



WHAT WE HEARD

GOVERNANCE OF POST-SECONDARY EDUCATION IN THE NORTHWEST TERRITORIES

Summary of Engagement Process

The Government of the Northwest Territories (GNWT) is developing a new overarching Post-Secondary Education Act (Act) to lay the foundation for future growth of a coordinated postsecondary system in the Northwest Territories (NWT). The Act will provide 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. The Act will lay the groundwork for the institutional recognition of post-secondary institutions in the NWT. The proposed legislation will not address public funding for private institution.

As part of developing the legislation, the GNWT conducted public and stakeholder engagement, grounded in a discussion paper entitled "Governance of Post-Secondary Education in the Northwest Territories". The discussion paper and an executive summary were shared with post-secondary education stakeholders, Indigenous governments, and posted online for public feedback. This engagement took place throughout February, March and April 2018. Feedback from this engagement will help inform development of the draft bill.

What We Heard: Key Themes

We received feedback from several stakeholders and what we heard includes:

- The Act is a positive step towards creating a post-secondary education governance framework;
- Quality assurance for post-secondary education in the NWT is important to ensure the success of NWT institutions and students;
- Access to funding is a common challenge for private post-secondary institutions;
- Development of a knowledge economy is a priority for many stakeholders;
- Clarity is needed on how the GNWT will recognize Indigenous institutes;
- Collaboration between institutions should be encouraged to avoid fragmentation and thinning of available resources;



- Individual stakeholder groups want to know how the Act will meet their underlying policy objectives.
- Consideration of NWT's unique circumstances and the opportunities it presents is important;
- Clarity is needed in how private colleges would be regulated;
- Consideration should be given to the importance of access to post-secondary education in French; and
- Incorporation of Truth and Reconciliation Commission of Canada (TRC), the United Nations Declaration on the rights of Indigenous Peoples (UNDRIP) as well as the GNWT's mandated commitment to the TRC Calls to Action in the context of Indigenous postsecondary education.

Common Themes and Issues

The discussion below goes further into some issues that were raised in the engagement process. A response or clarification is also included where required or where the issues raised were not within the scope of the discussion paper.

Collaboration

Some of the feedback included comments on the reality of limited resources in a small jurisdiction such as the NWT, and emphasized the importance of collaboration. It was noted that agreements between institutions should be encouraged, and organizations should be supported in becoming “affiliated institutes” of Aurora College or other post-secondary institutions in the future. This would allow NWT institutions to benefit from the governance and oversight of larger institutions and focus on developing and providing high quality programming.

As mentioned in the discussion paper, the proposed framework will encourage post-secondary institutions to work together and collaborate. For example, Aurora College's degree programs are currently delivered in partnership with out-of-territory institutions, such as the Nursing program delivered in partnership with the University of Victoria.

Collaboration should continue to be encouraged in light of the fact that NWT is a small jurisdiction. The proposed Act will clearly articulate the Minister's role in relation to post-secondary education, including developing a coordinated and



integrated post-secondary system. Affiliation agreements or other types of agreements for collaboration may, and should, be pursued by institutions.

Importance of quality assurance

Stakeholders expressed support for the goal of creating a quality assurance system for the NWT and highlighted the importance of working with other jurisdictions that have implemented such systems.

We agree with this feedback and are continuing to explore best practices in this area.

There was also a recommendation that a special committee be established for consideration and review of any proposals to establish Indigenous institutes. The Act anticipates the need for quality assurance bodies, whether within the territory or from another jurisdiction depending on the type of proposed educational institution.

Timeliness

Some feedback emphasized the importance of seeing the proposed framework implemented in a timely manner in order to move forward towards the recognition or establishment of institutions.

Opportunities for existing universities

Stakeholders also provided feedback on the importance of creating opportunities for existing universities to operate in the North.

We agree that this is an important consideration, and the proposed framework will create clarity around the requirements for southern institutions to operate or offer degree programming in the NWT. Since most of these institutions have undergone quality assurance reviews and are established in their home jurisdictions, approval for out-of-territory universities to operate or offer programs is expected to be relatively straightforward. We will continue to explore ways to expand opportunities for post-secondary institutions.



Regulation of private colleges

Stakeholders expressed confusion over how private colleges would be recognized. Some stakeholders did not think that they could be recognized within the framework proposed in the discussion paper.

Private colleges are referred to in the discussion paper as “private vocational training institutions”. In some jurisdictions these are called “private colleges”. Private training institutions could apply to be registered under the proposed Act or to have their certificate or diploma programs registered to ensure they meet industry standards. The proposed Act will also allow a private college that meets the requirements to apply to be recognized as a college, as opposed to as a private training institution; however any college will also need a separate Act of the Legislative Assembly to be established, in addition to the Minister’s consent.

Other pathways

Many stakeholders expressed that the discussion of possible pathways was not complete. For example, it was asked why the pathway from a private institution to a public college or university was not included.

A private institution cannot apply to be a public college or university. This would be a GNWT-led initiative. This is because public post-secondary institutions are public agencies under the *Financial Administration Act*. They receive regular and ongoing funding from the GNWT, and are more accountable to the public.

Apart from this, many other pathways can be pursued within the scope of the Act. Partnerships can continue to be fostered and developed with out-of-territory institutions and between NWT institutions. Recognized institutions can also evolve; for example, from a public college to a University College or Polytechnic University. Private training institutions can also develop their capacity to offer stand-alone degrees, and apply to be recognized as degree-granting. The discussion paper was far from exhaustive in its overview of possible pathways of evolution for post-secondary institutions. ***Continued engagement***

Stakeholders commented that they would like to continue to be engaged through the process of developing the proposed Act.



The process will continue to involve the public and stakeholders. Further stakeholder feedback will be sought when a draft bill is tabled in the Legislative Assembly.

Feedback that is outside the scope of what can be accomplished with an Act, such as feedback suggesting particular policy directions, has been noted and will be helpful in other conversations moving forward.

Knowledge economy

Stakeholders commented on the importance of developing the NWT's knowledge economy. Tactics suggested include prioritizing research and developing targeted incentive-based funding to meet government policy objectives in this area. Further work by focus groups was suggested to develop a path forward.

While the GNWT is undertaking important work to develop the knowledge economy, such policy development is outside the scope of the discussion paper. The paper focuses on the proposed framework for recognition and governance of post-secondary education institutions in the NWT, including the development of a quality assurance system which is expected to have an overall positive impact on the NWT's knowledge economy.

Vision for future

Many stakeholders commented on the need to develop a vision for the future of post-secondary education in the NWT. It was suggested that stakeholders be consulted further in developing this vision. Stakeholders offered feedback on what they saw as a constructive path forward, covering various areas including whether there should be a university in the NWT, what that university should look like, how it should be funded, and so on. Some stakeholders also offered feedback on the role of Aurora College.

While continued policy discussion in these areas is important, it is not within the scope of the discussion paper to articulate such a vision. The paper is about opening up space for different types of post-secondary institutions in the NWT, and creating a platform for the development of high quality programming and future growth. The proposed framework will allow these policy discussions to continue, while offering clearer pathways for the pursuit of different options towards institutional creation or recognition.



Indigenous institutes

Feedback on the proposed category of proposed legislation on Indigenous institutes was varied. While stakeholders expressed strong support for recognition of Indigenous institutes, they sought clarity on the implications of an Indigenous self-government drawing down jurisdiction in this area. To be clear, the proposed legislation would in no way impede the ability for an Indigenous self-government to draw down negotiated jurisdiction over post-secondary education. Were an Indigenous self-government to draw down jurisdiction, they could create and regulate their own post-secondary institutions according to their own laws in alignment with their self-government agreement.

Some confusion was also expressed over funding of Indigenous institutes. While funding policy is outside the scope of the discussion paper, as private Indigenous owned and governed institutions, they would not be public postsecondary institutions. However, that does not mean that they would necessarily be ineligible to receive some level of public funding. Discussion related to funding is hypothetical and would be part of a separate policy discussion.

Stakeholders also provided feedback on the absence of specific Calls to Action by the TRC, UNDRIP principles and other sources of research on best practices in Indigenous education in the discussion paper. The Mandate of the Government of the Northwest Territories 2016-2019 (Revised) makes a commitment to the TRC Calls to Action including Indigenous education and these are part of ongoing policy discussions. The context of the discussion paper is a flexible legal framework for a range of potential post-secondary options including Indigenous institutes. The Act will facilitate future post-secondary education endeavours as one means of contributing to reconciliation. Proposed legislation will not prevent institutions from instilling values in their governance models and mandates.

Financing of private institutions

One common theme in feedback received was that private post-secondary institutions would like to see greater access to public funding.

Funding policy for private post-secondary education was not within the scope of the discussion paper. The paper explains the proposed legislative framework for post-secondary education in the NWT, specifically how different types of



institutions would be established and how they would be regulated. Since funding policy is not within the scope of the Act, it was not discussed in the paper.

Lack of focus on review of institutional acts

Stakeholders suggested that institutional acts, such as acts establishing specific colleges or universities, should have been reviewed and discussed in the paper.

The proposed Act would create a post-secondary regulatory regime for the NWT, including a system for quality assurance and institutional recognition. It is not within the scope of the paper or the Act to create any particular institution. A public college or a university would continue to require a separate act of the Legislative Assembly to be created, though it would first have to meet the requirements of this overarching Act to ensure it met national and international expectations associated with institutions of higher learning. This legislation would create the basic foundation through which all NWT post-secondary institutions would be recognized.

Impact on Aurora College

Some stakeholders expressed concern that the proposed Act could create a loss of autonomy for Aurora College.

The proposed Act does aim to clarify the role of the Minister in post-secondary education broadly, but requires that the Minister balance this role with respect for the autonomy of post-secondary institutions. The role of the Minister in relation to Aurora College will continue to be defined in more detail in the *Aurora College Act*. The Act does create robust planning and reporting requirements for public institutions, which ensures optimal use of public funds, and benefit institutions required to carry out the planning exercises, and students attending those institutions.

Overall the Act is expected to create clarity regarding the role of the Minister in post-secondary education, and the process for recognition, rather than lead to a loss of autonomy for Aurora College or any future public institution.