



Province of Alberta

POST-SECONDARY LEARNING ACT

ATHABASCA UNIVERSITY REGULATION

Alberta Regulation 50/2004

With amendments up to and including Alberta Regulation 225/2018

Current as of February 1, 2019

Office Consolidation

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(Consolidated up to 225/2018)

ALBERTA REGULATION 50/2004
Post-secondary Learning Act
ATHABASCA UNIVERSITY REGULATION

Table of Contents

1 Definitions

The Governors of Athabasca University

2 Board

3 Composition

4 Term of office and vacancy

5 Termination

6 Powers and duties

7 Degree granting ceremonies

8 Sections not applicable

The Athabasca University General Faculties Council

9 General faculties council

10 Composition

13 Powers and duties

Repeal, Expiry and Coming into Force

15 Repeal

17 Coming into force

Definitions

1 In this Regulation,

- (a) repealed AR 163/2011 s2;
- (b) “Act” means the *Post-secondary Learning Act*;
- (c) “Athabasca University” means the university by that name established under section 3 of the Act or under the corresponding provision of a predecessor to the Act;
- (d) “board” means The Governors of Athabasca University;
- (e) “student” means a person enrolled at Athabasca University;

- (f) “tutor” means a part-time employee of the board who provides tutorial services to students.

AR 50/2004 s1;163/2011

The Governors of Athabasca University

Board

2 The corporation formerly named “The Athabasca University Governing Council” is continued as the board of Athabasca University under the name “The Governors of Athabasca University”.

AR 50/2004 s2;163/2011

Composition

3(1) The board consists of the following members:

- (a) a person appointed by the Lieutenant Governor in Council as chair of the board;
- (b) the president of Athabasca University;
- (c) the following members appointed by the Minister:
 - (i) 2 members of the academic staff of Athabasca University, one nominated by the general faculties council and one nominated by the academic staff association;
 - (ii) one member of the non-academic staff of Athabasca University nominated by the non-academic staff;
 - (iii) one tutor nominated by the organization representing tutors;
 - (iv) 2 students nominated by the council of the students association;
 - (v) one graduate student nominated by the council of the graduate students association;
- (d) not more than 8 members representative of the general public appointed by the Lieutenant Governor in Council;
- (e) additional persons appointed by the Lieutenant Governor in Council on the recommendation of the Minister.

(2) In addition to the members of the board referred to in subsection (1),

- (a) the Minister may appoint as a member of the board one person who is an alumnus of Athabasca University and who is named in a resolution of the board requesting the appointment;
 - (b) the Lieutenant Governor in Council may appoint up to 2 members representative of the general public if requested to do so by a resolution of the board.
- (3)** Notwithstanding subsection (1), a person who is a member of the board at the time this Regulation comes into force continues to hold office until the member's term expires and may be reappointed in accordance with this Regulation.

AR 50/2004 s3;225/2010;163/2011;225/2018

Term of office and vacancy

- 4(1)** A person appointed as a member of the board under section 3(1)(a), (c) or (d) or (2)
- (a) holds office for a term not exceeding 3 years as set out in the appointment, and
 - (b) continues to hold office after the expiry of the person's term of office until the person is reappointed, a successor is appointed or a period of 3 months has elapsed, whichever occurs first.
- (2)** A member of the board appointed under section 3(1)(c) or (d) or (2) is eligible for reappointment for a 2nd term, but not for a further term until a period of 3 years following the member's 2nd term has expired.
- (3)** Notwithstanding subsection (2), but subject to the *Alberta Public Agencies Governance Act*, and any applicable regulations under that Act,
- (a) the chair is always eligible for reappointment on the conclusion of the chair's term of office, and
 - (b) an appointed member of the board is eligible for appointment as chair though the member has, at the time of the member's appointment, concluded 2 terms as a member of the board.
- (4)** Where the board advises the Minister that a member appointed under section 3(1)(c) or (2)(a) is for any reason no longer capable of acting as a member or of fulfilling the duties of a member, the Minister may terminate the appointment of the member.

(5) Where the board advises the Lieutenant Governor in Council that a member appointed under section 3(1)(a) or (d) or (2)(b) is for any reason no longer capable of acting as a member or of fulfilling the duties of a member, the Lieutenant Governor in Council may terminate the appointment of the member.

(6) The Minister or the Lieutenant Governor in Council, as the case may be, may fill a vacancy on the board by appointing a person as a member to serve the balance of the unexpired term of office of the former member and an appointment for such service is not considered a term of office for the purposes of subsection (2).

AR 50/2004 s4;163/2011;225/2018

Termination

5(1) The term of office of a member of the board terminates when

- (a) in the case of a person appointed under section 3(1)(c)(iv) or (v), that person ceases to be a student or graduate student, respectively;
- (b) in the case of a person who is a member of the non-academic staff, that person ceases to be a member of the non-academic staff;
- (c) in the case of a person who is a member of the academic staff, that person ceases to be a member of the academic staff;
- (d) in the case of a person who is a tutor, that person ceases to be a member of the tutorial staff.

(2) If a person resigns from membership on the board, the person's appointment as a member of the board terminates on the effective date specified in the resignation or, if no effective date is specified, on the date the board receives the resignation.

AR 50/2004 s5;163/2011

Powers and duties

6 The board is empowered to exercise the powers and perform the duties of a board under the Act.

AR 50/2004 s6;163/2011

Degree granting ceremonies

7 The chair of the board shall preside over all degree-granting ceremonies of Athabasca University and shall confer all honorary degrees.

AR 50/2004 s7;163/2011

Sections not applicable

8 Except as provided for in sections 6 and 7 of this Regulation, sections 6 to 15, 16(3), 23, 56 and 57 of the Act do not apply to Athabasca University.

AR 50/2004 s8;163/2011

**The Athabasca University General
Faculties Council****General faculties council**

9 A body with the name “The Athabasca University General Faculties Council” is established pursuant to section 34 of the Act.

AR 50/2004 s9;163/2011

Composition

10(1) The general faculties council consists of the following members:

- (a) the president of Athabasca University, who is the chair;
- (b) the vice-presidents of Athabasca University;
- (c) the dean of each faculty;
- (d) the director of each school;
- (e) the chief librarian;
- (f) the director of extension or, if there is none, the officer performing comparable functions;
- (g) the registrar;
- (h) the members elected in accordance with section 24 of the Act;
- (i) 2 students appointed by the council of the students association;
- (j) one graduate student appointed by the council of the graduate students association;
- (k) one tutor appointed by the organization representing tutors;
- (l) 2 members, each appointed by the non-academic staff;
- (m) the members appointed in accordance with section 25 of the Act.

(2) A person who is serving in a position substantially similar to a position referred to in subsection (1)(i) to (l) on the coming into force of this section continues to hold office as a member of the general faculties council until the member's term expires and may be reappointed in accordance with the Act.

AR 50/2004 s10;225/2010;163/2011;225/2018

11 and 12 Repealed AR 163/2011 s14.

Powers and duties

13 The general faculties council is empowered to exercise the powers and perform the duties of a general faculties council under the Act.

AR 50/2004 s13;225/2010;163/2011

14 Repealed AR 163/2011 s16.

Repeal, Expiry and Coming into Force

Repeal

15 The *Athabasca University Regulation* (Order in Council No. 434/78) is repealed.

16 Repealed AR 225/2018 s5.

Coming into force

17 This Regulation comes into force on the date on which section 124 of the Act comes into force.



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