

**Report from the
Maritime Provinces Higher Education Commission**

**to the
Council of Maritime Premiers
on the Future of the MPHEC**

September 1996

1. Introduction

Current discussion about the relationship between governments and universities in the Maritimes has included the recommendation that the Maritime Provinces Higher Education Commission be dissolved. The suggestion is that in an environment of diminished resources where governments want universities to be more responsive, the MPHEC hampers the process. In seeking to counter this view, the MPHEC argues that the key issues are: the clarification of roles; a coordinated approach to regional post-secondary education; the assurance of quality; and the provision of a non-adversarial forum.

Changing times and circumstances do call for some adaptation. They do not require the dismantling of the MPHEC, an organization that has helped post-secondary education in the Maritimes develop in a way that benefits this region, its provinces, people and students.

2. Background

Established in 1973 by similar Acts (please refer to Appendix I) of the legislatures of each of the three Maritime provinces, the MPHEC replaced three independent provincial commissions. Its cited purpose was “to assist the Provinces and the institutions in attaining a more efficient and effective allocation of resources in the field of higher education in the region.”

While it has been a powerful example of the effectiveness of regional cooperation, the MPHEC’s future is now under debate because of a number of significant changes. These include an increased emphasis on the role of post-secondary institutions in job-related training and as a catalyst to economic growth; the creation of the Nova Scotia Council of Higher Education (NSCHE), the Department of Advanced Education and Labour in New Brunswick, and the Office of Higher Education in Prince Edward Island; and increasing financial constraints at the federal and provincial levels.

In considering how to deal with these changes and ensure workable arrangements that are acceptable to both parties, there are three basic principles:

- 1 Governments have a legitimate interest in the operations of post-secondary institutions because they are the key providers of funding and have a responsibility to ensure the public interest is being served.
- 2 Universities have a commitment to the advancement of understanding and knowledge in a wide diversity of areas of study. There has been general, historical recognition of the need for universities to enjoy a degree of autonomy. Because of ongoing reductions in government funding, universities have been forced to find other sources of money. This has reinforced their belief in their own autonomy. While, that autonomy cannot be absolute, universities do require a high level of freedom from outside intervention. Any interface between governments and universities must reflect this principle of autonomy.

- 3 Intermediary bodies or agencies dealing with the post-secondary sector should have clear, non-overlapping areas of responsibility respected by all stakeholders.

3. Clarification of Roles

The MPHEC recognizes that the creation of the NSCHE and the formation of government divisions responsible for post-secondary education in New Brunswick and Prince Edward Island necessitate clarification and restatement of its own mandate. Further, the increased interest in the accountability of the post-secondary sector respecting its use of public funding to achieve public policy objectives requires appropriate performance indicators and assurances of quality and value for money. However, such change can readily be achieved without the radical measure of eliminating the MPHEC, a move that would entail the loss of an agency with a 23-year record of service to the region in the development of post-secondary education and of a valued, intermediary resource in even more trying times. The MPHEC view is that areas of provincial and regional interest can be identified, with the roles of provincial agencies and the MPHEC clearly delineated.

Provincial Responsibility

Provincial agencies are responsible for:

- S deciding provincial post-secondary funding levels;
- S determining the allocation of funds among post-secondary institutions;
- S reviewing capital requests from the MPHEC, recommended in a priority order;
- S terminating support for an ongoing program.

None of these responsibilities precludes the flow of information and advice between provincial agencies and the MPHEC to aid in decision-making.

MPHEC Role

The MPHEC's role has always been to advise on priorities based on extensive research and expertise. The MPHEC deals with regional interests and provides economies of scale in creating a critical mass of expertise. It has played an active role (particularly when it had a full-time chair commanding the respect of governments and universities), generating benefits to the system as a whole and to the individual provinces by promoting a coordinated approach to development of the post-secondary sector.

The MPHEC's impressive list of publications and reports (please refer to Appendix II), underscores the scope of its contributions and impact on decision-making. Work ranges from regional program planning, to undertaking space inventories of the region's universities, to studying topics such as student aid, learning disabilities at the post-secondary level, cooperative education and international student policies, to evaluating the possibility of centralized admissions for the region and common information systems.

The establishment of the NSCHE has raised questions about the asymmetrical treatment of post-secondary issues in the three provinces. However, the MPHEC feels this is not a problem so long as it treats each provincial government in a similar manner. In the division of responsibilities outlined, the MPHEC advises provinces about, for example, program approvals, or quality assurance mechanisms, or low quality academic programs, or space standards; how each province handles such recommendations or advice is its own concern, consistent with provincial operating procedures. In short, regional symmetry can exist within the context of provincial asymmetry.

Legislative Change

The Maritime Provinces Higher Education Act, the instrument that established the MPHEC, requires amendment to be consistent with the assignment of regional and provincial functions described above. Specifically, the following reference is outdated:

- ! Preparation by the MPHEC of an annual “comprehensive plan for financing higher education in the region” for submission to the Council of Maritime Premiers, with a consequent financial plan to be approved annually by the CMP and submitted to the Governor in Council with recommended cost sharing agreements.

Deletion of this reference would not prevent the MPHEC from making its views and advice on financial matters known to provincial governments. Such a legislative change would formalize what has already become the *de facto* situation and take into account the administrative changes that have occurred in all three provinces.

4. Coordinated Approach

The following areas all benefit from coordination through the MPHEC:

- S appraisal of new and existing academic programs;
- S collection and analysis of data on performance of the post-secondary sector;
- S maintenance of arrangements for funding of regional programs;
- S provision of a forum for discussion of regional issues in education;
- S monitoring of national and international trends in post-secondary education.

As the region’s community colleges play an increasingly important role in imparting job-specific skills, coordination between universities and community colleges is also growing in importance. Here, too, the MPHEC has contributed to post-secondary education in the region by developing guidelines for articulated programs. In the short term, it is practical to take a step-by-step approach to university/community college links, since the community college systems in the three provinces are at very different stages of development. The system in Nova Scotia, in particular, has recently been substantially restructured and requires time to develop. A new mandate for the MPHEC should include analysis of coordination between the university and community college systems, with a report within 24 months.

A coordinated approach to post-secondary education in the region helps universities ensure quality and avoid duplication. By avoiding the proliferation of competing programs, the Maritimes are able to concentrate on strategic development of centres of expertise. This in turn helps attract business, research and development opportunities, private sector partnering and, of course, students—in short, a series of achievements that aid the universities, and further regional economic development and the objectives of the provincial governments.

The evidence shows that this region has fared well in terms of its post-secondary institutions: while our universities have the lowest costs per student in the country, they consistently rank highly in such independent ratings as the annual *Maclean's* survey. They have also been responsive to such government requests as transfer of credit. Maintaining and growing the region's reputation will benefit educational institutions throughout the Maritimes by attracting higher quality students and teachers. The benefits of a regional approach have been borne out in a variety of sectors in addition to education, including tourism and economic development. Specific examples include the Atlantic Tourism Cooperation Agreement and the Atlantic Purchasing Agreement. The philosophy is simple: when one wins, we all win.

5. Quality Assurance

Appraisal of new and existing programs on a regional basis is of critical importance given limited funding, the region's small population base and the increasing importance of private sector partnerships. The MPHEC provides an invaluable service in ensuring program developments that are sound, appropriate and strategic.

Quality assurance requires an assessment of delivery mechanisms, teaching effectiveness and outcomes, as well as program outcomes. These are complex areas requiring agreement on procedures that protect university autonomy but provide the degree of accountability necessary to ensure that public policy objectives are met. A regional body, like the MPHEC, is in a better position to have a critical mass of expertise and to provide a broader comparative perspective. It is also able to include a regional component in the quality assessment mechanism, again furthering the drive for excellence and economic development in the region, a drive that would be diluted by a proliferation of competing, smaller programs.

Quality assurance covers two areas: assessment of the merits of new proposals and evaluation of existing programs.

New Programs

The MPHEC knows that there is some feeling in the post-secondary sector to eliminate the requirement for new undergraduate academic programs to be approved regionally. The thinking is that tight university budgets and the play of market forces will prevent undue proliferation of undergraduate offerings. However, it is not always clear what is an undergraduate program as distinct from a professional program. There is also a natural desire on the part of all institutions to offer what they feel are the most marketable programs. Further, it is obviously beneficial to all stakeholders that

non-viable or sub-par academic programs be weeded out before they are implemented rather than after.

The MPHEC does agree, though, that approval of most new undergraduate programs, especially those which require no or minimal new resources, should be relatively routine and quick. The joint Association of Atlantic Universities-MPHEC Academic Advisory Committee has studied this question and is considering a faster approval process for some types of new undergraduate programs.

Existing Programs

When it comes to established programs, the MPHEC has examined the most cost effective and efficient manner of evaluation. Its view is that post-secondary institutions should be responsible for undertaking periodic evaluations within an agreed-upon framework. A critical element of that framework is the use of external examiners. All program reviews, including reports of external examiners, should be submitted to the MPHEC for monitoring.

It would be the MPHEC's responsibility to publish a summary of academic reviews and their substantive conclusions, with an assessment of the procedures used, and to inform provincial governments of cases where it believes a program does not meet acceptable quality standards. The ultimate sanction of government would be to reduce funding to the responsible institution by an amount commensurate with its contribution to the program in question. This possibility of reduced funding for low quality programs reinforces the arguments for subjecting all programs to an approval process before implementation.

6. Provision of a Non-Adversarial Forum

The MPHEC provides a forum where discussion and negotiation of potentially contentious issues between universities and governments can occur in a confidential and non-adversarial manner. There will always be cases where universities and governments have different objectives, different agendas and different priorities. Without a body like the MPHEC, such discussion and negotiation will still take place, but it is more likely to be confrontational, acrimonious and played out in a media spotlight. Respected by all stakeholders for its expertise on post-secondary issues and its lack of bias, the MPHEC means governments and universities can avoid this. The result is that universities are more willing to participate and are more responsive to government wishes.

7. Reporting Structure

When the MPHEC was first created it reported directly to the CMP. With the appointment in each of the provinces of a Minister with specific responsibility for post-secondary education, this was changed. The MPHEC now reports to the CMP through a Council of Ministers. This change has created some difficulty for senior officials of government who participate in MPHEC meetings: they are in effect working under and for their own Ministers, yet are sometimes involved in decisions which do not have the approval of their Ministers.

Along with the change in reporting have come some proposals for the creation of a Regional Secretariat directed by and reporting to a committee of senior officials from the three provinces. That committee, in turn would report to the Ministers. This body would be distrusted by the university community if it were seen to be (or actually was) directing such activities as information analysis, program review, evaluation and quality assurance (functions, as detailed above in sections 4 and 5, already effectively carried out or planned for by the MPHEC).

These activities must be held at arm's length or the necessary autonomy of the university system will be lost. A better alternative is refurbishing the MPHEC.

8. Conclusion

The MPHEC not only sees the need for, but welcomes, revision of its mandate. Government interest in the functioning of the post-secondary system has increased, and there is greater emphasis on accountability.

The MPHEC believes that the universities themselves recognize the changing circumstances and are prepared to enter into partnership arrangements with governments to achieve common objectives. Universities have been responsive to the changing requirements of the labour market, for example, in emphasizing technology programs and applied degrees.

The MPHEC helps the system operate more smoothly and more advantageously for all stakeholders. It helps preserve necessary university autonomy, while aiding in the implementation of strategic government objectives. It is a tested and proven body, with enviable expertise and respect.

Legislative change, as indicated above, is necessary. Dissolution of the MPHEC would be a retrogressive step for the region.

Appendix I - Legislative Acts

ACTS ESTABLISHING THE MARITIME PROVINCES HIGHER EDUCATION COMMISSION

Office Consolidation

The following is an office consolidation of the Maritime Provinces Higher Education Commission Act (New Brunswick; Chapter 12, 1973; assented to June 7, 1973), An Act to Establish the Maritime Provinces Higher Education Commission (Nova Scotia; Chapter 10, 1973; assented to April 6, 1973), and an Act to Establish the Maritime Provinces Higher Education Commission (Prince Edward Island; Chapter 19, 1973; assented to March 16, 1973), as amended up to June 15, 1988.

NB: Her Majesty, by and with the advice and consent of the Legislative Assembly of New Brunswick, enacts as follows:

NS: Be it enacted by the Governor and Assembly as follows:

PEI: Be it enacted by the Lieutenant-Governor and Legislative Assembly of the Province of Prince Edward Island as follows:

Section of Act
NB NS PEI

Section of Act
NB NS PEI

Section of Act NB NS PEI	Section of Act NB NS PEI
<p>- 1 - This Act may be cited as the Maritime Provinces Higher Education Commission Act.</p> <p>1 2 1 In This Act:</p> <p>(a) "Chairman" means the Chairman of the Commission;</p> <p>(b) "Commission" means the Maritime Provinces Higher Education Commission established under Section 2 (Section 3 - N.S.);</p> <p>(c) "Council" means the Council of Maritime Premiers;</p> <p>(d) "institutions" means the several post-secondary educational institutions listed from time to time in Schedule A (to this Act - N.S., P.E.I.);</p> <p>(e) "higher education" means the education and training provided in or by the several institutions listed from time to time in Schedule A (to this Act - N.S., P.E.I.);</p> <p>(f) "Provinces" means the Provinces of New Brunswick, Nova Scotia and Prince Edward Island;</p> <p>(g) "region" means the area comprised of the Provinces of New Brunswick, Nova Scotia and Prince Edward Island;</p> <p>(h) "universities" means the several institutions listed from time to time in Part I of Schedule A (to this Act - N.S., P.E.I.).</p>	<p align="center">COMMISSION</p> <p>2 3 2 The Council shall establish a body to be known as the "Maritime Provinces Higher Education Commission" consisting of a Chairman and nineteen additional members.</p> <p>3 4 3 The Council shall appoint the Chairman for a term of five years but may remove him for cause at any time.</p> <p>4 5 4 (1) The Council shall appoint the nineteen additional members as follows:</p> <p style="padding-left: 40px;">(a) at least six from among the nominees submitted under section 5 (section 6 - N.S.);</p> <p style="padding-left: 40px;">(b) at least six from among senior public officials and the executive heads of non-university institutions, and</p> <p style="padding-left: 40px;">(c) at least six from the public at large.</p> <p style="padding-left: 40px;">(2) At least one of the members appointed under each of the clauses (a), (b) and (c) of subsection (1) shall be drawn from each of the Provinces of New Brunswick, Nova Scotia and Prince Edward Island.</p> <p style="padding-left: 40px;">(3) No two persons appointed under clause (a) of subsection (1) may be drawn from the same educational institution.</p> <p>5 6 5 (1) There shall be a nominating committee consisting of</p>

			(a) the executive heads of the universities; and			members drawn from each of the three Provinces, hold office.		
			(b) one representative appointed by (a representative from - N.S.) the Senate or equivalent academic body of each university,	9	-	9	A Chairman or other member of the Commission, on expiration of his term of office, is eligible for re-appointment to the Commission.	
			which committee shall nominate persons for appointment under clause (a) of subsection (1) of section 4 (section 5 - N.S.) and subsection (3) of this section.		-	10	-	A Chairman or other member upon completion of his term of office is eligible for reappointment to the Commission.
			(2) The nominating committee shall, within two months after this Act comes into force, submit to the Council the names of ten persons, and the members appointed under clause (a) of subsection (1) of section 4 (section 5 - N.S.) shall be selected from such nominees.	10	11	10	The Chairman and other members of the Commission shall be paid such remuneration as may be determined by the Council and such actual and reasonable expenses as are incurred by them in the discharge of their duties.	
			(3) Where a vacancy occurs among the members appointed under clause (a) of subsection (1) of section 4 (section 5 - N.S.) the nominating committee shall submit to the Council the names of two persons and the Council shall, subject to section 4 (section 5 - N.S.), appoint one of such persons to fill the vacancy for the balance of the term of the member replaced.				PURPOSE	
			(4) At least sixty days before the expiration of the term of a member appointed under clause (a) of subsection (1) of section 4 (section 5 - N.S.), or under subsection (3), the nominating committee shall submit to the Council the names of two persons and the Council shall, subject to section 4 (section 5 - N.S.), appoint one of such persons to take office on the expiration of such term.	11	12	11	The purpose of the Commission is to assist the Provinces and the institutions in attaining a more efficient and effective utilization and allocation of resources in the field of higher education in the region.	
							DUTIES	
				12	13	12	The duties of the Commission are, in or after consultation with the institutions and other parties involved,	
							(a) to advise the Council with respect to existing needs in the field of higher education in the region;	
							(b) to formulate plans for the future structure and development of higher education in the region, including an assessment of the cost of implementing such plans;	
							(c) to make recommendations to the Council as to the advisability of establishing or supporting new courses, programmes and institutions, and of terminating support of existing programmes;	
							(d) to assist and encourage institutions in establishing or continuing cooperative arrangements among themselves;	
							(e) to encourage and facilitate the establishment of regional centres of specialization in the field of higher education;	
6	7	6	Where a vacancy occurs among the members appointed under clause (b) or (c) of subsection (1) of section 4 (section 5 - N.S.), the Council may, subject to section 4 (section 5 - N.S.), appoint a person to fill the vacancy					
			(a) for the balance of an unexpired term, or					
			(b) for a new term where the vacancy resulted from expiration of a term.					
7	8	7	A member of the Commission, other than the Chairman, shall hold office for three years from the date of appointment or such lesser period as the Council may determine when making the appointment.					
8	9	8	A vacancy in the membership of the Commission shall not impair the right of the remaining members to act so long as at least eleven members, including at least three					

(f) to facilitate the making of arrangements with agencies outside the region to supply higher educational services which are not available in the region or which can be obtained more economically from such agencies;

(g) to recommend to the Council formulas in relation to the respective contributions of funds to be made by the Provinces and to the allocation of such funds among the institutions in the region;

(h) to prepare for the Council annually a comprehensive plan for financing higher education in the region, including provision for financing the operation of the Commission;

(I) to administer the funds paid to it by the Provinces, in accordance with the approved financial plan and formulas respecting allocation;

(j) to recommend to the Council programmes of financial and other assistance to students in the region;

(k) to recommend to the Council additions to or deletions from Schedule A; and

(l) to undertake such other responsibilities within the scope of its purpose as the Council shall assign to it.

POWERS

13 14 13 The Commission has all such powers as are necessary for, and ancillary to, the proper performance of its duties, including the powers

(a) to engage staff within the plan of personnel establishment approved by the Council;

(b) to establish advisory committees; and

(c) to enter into contracts where and to the extent that funds have been made available for such purpose.

14 15 14 (1) The Commission shall meet at least four times each year at the call of the Chairman.

(2) Subject to section 8 (section 9 -

N.S.), a majority of the members holding office shall constitute a quorum for the purpose of conducting a meeting provided that at least two members appointed from each province are present at such meetings.

(3) Subject to this Act, the Commission may adopt by-laws respecting its internal organization and the conduct of its business, and may include therein provision for the election or designation of a vice-chairman to act for the Chairman in his absence or disability or when the office of Chairman is vacant.

15 16 15 The Chairman is the chief executive officer of the Commission.

FINANCIAL PLANS AND REPORTS

16 17 16 (1) The Council shall approve annually a plan for financing higher education in the region, including the operation of the Commission, which shall be submitted to the Lieutenant-Governor in Council (Governor in Council - N.S.).

(2) The plan submitted to the Lieutenant-Governor in Council (Governor in Council - N.S.) shall

(a) contain a statement as to the cost-sharing arrangements suggested by the Council for financing higher education and the operation of the Commission; and

(b) indicate the expenditures to be incurred by each Province if the suggested cost-sharing arrangements are adopted.

17 18 17 If the financial plan and cost-sharing arrangements suggested therein are approved by the Lieutenant-Governor in Council (Governor in Council - N.S.; Lieutenant-Governor-in-Council - P.E.I.) of New Brunswick, Nova Scotia and Prince Edward Island, there shall be introduced in the Legislature a resolution for appropriations to enable the Province to carry out its obligations under the plan.

18 19 18 The Minister of Finance shall pay out of the Consolidated Fund

(a) to the Council such amounts as are appropriated by the Legislature for financing the operation of the Commission; and

(b) to the institutions, either directly or through the Council, such amounts as are appropriated by the Legislature for the benefit of the institutions.

19 20 19 (1) The fiscal year of the Commission shall commence on the first day of April in each year and end on the 31st day of March in the year next following.

(2) The accounts of the Commission shall be audited in accordance with the procedure adopted for auditing the accounts of the Council.

(3) The Commission shall, within six months after the end of each fiscal year, submit to the Council a report containing

(a) a review of the Commission's activities during such fiscal year;

(b) statements and recommendations regarding such matters in the field of higher education in the region as the Commission considers advisable; and

(c) the audited financial statements of the Commission for such fiscal year.

(4) The annual report of the Commission shall be tabled in the Legislature within fifteen days after receipt by the Council, or, if the Legislature is not then sitting, within fifteen days after the commencement of the next sitting thereof.

GENERAL AND TRANSITIONAL

20 21 20 (1) The Council may recommend to the Lieutenant-Governor in Council (Governor in Council - N.S.) the making of additions to or deletions from Schedule A.

(2) If a recommendation made under subsection (1) is approved by the Lieutenant-Governor in Council in (Governor in Council in - N.S.; Lieutenant-Governor in Council of - P.E.I.) the Provinces of New Brunswick, Nova Scotia and Prince Edward Island, the recommended addition or deletion may be effected by means of complementary orders in council in the three Provinces.

21 - - (1) The powers and duties of the New Brunswick Higher Education Commission under the Post-Secondary Education Act are hereby transferred to the Commission to the extent that they are within the scope of the powers and duties otherwise vested in the Commission by this Act.

(2) The Commission may delegate any of its powers to

(a) the New Brunswick Higher Education Commission in relation to higher education within New Brunswick and in relation to New Brunswick residents who may be outside that province;

(b) the University Grants Committee of Nova Scotia in relation to higher education within Nova Scotia and in relation to Nova Scotia residents who may be outside that province; and

(c) the Prince Edward Island Commission on Post-Secondary Education in relation to higher education within Prince Edward Island and in relation to Prince Edward Island residents who may be outside that province.

(3) The New Brunswick Higher Education Commission shall continue in existence for the purpose only of exercising powers delegated to it under subsection (2) until such time as Section 23 of this Act is proclaimed.

- 22 -

(1) The powers and duties of the University Grants Committee under the Universities Assistance Act, Chapter 320 of the Revised Statutes, 1967, are hereby transferred to the Commission to the extent that they are within the scope of the powers and duties otherwise vested in the Commission by this Act.

(2) The Commission may delegate any of its powers to

(a) the University Grants Committee of Nova Scotia in relation to higher education within Nova Scotia and in relation to Nova Scotia residents who may be outside that province;

(b) the New Brunswick Higher Education Commission in relation to higher education within New Brunswick and in relation to New Brunswick residents who may be outside that province; and

(c) the Prince Edward Island Commission on Post-Secondary Education in relation to higher education within Prince Edward Island and in relation to Prince Edward Island residents who may be outside that province.

- (3) The University Grants Committee shall continue in existence for the purpose of exercising powers delegated to it under subsection (2) until such time as Section 23 of this Act is proclaimed.
- - 21 (1) The powers and duties of the Prince Edward Island Commission on Post-Secondary Education under an Act to Establish a Commission on Post-Secondary Education, being 17 Eliz. II (1968) Chap. 10, are hereby transferred to the Commission to the extent that they are within the scope of the powers and duties otherwise vested in the Commission by this Act.
- (2) The Commission may delegate any of its powers to
- (a) the Prince Edward Island Commission on Post-Secondary Education in relation to higher education within Prince Edward Island and in relation to Prince Edward Island residents who may be outside that province;
- (b) the New Brunswick Higher Education Commission in relation to higher education within New Brunswick and in relation to New Brunswick residents who may be outside that province; and
- (c) the University Grants Committee of Nova Scotia in relation to higher education within Nova Scotia and in relation to Nova Scotia residents who may be outside that province.
- (3) The Prince Edward Island Commission on Post-Secondary Education shall continue in existence for the purpose only of exercising powers delegated to it under subsection (2) until such time as section 22 of this Act is proclaimed.
- 22 - - The rights and obligations of the New Brunswick Higher Education Commission under a certain 7% Sinking Fund Debenture Issue due April 15, 1993 are hereby transferred to, and assumed by, the Province of New Brunswick as represented by the Minister of Finance who shall have full authority to exercise such rights and meet such obligations on behalf of the Province.
- 23 - - The Post-Secondary Education Act, Chapter 19 of 16 Elizabeth II, 1967, is repealed.

- 23 - Chapter 320 of the Revised Statutes, 1967, the Universities Assistance Act is amended:
- (a) by repealing clause (a) of section 1 and sections 3 and 4;
- (b) by striking out the words "or the Committee" in the second line of clause (g) of section 5; and
- (c) by repealing clause (h) of section 5.
- - 22 An Act to Establish a Commission on Post-Secondary Education, being 17 Eliz. II (1968) Chap. 10 is hereby repealed.
- 24 - 23 This Act or any provision thereof shall come into force on a day to be fixed by proclamation.
- 24 - This Act comes into force on and not before such day as the Governor in Council orders and declares by proclamation.

SCHEDULE "A"

PART I

Acadia University
Atlantic School of Theology
Dalhousie University
Mount Allison University
Mount Saint Vincent University
Nova Scotia Agricultural College
Nova Scotia College of Art and Design
St. Francis Xavier University
Saint Mary's University
St. Thomas' University
Technical University of Nova Scotia
Université de Moncton
- Moncton, Edmundston and Shippagan
Université Sainte-Anne
University College of Cape Breton
University of King's College
The University of New Brunswick
- Fredericton and Saint John
University of Prince Edward Island

PART II

Holland College
Maritime Forest Ranger School
Nova Scotia College of Geographic Sciences
Nova Scotia Teachers College

Appendix II - Publications and Reports

PUBLICATIONS AND REPORTS OF THE MPHEC

1995 Space Inventory. August 1996.

Differential Fees for Foreign Graduate Students: Maritime Implications. Prepared by John D. McLaughlin.
June 1996.

Responding to Financial Challenges. April 1996

Program Review policies and Procedures at Maritime Universities. April 1996

An Information Framework for Higher Education in the Maritimes. Prepared by G. Grant Clarke, Edward DesRosiers, Stephen Hawkins. December 1995

International Undergraduate Student Fees Report (Discussion Paper). May 1995.

Co-operative Education in the Maritimes - A Statistical Profile. Prepared for the Maritime Provinces Higher Education Commission by the Canadian Association for Co-operative Education - Atlantic. September 1994.

Role and Planned Capacity Report 2 - New Brunswick and Prince Edward Island Universities and General Regional Recommendations. In conjunction with the Nova Scotia Council on Higher Education; November 1993.

Strategy for Implementation of Recommendations for Maritime University System. November 1993.

Statistical Compendium. October 1992.

Role and Planned Capacity Report 1 - Nova Scotia Universities. In conjunction with the Nova Scotia Council on Higher Education; May 1991.

Learning Disabilities in Post-Secondary Education. Prepared by Margaret Golick, Ph.D.; December 1988.

Student Aid for the 1990s. Student Aid Study Committee Report; November 1988.

Statistical Compendium. 1988.

An MPHEC Initiative in Support of Institutional Programme Review. August 1986.

Statistical Compendium. March 1986.

MPHEC: Policies, Procedures and Activities. February 1986.

Research Profile - Maritime Post-Secondary Institutions. Summer 1983.

In Transition - Evolving Three-Year Regional Planning for Higher Education in the Maritime Provinces 1982-83 to 1984-85. June 1982.

Maritime Provinces Post-Secondary Institutions - As We See Ourselves. May 1981.

Operations, Regulations and Procedural Guidelines. January 1981.

Telematics and Higher Education - A Report of the Colloquium. January 1981.

Planning for the 80s - Evolving Three-Year Regional Planning for Higher Education in the Maritime Provinces 1980-81 to 1982-83. April 1980.

Report of the Study of Financial Aid to Maritime Students. March 1980.

Issues for the Eighties - Evolving Three-Year Regional Planning for Higher Education in the Maritime Provinces 1979-80 to 1981-82. June 1979.

Balancing Needs and Resources - 1978 Update of the MPHEC's Evolving Three-Year Regional Planning for Higher Education in the Maritime Provinces. January 1978.

In Process - Three-Year Regional Planning for Higher Education in the Maritime Provinces. April 1977.

Research Report on Engineering Education in the Maritimes. Prepared by Dean L.W. Shemilt; December 1976.

Higher Education in the Maritimes - 1976 - An Overview. October 1976.

Legal Education in the Maritime Provinces. Prepared for the MPHEC by Dean D.A. Soberman; August 1976.

Report of a Study of the Establishment of a School of Veterinary Medicine in the Atlantic Region. Prepared for the MPHEC by Dean D.G. Howell; August 1975.

A Unique Regional Approach to Coordinating Higher Education. Brochure; June 1975.

Report of the Committee on Higher Education in the French Sector of New Brunswick. April 1975.

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Annual Report. published annually since 1975.

Financial Plan. published annually from 1977 to 1995.

Maritime Provinces Post-Secondary Programme Profile. published annually from September 1977 to September 1988 inclusively; April 1990; November 1991; and October 1993.

The MPHEC occasionally partners with others on certain publications such as:

The Guide to Transfer of Credits. 1996-97. In partnership with the Province of New Brunswick. It outlines the principles underlying transfer of credits, lists the participating institutions and their transfer policies and details the transfer of credit arrangements between New Brunswick Community College (NBCC) and the following participating universities: Mount Allison University, Université de Moncton, St. Thomas University, the University of New Brunswick, Nova Scotia Agricultural College, Nova Scotia College of Art & Design, and University College of Cape Breton.

Appendix III - Report on Interviews with Key Respondents in the Region on
the Future Role and Structure of the MPHEC

Report on Interviews with Key Respondents in the Region on the Future Role and Structure of the MPHEC

1. Background. This memorandum summarizes conversations held in July and August 1996 between Alasdair Sinclair and key respondents in the post secondary education sector in the Maritime Provinces on the future role and structure of the Maritime Provinces Higher Education Commission (MPHEC). Key respondents were identified by the Committee set up by MPHEC to prepare a draft report on the future role and structure of the MPHEC for submission to the Council of Maritime Premiers (CMP) after review by the MPHEC. Key respondents included heads of post secondary institutions, past chairs of the MPHEC, Deputy Ministers and others responsible for universities and colleges, representatives of Boards of Trade/Chambers of Commerce, and others with an interest in and knowledge of the post secondary education sector. Sixteen of nineteen heads of institutions were available to be interviewed, and twenty other persons were contacted in the course of the work. Each respondent was informed that the interviewer was working on behalf of the MPHEC to assist in preparing a document for submission to the CMP on the future role and structure of the MPHEC. Most interviews were conducted by telephone, six were conducted in person. In the interviews, respondents were asked to comment upon the nature of the current relationship between universities and governments in the region; the need for an interface between governments and universities; the necessity or otherwise of an intermediary body; the functions of an intermediary body in the context of the Maritime Provinces; the appropriateness of the present role and structure of the MPHEC; the major successes and failures of the MPHEC to date; and the linkages that should exist between universities and colleges. The bottom line question to all respondents was, what should happen to the MPHEC with respect to structure, functions and reporting relationships?

2. Issues that tended to separate the respondents. There was almost no question of fact and absolutely no question of opinion on which the respondents were not divided, albeit often into strong majority and small minority camps. The opinions of the respondents with respect to six key issues tended to influence their overall judgement with respect to the future of the MPHEC:
 - (a) how important is regional cooperation in general?
 - (b) is there a need for a buffer between Departments of Education and universities?
 - (c) how should college and university systems be integrated?
 - (d) do governments have in mind a detailed plan for universities?
 - (e) should a free market or regulatory approach apply to the post secondary sector?
 - (f) is the Nova Scotia Council on Higher Education (NSCHE) intended to be a temporary or a permanent body?

Because respondents differed in different ways with respect to their opinions on these six issues, a great multiplicity of views were expressed in the interviews, which has to be borne in mind when reading the summary statements below. The summary statements are an attempt to

capture the essence of what was said, subject to the general qualification that specific individuals held widely differing views.

3. Attitudes towards the Government-Universities Interface. Most respondents said there has been a change in the role of government vis-à-vis universities in recent years. Governments are seeking more accountability from universities, and are more concerned with labour market issues and the potential role of universities both in preparing people for jobs and in generating economic spin-offs through research and community development initiatives. Government interest in universities has been triggered by economic conditions, especially high deficits, the budget crunch and persistent unemployment. This interest has tended to be accompanied by a more interventionist approach to universities. On their side, universities are perceived as changing their role vis-à-vis governments in that they are more aware of government's interests and more willing to enter into partnerships with government. Governments tend to prefer a direct approach to universities, whereas universities virtually unanimously prefer a buffer between themselves and governments.

4. Attitudes towards a Government-University Intermediary Body. Almost all respondents favoured some sort of an intermediary body between universities and governments, even government officials who expressed a wish for a more direct approach to universities. Almost all respondents expressed the view that in the present context of the Maritime Provinces, a regional intermediary body should not be responsible for recommendations to provincial governments in the level and distribution of provincial operating grants to universities, given the existence of the NSCHE. Some respondents felt that a regional body should allocate funds among universities after their level has been determined by a provincial-oriented process. Almost all respondents felt that a regional body, with a mandate that was clearly differentiated from that of provincial councils or government departments, could play a useful role. The functions of such a regional body that were cited most often were the following:
 - (a) data collection, collation and analysis;
 - (b) research into substantive issues in the post secondary field;
 - (c) appraisal of new programs, especially for graduate level and professional programs;
 - (d) implementation of quality assurance mechanisms, but with a need to limit direct intervention into areas that are properly of concern to the post secondary institutions themselves, and to focus on setting a framework for internal reviews and monitoring;
 - (e) implementation of and maintenance of support for regional funding of regional programs; and
 - (f) consideration of matters referred to it by governments.

Government respondents tended to place considerable emphasis on an additional function of a regional body, e.g. to provide a forum for discussion by Ministers of Education of regional issues in the post secondary education sector.

5. Attitudes towards the MPHEC. While respondents differed in their response to all questions, they probably differed more in their response to questions relating to the success or failure of the MPHEC than to any other question. Responses varied from asserting that the robust university system in the region is the result of the MPHEC to claims that the MPHEC's role has been zero. A middle position would be that the MPHEC has had a number of areas of success, especially in the areas of data collection and collation, data analysis, the preparation of reports, the assessment of capital projects, appraisal of new programs, and in earlier years, in recommending levels of funding support to governments. An oft-cited failure is that the MPHEC was unable to achieve the full confidence of Premiers on a consistent basis and hence was unable to be an effective intermediary because Premiers would not refrain from dealing directly with universities - the phenomenon of end-runs. Some respondents noted that universities were not reluctant to initiate these end-runs as occasion seemed to demand, while seeking at the same time to maintain an arm's length relationship with government. On a specific aspect of its mandate, several respondents saw the program approval process as slow and ineffective.
6. The Future of a Regional Intermediary Body. Several respondents, particularly from New Brunswick, stated that if the NSCHE was to continue in existence, the MPHEC was unnecessary. However, most respondents felt that a regional intermediary body was important, on the general grounds that a buffer body is required, and on the specific grounds that there are important matters of regional significance to be handled by a regional body. These include collection and analysis of data on post secondary education, formulation of a strategic plan or vision for post secondary education in the region, approval of some or all new programs to ensure quality and reduce duplication, and evaluation of existing programs to ensure they are delivered efficiently and to an adequate standard. There was a strongly held general view that if the NSCHE continues in operation, the division of roles and responsibilities between regional and provincial bodies must be clearly drawn and be known to all participants. As an example, if the regional body is not to be required to make recommendations on levels of operating grants, this needs to be spelled out, and conversely, if the regional body is to undertake the appraisal of new programs, it must be clear that provincial bodies will not undertake this task. Respondents gave very limited support to the suggestion that the Atlantic Association of Universities (AAU) or the CMP could fulfill the functions of a regional intermediary body.
7. Linkages between Community Colleges and University Systems. A wide range of views were expressed. The general view is that at present the systems of community colleges in the three provinces are too different in terms of structure and length of time they have been in being to have them included in a regional body with the universities, but that more coordination between the college and university systems is needed. A step approach to this end was recommended by some, beginning at the provincial level in all three provinces.
8. Concluding Comments. Several respondents favoured elimination or reduction in role of the NSCHE, and a restoration of the actual responsibilities of the MPHEC to those originally mandated. Many of these same people felt if this was not done, the MPHEC should be

disbanded and the pre-1974 provincial arrangements adopted. Those who saw both bodies continuing to exist stressed the need for a clear delineation of roles and responsibilities. The MPHEC is an important symbol to most universities, and they wish to make it stronger and more relevant in practice. There was some support for including Newfoundland in the regional body, and some support for moving to a lay membership for the regional body, e.g., members chosen from the public at large, not from institutions or governments. In one model on these lines, institutional and government input would come through representation on the appropriate committees of the regional body. There was also frequent mention of the need for the regional (or provincial) body to play a facilitating, mediating or problem-solving role rather than a confrontational or adversarial role vis-à-vis either governments or universities. Finally, many respondents iterated the view that a regional body needed a strong chair supported by the political will of the governments.

Appendix IV - Maritime Provinces Higher Education Commission -
Policy Direction and Workplan

Maritime Provinces Higher Education Commission Policy Direction and Workplan

I - POLICY GOALS

Based on work previously done by the MPHEC Steering Committee, the MPHEC's broad policy goals are:

1. Improve accessibility for all Maritimers.
2. Ensure academic quality standards.
3. Provide policy options on emerging issues, trends, and needs.
4. Maintain and enhance the financing framework.
5. Improve the quality of and access to information.
6. Maintain day to day operations.

II - SECTORS AND OBJECTIVES

MPHEC activities, associated with the above policy goals, are undertaken by three distinct although inter-dependent sectors: Academic Planning and Research, Information Management, and Financial Planning. Each has a set of broad objectives, as follows:

Academic Planning and Research

1. Ensure academic quality standards by:
 - a) Reviewing new programs to ensure that the program objectives are consistent with the stated aims, that they are academically sound;
 - b) Providing governments and the public with an objective program review mechanism to ensure that these are appropriate;
 - ? for the region, given its needs and resources;
 - ? for governments, in terms of their respective policy objectives and fiscal responsibility;
 - ? for taxpayers, given their expectations both in terms of accountability and of outcomes;
 - ? for students, in terms of employment opportunities and satisfaction;
 - ? for institutions, given their respective resources and missions.
 - c) Providing governments, taxpayers, and students, with tools of accountability by monitoring program and teaching quality;

2. Research emerging issues and trends in higher education to: better equip governments and institutions to take up the challenges presented by such issues and, provide a forum for stakeholders in addressing these emerging issues and trends.
3. Provide advice on issues related to higher education policy, whether regional or provincial, as each government may deem useful to attain its specific policy objectives.
4. Promote the development of links between post secondary institutions in the Maritimes, including the university and college sectors.
5. Ensure accessibility for Maritimes' citizens to the widest array possible of programs while minimizing the costs per capita and/or per program of such a level of accessibility.

Information Management

1. Provide leadership to government, institutions, and the public in:
 - a) information policy development
 - b) information technology standards and guidelines
 - c) enhanced data capture and integration techniques
 - d) data warehousing and online data analysis services
 - e) enhanced analytical capacity
 - f) fostering cooperation and sharing among various groups
2. Specific services include:
 - a) shared ownership and management of an integrated information system
 - b) provision of information for enhanced accountability and informed decision-making
 - c) liaison with Statistics Canada and other information agents
 - e) monitoring institutional, system-wide, national, and international performance
3. Savings and benefits accruing from these activities include:
 - a) reduced requirements for data collection, dissemination, and analysis by individual institutions and governments
 - b) an expanded information base
 - c) information that is more timely and accurate
 - d) reduced costs for information gathering and dissemination at the institutional level
 - e) improved accountability at the institutional and regional level
 - f) increased opportunities for collaboration
 - g) ability to leverage specialized expertise to benefit the entire region

Financial Planning

1. Maintain appropriate systems in place to properly administer grant funds provided.
2. Promote interaction and collaboration between Maritime institutions to encourage and share information to generate system wide activities to increase the overall cost effectiveness of the Maritime post-secondary system (and each Province's)
3. encourage and lead financial initiatives of significant importance to all three Provinces that can be undertaken regionally providing a cost effective means of achieving common objectives and providing a broader, more objective perspective;
4. facilitate negotiations between parties (provinces, institutions, students, faculty, others), providing a broader perspective and objectivity;
5. Administer the flow of funds between the Maritime Provinces for regional programs, and with other provinces as required;
6. Establish capital funding priorities;

III - DELIVERABLES AND MPHEC WORKPLAN

The attached provides a detailed MPHEC workplan with objectives and related activities under each policy goal. The Sector is identified under each Objective. The following provides a summary of key deliverables for 1996-97:

Academic Sector

Activities of the Commission will be directed toward ensuring that institutions have in place effective mechanisms for comprehensive academic and teaching quality assurance and improvement.

The principal deliverables will be:

1. Systematic inquiry into institutional practices for program and teaching quality assurance and improvement.
2. Initial publication of the results from these inquiries.
3. Hosting a quality assurance conference to increase awareness of effective and best practices.
4. Revised guidelines used to submit proposals for new or modified programs.
5. A list of the criteria used to assess program proposals.
6. A policy for a Regional Quality Assurance Framework.

7. Revised policy and procedures manual.
8. The first Annual Conference on the State of Higher Education.
9. Publish the first annual document on the State of Higher Education.

The Commission will also continue, to the extent that resources permit, current activities in support of distance education and the expansion of co-op education activities. It will also complete work undertaken in 1995-96 in respect of international graduate students.

Information Management Sector

Activities will focus on enhancing the timeliness, quality, range, and availability of relevant information to the Commission and its stakeholders.

The principal deliverables will be:

10. Creation of the MPHEC Web site
11. Publication of the Statistical Compendium
12. Publication of the Program Profile
13. Completion of the 1995 Graduates Survey
14. Completion of Phase 1, Enhanced Enrolment Project
15. Work on the Information Framework initiative:
 - 3 year workplan and budget
 - pilot project

Financial Planning Sector

Financial flows are significant and complex, increasing the importance of maintaining appropriate systems in place to properly administer grant funds entrusted. Developmental activities include:

16. Finish building the inventory of space database and produce a variety of reports comparing space usage with guidelines. To be updated bi-annually, next update planned for Fall 1997.
17. Do a comprehensive review of the interprovincial flow of funds related to post-secondary education.
18. Link with the Nova Scotia program costing initiative eventually leading to the review of MPHEC program weights.

19. Developing an incentive funding mechanism for New Brunswick.

MAJOR PUBLICATIONS/PAPERS

March

? Quality Assurance Mechanism Summary

April

? Tenure

? Responding to Financial Challenges

August

? Space Inventory

September

? Differential Tuition Fees

? 1996 Program Profile

? Statistical Compendium

October

? Accountability

November

? 1995 Graduates Survey

December

? Equity of Access