Act* is anticipated to reflect a role that aligns with the interest and needs of the NWT, including a process of appointing a Chancellor, determining the tenure and specifying a list of duties. The position is unremunerated except for expenses. Serving as Chancellor therefore constitutes significant public service.

Each Chancellor will bring special talents and interests to the position and will enhance the life of the polytechnic university. Generally, the role of the Chancellor will be to:

- Preside at convocation (graduation) ceremonies and confer all degrees and diplomas;
- Host, attend or preside at other special events of the polytechnic university;
- Represent the polytechnic university in an official capacity at external functions from time to time;
- Help to advance the polytechnic university mission through their role as an ambassador;
- Support and promote the mission and values of the polytechnic university; and
- Act in an advisory and supportive role to the President.

It is proposed that the Chancellor of the polytechnic university will be an ex-officio member of the Board and may also serve as an ex-officio member of the Senate and polytechnic university committees.

8. REPRESENTATIVE GOVERNANCE

It is important that the governing body of any PSE institution understand, reflect and respond effectively to the needs of those it serves. Representative governance means having a governance system that is able to ensure decisions and actions reflect the interest of those it serves.

Although formal systems of representative governance are not common among PSE institutions, it is manifested in different ways throughout a handful of Canadian institutions that maintain a unique role within their jurisdictions. Representative governance does not necessarily require all board members to be from a particular place, but can recognize the value of lived and living experience as one of several key competencies.

The polytechnic university will continue to be the only public PSE institution in the NWT and comprise a student population that is largely Indigenous. It will engage in Northern research programs and seek innovative solutions to Northern issues. Perhaps most importantly, a future polytechnic university must work in partnership with the GNWT, Indigenous governments and Northern businesses on a wide range of academic and research initiatives. As such, the competencies of a Board must value a genuine understanding of the North and have the ability to respond effectively to the opportunities and challenges that are unique to the NWT.

The past approach to regional representation on the Aurora College Board was a form of representative governance, with one representative selected from each the five GNWT administrative regions. The proposed Board for the polytechnic university takes a different approach to regional representation by focusing instead on NWT residents, and also specifically Indigenous NWT residents.

This new approach to regional representation supports the flexibility required in finding NWT residents that possess one or more of the required Board competencies and, for the first time, makes an explicit commitment that three or more of these Board members must be Indigenous residents of the NWT. This is a required minimum; all Board members could potentially be selected from within the NWT and may be representative of Indigenous peoples.

9. BOARD MEMBERS

The composition of the Board will be a defining feature of the institution and have a deep impact on its growth and development. At the heart of the board composition is a set of competencies required to oversee an effective, efficient and sustainable PSE institution.

As part of the Government Response, a commitment was made to establish a skills matrix to ensure Board members have the necessary competencies and, as a whole, have the necessary knowledge, skills and experience to provide strategic direction and oversight.

Competencies are a combination of observable knowledge, skills, abilities and personal attributes that contribute to performance, and ultimately result in organizational success. It is best practice among Canadian PSE institutions to recruit and evaluate board members following a clearly defined set of competencies. Such competencies are expected to be updated regularly in response to any competency gaps that become evident through ongoing reviews of Board performance.

Competencies

It is proposed that competencies represented across all Board members include:

Facilities Management

Construction or facilities management experience that can help to oversee maintenance and new builds. This may include demonstrated ability to maintain community relations and issue/reputation management in relation to property development. This should stem from experience with commercial or residential property development within a complex social and economic environment.

Financial

Financial expertise and/or understanding of financial planning in a complex not-for-profit institution, including oversight and reporting.

Governance

Training and/or experience in board management, capacity building and assessment together with knowledge of governance processes and practices. May include experience sitting on a board of management, including a corporation, a non-government organization or a government agency board.

Leadership

Experience in organizational leadership and management of a large, complex organization.

Legal

The knowledge required to interpret and advise on legislated responsibilities.

Market Strategy

Experience in a role focused on strategy and strategic planning; ideally as it relates to a range of organizations to help focus on future trends, and economic and demographic shifts that will affect long-term planning. This may come through experience in a senior marketing role within a large company involving the development of market strategies aimed at achieving the company's objectives such as positioning, market development and brand loyalty.

Northern Social and Economic Development

Demonstrated ability to anticipate issues unique to the North and their impact on the achievement of the organization's mission, including recognizing and understanding situations that may represent opportunities or risks to the organization.

Post-Secondary Education

In-depth knowledge of the education sector's stakeholders at the regional and national level. This includes understanding how the college education sector is evolving as well as trends and emerging issues that could impact the institution.

Reconciliation

Direct experience advancing reconciliation through the renewal of relationships with Indigenous peoples, based on recognition of rights, respect, cooperation and partnership. This should include in-depth knowledge around the implementation of the Truth and Reconciliation Commission Calls to Action and the United Nations Declaration on the Rights of Indigenous Peoples.

Risk Management

Experience with enterprise risk management processes/activities, including those in the private, public or not-for-profit sectors.

Note that each Board member is expected to exemplify one or more of these competencies. For examples, one Board member may have significant leadership experience, while another may have significant experience in finance.

Attributes

In addition to a combination of the competencies listed above, those serving on the Board should maintain:

- High ethical standards and integrity in professional and personal dealings;
- Appreciation of their responsibilities to the residents of the NWT;
- Respect for different ways of knowing and different forms of knowledge;
- Willingness to raise potentially controversial issues and questions in a manner that encourages dialogue and resolution; and
- Ability to be flexible, responsive and willing to consider others' opinions.

Board Structure

It is proposed that legislative changes to the *Aurora College Act* initially establish a Board of Directors with twelve positions, including:

- President, Aurora College;
- One Aurora College instructor elected by instructors;
- One Aurora College employee elected by employees who are not instructors;
- One student elected by students;
- Eight people appointed, based on the competencies and attributes above, by the Minister of Education, Culture and Employment, of whom at least 5 are resident in the NWT and, of those 5, at least 3 are Indigenous; and
- Any additional members with expertise that would contribute to the operation of Aurora College.

The Board of the polytechnic university is anticipated to be larger than that of Aurora College, particularly with the notable addition of the Chancellor. The final structure will build from the expertise gained through intermediary changes to the *Aurora College Act*, as well as the experience and knowledge developed from this capacity-building period and the Board evaluation process.

10. SENATE MEMBERS

The Senate will include representatives from the Board and senior administration, but will largely comprise polytechnic university faculty and staff. As an interim step to establishing a polytechnic university Senate, proposed changes to the *Aurora College Act* will first establish an Aurora College Academic Council. This will allow Aurora College to create the structure and build the internal capacities required to eventually maintain a Senate under a polytechnic university.

It is proposed that the Aurora College Academic Council include:

- Board representatives;
- President, Aurora College;
- Vice Presidents;
- School Chairs;
- Program Heads;
- Faculty representatives; and
- Student representatives.

The composition of the Senate will be determined following an evaluation of the Aurora College Academic Council and based on the organizational structure of the polytechnic university. However, it is expected to largely mirror the composition outlined above.

11. NEXT STEPS

Changes to governance will be among a wide range of changes to Aurora College in the overall transformation process. Careful consideration must be given to how all these changes fit together to ensure they happen in the right order and at the right time.

Phased approach to transformation

The overall process of transforming Aurora College into a polytechnic university will be carried out in three phases to help ensure changes occur in the right order and at the right time. Steps to transform the governance system represent milestones toward completing each phase of the transformation.

- **Phase 1: Strengthening the Foundation and Planning for Change**

The transformation process is currently in this phase and work has been underway since the GNWT made the commitment to transform in October 2018.

Phase 1 includes strengthening the foundation by developing up-to-date policies and procedures to ensure Aurora College is effective and efficient. Planning for change means understanding what changes will take place and when. Changes take the form of individual projects that are managed by Aurora College staff and the ECE-based Aurora College Transformation Team.

An important feature of this phase will be wide-ranging engagements with Indigenous governments, communities, industry and other key stakeholders. Their input will help to shape many aspects of the transformation process.

Defining a new governance system for the polytechnic university and making the initial changes in the *Aurora College Act* is part of Phase 1. Phase 2 must begin with a clear understanding of how the polytechnic university will be governed and with preliminary changes to the *Aurora College Act* in place.

- **Phase 2: Transformational Change**

During this phase changes will be made to the College's organizational structure to reflect a polytechnic university model, including an enhanced role for the Board and clarified lines of accountability to the President.

Restoring the Board under a new governance system is an important step in preparing for the quality assurance review that will be required during this phase.

At the end of this phase, Aurora College will have completed all changes required for the quality assurance review and the GNWT commitment to transform Aurora College will have been completed. This includes the final step under Phase 2 which is to complete the legislative process regarding a *Polytechnic University Act* that formally recognizes the new polytechnic university.

- **Phase 3: Polytechnic University Launched**

Operating as a polytechnic university under a new governance structure, the institution will continue to develop and expand programming, human resources and infrastructure. Phase 3 will end when all commitments have been met and all major transformation projects have concluded.

The precise timing of governance changes are not provided in this document. This is because the overall timing of the transformation will be part of the Implementation Plan that is anticipated for release in Fall 2020. However, it is clear from the Government Response that governance changes will be a defining feature of the overall transformation.

As governance plays an important part in defining the culture of an organization, consideration must be given to how much and how fast change can be implemented successfully. However, there are broader pressures driving governance changes. Interim changes to Aurora College governance are essential to ensuring that the institution can meet the quality assurance requirements of the *Post-Secondary Education Act*, a process that itself takes a year to complete and incorporates wide-ranging improvements beyond governance.

The transformation of governance will occur mainly at two points in the transformation process. The first will come in the form of changes to the *Aurora College Act* and the second through introduction of a *Polytechnic University Act* that will replace the *Aurora College Act*. The first set of changes will focus on ensuring the quality assurance process stays on track and the second will provide time to further adapt and refine how governance will look when the polytechnic university is launched.

Changes to the *Aurora College Act*

Aurora College is transforming into a polytechnic university. To ensure that the institution has capacity for strategic, administrative and academic decision making, intermediary changes to the *Aurora College Act* are required. These changes will build the capacity of the institution and support it to meet the requirements of a designated quality assurance body and be recognized as a degree-granting polytechnic university.

Intermediary changes to the *Aurora College Act* will enable the College to gain capacity in new areas. This will provide a more arm's length approach to Aurora College management as the institution moves towards polytechnic university status.

As highlighted earlier in this discussion paper, intermediary changes are expected to include the appointment of a Board that meets the skills and attributes required to lead the College, and eventually a polytechnic university.

It is anticipated that intermediary changes will enable the appointment of the President of Aurora College by the Board of Governors while also taking on further responsibilities previously held by the Minister. These responsibilities may include the establishment of programs and courses and determining policy respecting operations and priorities of the College.

The establishment of an Academic Council is also expected to be included in an updated *Aurora College Act*. The Academic Council will serve in an advisory capacity to the Board of Governors on academic matters such as admission requirements and academic standards.

Establishing a *Polytechnic University Act*

In order to transform Aurora College into a public polytechnic university a number of steps are required by the *Post-secondary Education Act*, the overarching piece of legislation for the post-secondary education system.

Once Aurora College is suitably ready, this process to establish a university begins with an application to the Minister of Education, Culture and Employment for consent. Should it be determined that the application has merit, the Minister will refer the application to a quality assurance body for review and recommendation.

Completing the institutional quality assurance review process is a GNWT mandate commitment to be completed by fall 2023. Given this timing, it is expected that the application to the Minister for consent to establish a university will be made in fall 2022.

Should the quality assurance body recommend the establishment of a university, the Minister may then consent to this, and may also provide additional terms or conditions that must be met. Once this is accomplished, the legislative process may begin, as the formal establishment of a university must be authorized by an *Act* of the Legislative Assembly.

The *Act* establishing the polytechnic university will see the responsibilities and composition of the Board of Governors evolve and will formalize the bicameral governance model discussed in this paper. Whereas intermediary changes to the *Aurora College Act* will support capacity building through the Academic Council and its advisory role, the *Act* establishing the polytechnic university will be much more prescriptive and include the specific roles and responsibilities of a Senate.

APPENDIX A:

PROPOSED AURORA COLLEGE BOARD OF GOVERNORS MATRIX

It is proposed that the Board be composed of a total of twelve members.

Of the twelve members of the Board, eight will be public members (i.e. not from within Aurora College) that together meet the competency profile. In other words, those eight board members must each possess one or more of the competencies presented in the table below. For instance, one Board member may have significant leadership experience, while another may have significant experience in finance.

Of the eight public members, at least five must be resident in the NWT, and of those five, at least three must be Indigenous. Note that these are minimums: the system allows for more or all board members to be resident in the NWT and Indigenous.

The internal members of the Board of Governors will include the President, one instructor, one member of the Aurora College staff and one student elected by the student association.

| Aurora College Board of Governors Matrix | | | | | | | | |
|---|---------------|----------|----------|----------|----------|----------|----------|-----------|
| COMPENTENCY | MEMBER | | | | | | | |
| | 1 | 2 | 3 | 4 | 5 | 6 | 7 | 8 |
| Facilities Management | | | | | | | | |
| Financial | | | | | | | | |
| Governance | | | | | | | | |
| Leadership | | | | | | | | |
| Legal | | | | | | | | |
| Market Strategy | | | | | | | | |
| Northern Social & Economic Development | | | | | | | | |
| Post-Secondary Education | | | | | | | | |
| Reconciliation | | | | | | | | |
| Risk Management | | | | | | | | |
| INTERNAL APPOINTMENTS | | | | | | | | |
| | | | | | | | | 9 |
| President | | | | | | | | 10 |
| Instructor (1) | | | | | | | | 11 |
| Staff Member (1) | | | | | | | | 12 |
| Student (1) | | | | | | | | |

APPENDIX B: ADDITIONAL RESOURCES

Government Response to the Findings and Recommendations of the Aurora College Foundational Review
https://www.ece.gov.nt.ca/sites/ece/files/resources/government_response_to_the_acfr_-for_web.pdf

NWT Post-Secondary Education Strategic Framework, 2019-2029
https://www.ece.gov.nt.ca/sites/ece/files/resources/nwt_pse_strategic-framework-eng_-fr_link_v2.pdf

Governance of Post-Secondary Education in the Northwest Territories
https://www.ece.gov.nt.ca/sites/ece/files/resources/governance_of_postsecondary_education_in_the_northwest_territories_-discussion_paper.pdf

Aurora College Act
<https://www.justice.gov.nt.ca/en/files/legislation/aurora-college/aurora-college.a.pdf>

Post-Secondary Education Act
https://www.ntassembly.ca/sites/assembly/files/reprint_-bill_48_-post-secondary_education_act.pdf

Financial Administration Act
<https://www.justice.gov.nt.ca/en/files/legislation/financial-administration/financial-administration.a.pdf>



Government of Gouvernement des
Northwest Territories Territoires du Nord-Ouest