

**Report of the Pan-Canadian Committee on Quality Assurance of  
Degree Programming: Quality Assurance of E-Learning and Private Institutions  
September 2006  
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## **INTRODUCTION**

At its meeting of November 30, 2005, members of the Committee of Postsecondary ADMs discussed the draft *Ministerial Statement on Quality Assurance of Degree Education in Canada* that was proposed by the CMEC Quality Assurance Working Group. It was agreed that the Quality Assurance Working Group would, on the assumption that the ministerial statement will be endorsed by all jurisdictions, continue to meet and prepare for its implementation. Members also suggested that issues such as e-learning, private institutions, and the importance of colleges as degree-granting institutions in the territories be discussed by the Quality Assurance Working Group.

This paper is a report of the working group's discussions of the legal and quality assurance issues associated with private institutions and the delivery of programs via e-learning. Where pertinent, issues involving degree-granting in Northern Canada (Yukon, Northwest Territories, Nunavut), are highlighted.

## **PRIVATE INSTITUTIONS**

According to most sources, private higher education is the fastest-growing segment of postsecondary education worldwide. New private institutions are rapidly expanding, especially in developing countries. In East Asia, specifically Japan, South Korea, the Philippines, and Taiwan, the private sector dominates higher education, enrolling 80 per cent of the student population. The U.S. has a long history of private universities, enrolling approximately 30 per cent of the student population, and some are included among the most prestigious institutions. In much of Europe, postsecondary education was almost exclusively public until the 1990s, with a limited private sector mainly composed of religious institutions providing theological education. Since 1990, the number of private higher education institutions has substantially increased in central and eastern Europe, accounting for about 25 per cent of the total number of enrolments. Private higher education institutions have also recently been established in Spain, Italy, Portugal, Austria, and Germany.

The degree-granting landscape in Canada has also changed considerably in the past fifteen years in ways that raise issues relating to quality assurance, credit transfer, and credential recognition. Most Canadian jurisdictions have a history of private religious universities or colleges that offer (typically) religious degree programs. Recently, and to varying extents, some provincial governments have responded to increased demand for degree programming by enabling private institutions (both religious and non-religious) to offer secular (non-religious) degree programs.

## **Private Institutions in Canada**

Some provinces (Alberta, British Columbia, New Brunswick, and Ontario) have permitted new private degree-granting institutions to operate, including the first for-profit institutions in Canada. To review new degree-program providers and their programs, Alberta, Ontario, and British Columbia introduced arm's-length quality assessment agencies (the review processes are summarized in Appendix I). New Brunswick started with an internal departmental procedure to review applications from private institutions. Today it refers applications to the Maritime Provinces Higher Education Commission, which coordinates the review and external assessments. While their mandates differ, the quality assessment agencies share the typical features of such bodies: they publish their criteria and procedures; require self studies (when appropriate); use external peer review teams and publish the outcomes of their reviews. Their goal is to ensure that programs approved by ministers are of demonstrably good quality.

Compared to other countries, the growth of private organizations in Canada has been relatively modest (see a summary of private providers in Appendix II). Nevertheless, their introduction has led to some concern on the part of some public universities about the credentials offered by these (and other) new providers. As students move from one province/territory to another and expect to have their academic credentials recognized wherever they go, the challenges arising from the introduction of new providers are not unique to any jurisdiction; all provinces/territories will experience them. The *de facto* credibility of degrees rests not only on government approval but also on acceptance by students, employers, and other postsecondary institutions.

## **Defining Private Institutions**

Private institutions come in many forms, and these forms are rapidly evolving to satisfy increasing demands for access to postsecondary education. These include

- Private, non-profit universities (e.g., Quest University) that offer a broad range of programs and rely on tuition and private endowments
- Private, non-profit organizations created by public universities to market particular educational ventures (e.g., New York University Online)
- Private, publicly-traded for-profit universities (e.g., University of Phoenix), that offer programs required by particular markets (health care, business, education) and rely almost exclusively on tuition and shareholder investment in the parent corporation
- Proprietary, for-profit organizations (e.g., Yorkville University) that offer a narrow range of programs and rely exclusively on tuition
- Private, non-profit religious institutions that offer a range of religious degrees, and, in some cases, limited secular degree offerings, and rely on tuition, endowments, and funding from faith-related organizations (e.g., Canada Christian College, Redeemer University College).

The distinction between public and private is important from several perspectives including interjurisdictional agreements that permit differential treatment for public vs. private entities (e.g., the North American Free Trade Agreement [NAFTA]), provincial degree-granting

legislation that imposes additional criteria on private organizations, and the requirements of review bodies that assess public and private organizations using different criteria.

The line between public and private is not always clear and fixed, however, and the same institution can be regarded as public in one circumstance, but private in others. For example, some countries (e.g., Malaysia) regard all non-Malaysian institutions that deliver education as private, regardless of their status in the home jurisdiction. Some universities regarded as public in one jurisdiction but which offer for-profit education in another jurisdiction may be regarded as private in the new jurisdiction.

For the purposes of degree-granting in British Columbia and Ontario, private institutions are defined as those that either do not derive ongoing, regular education-related financial support from government or are not controlled by publicly elected or other government-appointed officials. Alberta regards private organizations as those that have (a) a board of governors that is appointed by a nongovernmental organization and (b) capital assets such as land and facilities belonging to a nongovernmental organization. Because some organizations regarded as private in Alberta receive regular government funding, these same organizations would be regarded by British Columbia and Ontario as public.

The distinction between public and private is important from several perspectives. Within some jurisdictions (e.g., British Columbia and Ontario), the bodies responsible for reviewing the quality of a proposed program use different sets of assessment criteria depending on whether the organization is public or private. In addition, interjurisdictional agreements such as NAFTA permit differential treatment for public vs. private entities. Should Canadian jurisdictions wish to enter into a credential recognition agreement, for example, one based on the assessment of programs using the procedures and standards identified in the draft *Ministerial Statement on Quality Assurance of Degree Education in Canada*, issues such as the consequences of differing definitions of public and private would have to be addressed.

### **Private Religious Degree-Granting Organizations**

The distinction between religious and secular (non-religious) organizations and programs is also important and would have similar implications for mutual recognition agreements. Defining a “religious” organization or program can be very problematic, however, and in some jurisdictions, disagreements over what falls into the category of “religious” have led to serious consequences for the regulation of degree-granting. For example, most U.S. states exempt religious organizations from the provisions of degree-granting legislation, although many place restrictions on the nomenclature of their degrees. This exempt status has contributed significantly to the problem of degree mills in that country. One infamous example is LaSalle University of Louisiana. LaSalle claimed the religious exemption and sold millions of dollars’ worth of degrees without requiring any coursework from “students.” Though the organization was eventually closed, challenging LaSalle’s claim to the religious exemption proved difficult. The

Supreme Court of Louisiana, for example, accepted LaSalle's argument that it could issue degrees in chemistry under its religious exemption because God created the elements.<sup>1</sup>

In Canada, we do not have the problem of religious degree mills that exists in the U.S. Many Canadian jurisdictions have legitimate religious organizations offering religious and secular programs. Some Canadian provinces exclude or exempt organizations that offer religious degrees from the provisions of degree-granting legislation (e.g., Alberta and Saskatchewan), while others (e.g., Ontario) treat religious and secular organizations and programs identically. As is the case with private institutions generally, should Canadian jurisdictions wish to enter into a credential-recognition agreement, issues such as the consequences of exemption, and very likely the larger definitional issues of religious degrees and appropriate nomenclature, would have to be addressed.

### **Quality Assurance of Private vs. Public Institutions**

Beyond the issues associated with degree mills discussed later, trends toward opening jurisdictions to private providers have led to increasing awareness on the part of governments of the need for quality assurance of programs offered by private providers. There are few issues pertaining to the quality of programs delivered at private institutions, however, that would not also be relevant to the review of programs offered by public institutions. Issues that bear special scrutiny for private institutions specifically, normally centre on financial and governance issues:

- The financial stability of the organization is sufficient to provide the program(s) and to enable students to complete the program.
- The relationship between the business and academic plans ensure that all necessary resources are invested to support the provision of quality education.
- The governance structure supports the provision of quality education.
- The organization provides long-term accessibility to records and transcripts.

These issues are normally reviewed by most quality assurance bodies and are reflected in the draft ministerial statement.

### **E-LEARNING IN CANADA**

For the purposes of this paper, e-learning refers to the delivery of degree education (courses, programs, etc.) using a variety of electronic methods (e.g., e-mail, Internet, videoconference) to link students and teachers who are separated by space and/or time.

In response to increasing demand for postsecondary education, developments in technology, and the need to increase access to degree programs, the public and private sectors have rapidly expanded the development of e-learning opportunities and the kinds of organizations to deliver it. These developments, in turn, have led to increasing awareness on the part of governments of the need for quality assurance of programs offered by e-learning.

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<sup>1</sup> Ezell, A., & Bear, J. (2005), *Degree Mills: The Billion-Dollar Industry That Has Sold Over a Million Fake Diplomas*, Amherst: NY: Prometheus Books.

## **Public Institutions**

All Canadian jurisdictions have one or more initiatives, sponsored either by government or one or more public institutions, to promote and/or provide access to e-learning opportunities at public colleges and/or universities (summarized in Appendix III). Although there are currently no degree-granting institutions in northern Canada, territorial learning institutions have bilateral and multilateral agreements with degree- and credential-granting institutions located in southern Canada and are involved in the development of the University of the Arctic (a circumpolar initiative involving countries within the Arctic Council). Hence, there are e-learning initiatives that cross provincial/territorial and international boundaries. With the lack of a degree-granting presence in the North, many northern residents individually seek out institutions around the world that provide e-learning degree and credential opportunities (most commonly in Canada, the U.S., and Europe).

Governments and institutions use multiple strategies to expand access to e-learning, and these can generally be described as one of

- Government-supported on-line databases (or other assemblage) of e-learning opportunities (e.g., Yukonworkinonet)
- Individual institutions with primarily traditional in-class delivery methods, developing and promoting opportunities for access to their courses and programs on-line
- Independent institutions that offer distance education, often as Internet-based programs (e.g., Alberta's Athabasca University)
- Cooperative initiatives among institutions ranging in complexity from a partnership between two institutions, to provincial partnerships (e.g., eCampusAlberta), to regional partnerships (e.g., Association of Atlantic Universities), to Canada-wide partnerships (e.g., Canada Virtual University), to international partnerships (e.g., University of the Arctic)

## **Private Institutions**

Two private institutions offer degrees on-line in Canada. Lansbridge University has a presence in New Brunswick and British Columbia and offers one undergraduate and two graduate degrees in business. Yorkville University operates in New Brunswick and offers a graduate program in Counselling Psychology. The University of Phoenix is an American private university that offers primarily on-line courses and programs in the U.S. The university has applied to both the British Columbia and New Brunswick governments for consent to operate in those jurisdictions. The university intends to offer courses using traditional methods in these provinces.

## **International Trends**

Globally, most of the providers of distance education are public colleges and universities.<sup>2</sup>

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<sup>2</sup> Phipps, R. A., Wellman, J. V., & Merisotis, J. P. (1998). *Assuring Quality in Distance Learning: A report prepared for the Council for Higher Education Accreditation* by The Institute for Higher Education Policy, Washington, DC.

Nevertheless, there is wide variation in the types of organizations involved in the delivery of e-learning. In Canada, we are familiar with traditional universities providing on-line learning opportunities, virtual universities, and domestic and international collaborations among public universities and colleges. In the U.S. and other countries, there are also large transnational corporations delivering e-learning (e.g., the Apollo Group); profit-making corporations have been established by public universities (e.g., New York University Online – now closed; University of Maryland University College Online); and so-called “megauniversities” have been created. An example of the latter is Universitas 21, an international alliance of 20 universities established in 1997 (the alliance includes McGill University and the University of British Columbia). It is associated with Thomson Learning, a division of the Thomson Corporation, and is a profit-making venture. Universitas 21 has a subsidiary corporation, U21Global, which is its on-line university.

Some procedural issues have arisen as a consequence of crossjurisdictional e-delivery of programs. For example, many students of British Columbia universities are taking courses with Athabasca University to supplement their degrees. Because of this, Athabasca University wishes to be part of British Columbia’s transfer system.

### **Legal Issues Particular to the Regulation of E-Learning**

With the rapid expansion of e-learning and the ability of institutions to reach across jurisdictional boundaries, the issue of regulating the provision of e-learning has become a rapidly evolving area of the law. The perception of the general public is likely to be that if an organization is advertising in the jurisdiction, and can be contacted in that jurisdiction, then the organization is legally authorized to operate in the jurisdiction. Governments are becoming increasingly concerned that distance programs be offered in accordance with local standards and systems of accountability. Currently, however, no provincial or territorial degree-granting legislation specifically addresses e-learning.

#### *Practice in Other Jurisdictions*

All but two of the U.S. states that regulate distance education do so on the basis of a physical presence in the jurisdiction. What constitutes physical presence varies among jurisdictions. In some jurisdictions (e.g., Colorado, Maine, Washington, Kentucky) the presence of an agent of the institution is considered to constitute physical presence, while in others (Washington), advertising is considered an indication of physical presence. Other jurisdictions (Florida) do not explicitly define physical presence but use it nevertheless as a determinant of when to require consent/licensure.

Indices of physical presence in the U.S. include

- *Location:* Any address, physical site, electronic device, or telephone number within the jurisdiction
- *Instructional Interaction:* Formally scheduled, school-organized instructional interaction in the jurisdiction between two or more students and/or instructors

- *Server*: A computer that delivers Web pages to browsers and other files to applications via the Internet — includes the hardware, operating system, Web server software, TCP/IP protocols, and site content (Web pages and other files); any computer, therefore, that delivers Web pages to the Internet is acting as a server
- *Advertising*: The public promotion of a degree program or an institution, often used in other jurisdictions as indicating that an organization is operating in the jurisdiction
- *Agent*: Any agent of the institution (e.g., administrator, teacher, exam invigilator, recruiter) operating in the jurisdiction

The two states that do not use physical presence as a trigger for regulating organizations are Oregon and Minnesota. Minnesota requires an institution (regardless of where the institution is physically located) to be licensed if there is a student who takes at least half of a degree while living in the state. This approach is problematic for two reasons: the primary method of determining whether legislation has been violated is a student complaint, and there are very few levers to ensure compliance when the organization is not in the jurisdiction. Oregon, instead of requiring institutions to seek authorization, penalizes individuals who use unauthorized degrees. The use of an unauthorized degree to obtain a job, promotion, entry to graduate school, etc., is considered a misdemeanour in that state. Several states (Connecticut, Illinois, Indiana, Maine, Michigan, Nevada, North Dakota, Rhode Island, Texas, and Washington) use physical presence as a trigger for regulation and also penalize individuals who use unauthorized degrees.

### *Practice in Canada*

While no province or territory currently has degree-granting legislation that specifically addresses the issue of e-learning or distance education, some provinces have set precedents (British Columbia) or developed policies (Ontario) pertaining to the regulation of e-learning in their jurisdictions. In these jurisdictions, the trigger for exercising authority has been physical presence.

In Ontario, physical presence has been defined as a location (address, physical site, and/or Ontario telephone number) and/or the presence of a representative or employee (administrator, teacher, exam invigilator) in the province. Ontario has not regulated organizations that have a virtual, but no physical, presence in Ontario. That is, if the extent of an organization's activity is to deliver an e-mail to an Ontario resident's computer, or publish a print advertisement in the province, in the absence of physical presence in Ontario, no action has been initiated.

The relevant case law relating to whether a distance education provider would, in the absence of a physical presence in a jurisdiction, be subject to legislative provisions is evolving. Generally, case law indicates that even with no physical presence, the underlying principle for determining whether a jurisdiction has authority over a provider or advertiser is whether there is a sufficient connection with the jurisdiction (for example, targeting residents of a province or territory with advertising). While the perception of the general public might be that government has a duty to protect students and other stakeholders from the potential negative effects of unscrupulous organizations soliciting business in the jurisdiction, or to assure the quality of all providers of education to its citizens, the levers to enforce legislation in other jurisdictions are limited and

expensive, and the likelihood of success is unclear. At a minimum, enforcement in these circumstances would require the cooperation of the other jurisdiction(s).

The issue of regulation of distance education and quality assurance becomes especially critical in the case of degree mills (discussed below). Setting a low threshold for “presence” in a jurisdiction is an effective way to ensure that unscrupulous degree providers are subject to prevailing legislation and ultimately prevented from operating. It can also lead, however, to restricting access to legitimate programs. For example, Athabasca University provides on-line education to more than 10,000 Ontario residents, but unless it receives the Ontario minister’s consent to do so, the university cannot provide any in-province assistance to its Ontario students.

### **Degree Mills**

Generally speaking, degree mills are fraudulent business ventures that sell degrees and have either no academic requirements or have standards that are too low to warrant a degree credential. “Degree mill” is also used to refer to legally authorized organizations that have very low academic standards.

Several features common to fraudulent degree providers that are typically evaluated within a quality assurance framework include the following:

- Fees are charged for the degree not on a per-course or per-term basis; the organization may advertise higher GPAs for additional fees or additional fees if the “student” requires transcripts or letters of reference for potential employers.
- The organization normally operates a Web site but does not list an address and may not list a phone number.
- Faculty and administrative staff are either not identified, or, if they are identified, their credentials are not identified, or, if their credentials are identified, they are “granted” by degree mills.
- Courses, degree requirements, academic policies, and/or the academic calendar are not available on the Web site.
- The organization has an open admissions policy.
- Degree requirements may be based entirely on recognition of prior learning or life experience.
- The organization may have a name (e.g., Loyola State University) that can be easily confused with a legitimate institution (e.g., Loyola University).
- The organization may claim to be accredited, but the accrediting body identified is also fake.

The more of these features that describe a particular organization, the more likely it is to be a degree mill. These features are reviewed in the normal course of any quality review. Virtually all credible quality assurance bodies in Canada and internationally ensure the adequacy and appropriateness of the faculty qualifications, admissions requirements, curriculum, program outcomes, graduation requirements, publication of policies, and appropriate governance structures. These issues are also reflected in the assessment standards contained in the draft *Ministerial Statement on Quality Assurance of Degree Education in Canada*.

Degree mills typically target jurisdictions with limited degree-granting oversight or with inadequate systems of quality assurance. Northern Canada faces particular challenges in this regard, where no degree-granting bodies exist, and northerners seek out e-learning opportunities that reduce the need to travel. An additional complication is the number of courses and programs being run by businesses based outside northern Canada, some of which have been funded by governments, with no quality assurance structure in place. The result is a plethora of certificates and “credentials” being awarded to individuals who presume, or are led to believe, that they are transferable to further learning.

Possibly the only scenario worse than having a degree mill operating illegally in a jurisdiction would be for a jurisdiction, through inadequate or non-existent quality assurance criteria or processes, to authorize a degree mill to operate legally. The ramifications of permitting a degree mill to operate legally in a jurisdiction can be serious:

- In the case of the organization with legal authority but shoddy academic standards, innocent citizens, led to believe that the degree provider is legitimate, would waste money on a credential that is not recognized by employers, other postsecondary institutions, or other governments.
- The reputation of other, legitimate degree providers in the jurisdiction could be called into question or diminished, particularly from outside the jurisdiction where that higher education system is less known.
- It may be argued by other degree mills that under NAFTA, which requires like institutions to be treated alike, the criteria or processes that permit one private degree mill to gain legitimacy and operate legally set a precedent for subsequent degree mills. Given the potential for legal challenge under NAFTA, it is preferable to have quality assurance criteria in place that will distinguish between legitimate degree providers and degree mills, rather than to try and change the process or criteria midstream to screen out subsequent degree mills. Similarly, a legal challenge could be raised on the grounds of administrative fairness, which requires that criteria be applied in a fair and consistent manner.
- One degree mill with legal authorization can undermine international attempts to distinguish legitimate from illegitimate degree providers. As an example, in 1990 Canada ratified the United Nations Education, Scientific and Cultural Organization (UNESCO) *Convention on the Recognition of Studies, Diplomas and Degrees concerning Higher Education in the States belonging to the Europe Region*. One of the terms of the convention is that signatories publish information with respect to the legally authorized credentials offered in its jurisdiction. As an obligation of ratification, CMEC established the Canadian Information Centre for International Credentials (CICIC). The information maintained there is useful to the governments, employers, students, and postsecondary institutions of Canadian jurisdictions and other nations as they struggle to make judgments about the legitimacy of Canadian credentials. It was hoped that such national lists provided by the signatories to the Lisbon Convention would simplify the level of analysis required in order to accept or reject foreign credentials, but such has not proven to be the case. Because there are countries that are known to routinely provide legal authority to degree mills, government-sponsored lists are no longer regarded as sufficient in and of themselves to determine the legitimacy of credentials. Increasingly, interested

parties now consider both the issue of legal authority and the mechanisms of quality assurance in place in the jurisdiction that issued the credential.

## Quality Assurance of E-Learning

Trends toward opening jurisdictions to outside providers and the expanding need for access to higher education have led to a rapid evolution of e-learning offerings from Canadian and international public institutions and from private corporations. These developments in turn have led to increasing awareness on the part of governments of the need for quality assurance of programs offered by e-learning.

In 2001, CMEC working groups produced two reports on on-line learning that described the on-line learning initiatives in each jurisdiction<sup>3</sup> and recommended an action plan for the expansion of on-line learning in postsecondary institutions.<sup>4</sup> In July 2001, CMEC released a vision statement for on-line learning that identified areas of priority for CMEC ministers with respect to on-line learning.<sup>5</sup> Quality assurance of e-learning was one of the areas identified as a priority by CMEC.

Because e-learning is a relatively new delivery method using a relatively new form of technology, the quality assurance issues most frequently singled out as bearing special scrutiny are

- faculty have sufficient technical and pedagogical expertise
- admissions standards should be on a par with those for traditional programs
- institution notifies prospective students of required level of preparation (technical knowledge, motivation, and independence)
- appropriate availability and level of technical support
- student protection measures are in place (intellectual property, privacy)
- appropriate academic governance
- access to library and other learning resources
- sufficient infrastructure to support existing services and expansion of on-line offerings
- reliable and scalable course management systems
- for graduate programs especially, sufficient opportunities to interact with faculty and other students
- authentication of student identity/integrity of student work

Despite these concerns being highlighted as of special interest in the context of e-learning, these issues are normally addressed in the context of *any* quality review, regardless of the method of program delivery. Virtually all quality assurance bodies in Canada and internationally require a

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<sup>3</sup> 2001 *Overview of Provincial/Territorial Involvement in On-line Learning*.

<sup>4</sup> 2001 *The E-learning E-volution in Colleges and Universities: A Pan-Canadian Challenge*, The Advisory Committee for On-line Learning.

<sup>5</sup> 2001 *CMEC Vision Statement on On-Line Learning in Postsecondary Education*, CMEC On-Line Learning Working Group.

review of the adequacy and appropriateness of the delivery method, faculty qualifications, student characteristics at admissions, student support services, library resources, resources to support the method of delivery (regardless of which method will be used), and policies on student protection.

With few exceptions, the quality assurance criteria used in each Canadian jurisdiction do not distinguish between distance and other modes of delivery.<sup>6</sup> This approach is more typical of jurisdictions with longer histories of experience with distance education delivery<sup>7</sup> and is the approach reflected in the draft ministerial statement, which does not include different or additional criteria for e-learning vs. other methods of delivery.

## CONCLUSIONS

As the landscape of degree provision becomes more diverse in Canada, the quality assurance of degree programs has become increasingly important. The principles and standards for degree quality assurance and degree qualifications framework that make up the draft *Ministerial Statement on Quality Assurance of Degree Education in Canada* are intended to

- Facilitate the transfer of credits and the recognition of credentials offered by private institutions and via e-learning by
  - assuring their quality
  - enabling them to be located in a framework of degree-level standards
- Assist students to make informed choices
- Assist employers to determine the competency levels of graduates
- Help to locate Canadian academic credentials in an internationally recognized degree credentials framework

In an increasingly dynamic context, the ministerial statement focuses on the substantive issues, namely, the standards that are used in approving such programs and the quality assurance standards and procedures necessary to generate confidence that the standards are or will be met in practice.

## RECOMMENDATIONS

Taking into account that use of e-learning to deliver degree-level education is rapidly expanding, and that private institutions are increasingly providing degree-level education to Canadians, the Pan-Canadian Committee on Quality Assurance of Degree Programming recommends that PSADM

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<sup>6</sup> The exceptions are an additional benchmark in the standards used for quality review by the Ontario Postsecondary Education Quality Assessment Board and the British Columbia Degree Quality Assessment Board, and additional guidelines for distance delivery provided by the Ontario Council on Graduate Studies and the Campus Alberta Quality Council.

<sup>7</sup> Middlehurst, R., & Woodfield, S. (2004), *International Quality Review and Distance Learning: Lessons from Five Countries*, prepared for the International Commission of the Council for Higher Education Accreditation.

- Receive this report in fulfillment of the additional mandate given to the Pan-Canadian Committee on Quality Assurance of Degree Programming by PSADM at its meeting of November 30, 2005, to address e-learning, private institutions, and the importance of colleges as degree-granting institutions in the territories
- Within its original mandate to prepare for the implementation of the *Ministerial Statement on Quality Assurance of Degree Education in Canada*, direct the Pan-Canadian Committee on Quality Assurance of Degree Programming to continue to monitor domestic and international developments in e-learning and the provision of degree-level education by private institutions to ensure the currency of the procedures and standards contained in the draft ministerial statement

## REVIEW OF PRIVATE INSTITUTIONS IN CANADA

### *Alberta*

Other than degrees in divinity, all new degree programs proposed by private institutions must be approved by the Government of Alberta. The process initially involves a system coordination review by Alberta Advanced Education and, if that is positive, the minister refers the proposal to the Campus Alberta Quality Council (CAQC), an arm's-length body that provides a recommendation to the minister with respect to the quality of the program and the viability of the institution to mount and sustain it. CAQC's process involves peer review, self study, and assessment against published standards. CAQC is also responsible for continuing compliance with quality standards and conditions. All institutions offering new degree programs must have internal program review/approval policies that conform to CAQC requirements.

### *British Columbia*

The minister of advanced education must grant approval or consent in order for institutions to offer new degrees in British Columbia. The Degree Authorization Act (2003) provides a mechanism for private postsecondary institutions (and public postsecondary institutions from other jurisdictions) to apply for minister's consent to offer and grant degrees or to use the word "university." The Degree Quality Assessment Board (DQAB) is an arm's-length body that conducts quality assessments and makes recommendations to the minister on applications for new degree programs and exempt status<sup>8</sup> submitted by BC institutions and on use of the word "university." For first-time applications, the DQAB may require an organization review to assess capacity to deliver degree programs in BC. The DQAB also recommends to the minister policies, criteria, and guidelines that will apply for the purposes of giving or refusing consent or approval or attaching terms and conditions to consent.

### *New Brunswick*

The Degree Granting Act (2001) (DGA) in New Brunswick regulates the delivery process and the quality of degrees offered by private institutions. Only institutions that have been created by an act of the New Brunswick Legislature, or institutions that have been designated through the DGA and that have been granted permission by the minister to use the term "university" or "university college," and/or have existed prior to the amendment to it may offer degrees in New Brunswick. The act also includes a provision that the Maritime Provinces Higher Education Commission (MPHEC) could be asked to coordinate the assessment. The province currently refers proposals to the MPHEC to coordinate the assessments, the overall objective of which is to ascertain the suitability of the program given its objectives, structure, institutional appropriateness, resources, stated student outcomes, and their relevance.

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<sup>8</sup> Institutions with proven track records (10 years' history in enrolling students in programs at a particular degree level) and appropriate governance mechanisms in place may apply for "exempt status" at a specific degree level. For example, if an institution meets the 10-year prerequisite period for baccalaureate degrees and satisfies other criteria for exempt status, the institution could apply for exempt status in respect of new baccalaureate degrees. When an institution has been granted exempt status at a certain degree level, proposals submitted for new degree programs at that level would go directly to the Minister of Advanced Education for approval following the 30-day notice-of-intent period on the ministry's Web site. The DQAB does not review the proposal unless the minister has concerns about it and refers it to the DQAB.

In New Brunswick there are three types of universities:

1. Public chartered institutions. These institutions are established through an act of the legislature. They receive operating funds from government for the purpose of providing postsecondary education and are non-profit.
2. Private chartered institutions. These institutions are also established through an act of the legislature, but they do not receive any public funds for the purpose of providing postsecondary education. They tend to have a restricted focus or mission and are non-profit. Secular programs will likely be subject to the DGA. (Proposed Regulation)
3. Private institutions accredited under the DGA to grant specific degree programs. They must also receive permission from the minister to use the term “university.” These institutions operate as businesses on a for-profit basis. (Proposed Regulation.)

### *Ontario*

Private organizations seeking consent to offer degree programs or use the word “university” apply to the Minister of Training, Colleges and Universities for consent. Under the terms of the Post-secondary Education Choice and Excellence Act, applications for ministerial consent are referred by the minister to the Postsecondary Education Quality Assessment Board, an arm’s-length agency, for its review and recommendation. The board establishes its own criteria and procedures.

## PRIVATE DEGREE-GRANTING INSTITUTIONS IN CANADA

Province/Territory	Private Institution	Current degree level(s)	Authority to offer degrees
Alberta <sup>1</sup> (Resident)	<ul style="list-style-type: none"> <li>Alliance University College</li> </ul>	Bachelor's	Order in Council under Post-secondary Learning Act & Approval of Programs of Study Regulation
	<ul style="list-style-type: none"> <li>Canadian Nazarene University College</li> </ul>	Bachelor's	Order in Council under Post-secondary Learning Act & Approval of Programs of Study Regulation
	<ul style="list-style-type: none"> <li>Canadian University College</li> </ul>	Bachelor's	Order in Council under Post-secondary Learning Act & Approval of Programs of Study Regulation
	<ul style="list-style-type: none"> <li>Concordia University College of Alberta</li> </ul>	Bachelor's and Master's	Order in Council under Post-secondary Learning Act & Approval of Programs of Study Regulation
	<ul style="list-style-type: none"> <li>DeVry Institute of Technology – Calgary</li> </ul>	Bachelor's	Order in Council under Post-secondary Learning Act & Approval of Programs of Study Regulation
	<ul style="list-style-type: none"> <li>Taylor University College and Seminary</li> </ul>	Bachelor's	Order in Council under Post-secondary Learning Act & Approval of Programs of Study Regulation
	<ul style="list-style-type: none"> <li>The King's University College</li> </ul>	Bachelor's	Order in Council under Post-secondary Learning Act & Approval of Programs of Study Regulation

	<ul style="list-style-type: none"> <li>• St. Mary's University College</li> </ul>	Bachelor's	Order in Council under Post-secondary Learning Act & Approval of Programs of Study Regulation
Alberta <sup>1</sup> (Non-resident – application from outside the province)	<ul style="list-style-type: none"> <li>• City University</li> </ul>	Master's	Minister's letter but in future will need Order in Council under Post-secondary Learning Act & Approval of Programs of Study Regulation
	<ul style="list-style-type: none"> <li>• DeVry University – Arizona</li> </ul>	Bachelor's	Minister's letter but in future will need Order in Council under Post-secondary Learning Act & Approval of Programs of Study Regulation
	<ul style="list-style-type: none"> <li>• Gonzaga University</li> </ul>	Master's	Minister's letter but in future will need Order in Council under Post-secondary Learning Act & Approval of Programs of Study Regulation
	<ul style="list-style-type: none"> <li>• La Sierra University</li> </ul>	Master's	Minister's letter but in future will need Order in Council under Post-secondary Learning Act & Approval of Programs of Study Regulation
	<ul style="list-style-type: none"> <li>• Loma Linda University</li> </ul>	Master's	Minister's letter but in future will need Order in Council under Post-secondary Learning Act & Approval of Programs of Study Regulation

	<ul style="list-style-type: none"> <li>• Union College</li> </ul>	Bachelor's	Minister's letter but in future will need Order in Council under Post-secondary Learning Act & Approval of Programs of Study Regulation
	<ul style="list-style-type: none"> <li>• University of Phoenix</li> </ul>	Bachelor's and Master's	Minister's letter but in future will need Order in Council under Post-secondary Learning Act & Approval of Programs of Study Regulation
	<ul style="list-style-type: none"> <li>• University of Portland</li> </ul>	Master's	Minister's letter but in future will need Order in Council under Post-secondary Learning Act & Approval of Programs of Study Regulation
British Columbia	<ul style="list-style-type: none"> <li>• Canadian Pentecostal Seminary</li> </ul>	Graduate theological Honorary graduate theological	Canadian Pentecostal Seminary Act 2003
	<ul style="list-style-type: none"> <li>• Carey Theological College</li> </ul>	Theological Honorary theological	Carey Hall Act 1959
	<ul style="list-style-type: none"> <li>• Christ for the Nations Bible College</li> </ul>	Theological Honorary theological	Christ for the Nations Bible College Act 2006
	<ul style="list-style-type: none"> <li>• Columbia Bible College</li> </ul>	Theological Honorary theological	Columbia Bible College Act 1987
	<ul style="list-style-type: none"> <li>• Northwest Baptist Seminary</li> </ul>	Theological Honorary theological	Northwest Baptist Theological College Act 1959
	<ul style="list-style-type: none"> <li>• Pacific Life Bible College</li> </ul>	Theological Honorary theological	Life Bible College Act 1988 Pacific Bible College Act 1985
	<ul style="list-style-type: none"> <li>• Regent College</li> </ul>	Theological Honorary theological	Regent College Act 1968

	<ul style="list-style-type: none"> <li>• Seminary of Christ the King</li> </ul>	<p>Theological Honorary theological Bachelor of Arts</p>	Seminary of Christ the King Act 1966
	<ul style="list-style-type: none"> <li>• St. Mark's College</li> </ul>	<p>Theological Honorary theological</p>	St. Mark's College Act 1956
	<ul style="list-style-type: none"> <li>• St. Andrew's Hall</li> </ul>	<p>Theological Honorary theological Teaching charter exercised through the Vancouver School of Theology</p>	St. Andrew's Hall Act 1955
	<ul style="list-style-type: none"> <li>• Summit Pacific College (formerly Western Pentecostal Bible College)</li> </ul>	<p>Grant degrees in theology, religious education, and sacred music only, including honorary degrees</p>	Summit Pacific College Act (formerly the Western Pentecostal Bible College Act, amended in 2004)
	<ul style="list-style-type: none"> <li>• Vancouver School of Theology</li> </ul>	<p>Academic degrees and honours in the study of theology and related disciplines</p>	Vancouver School of Theology Act 1992
	<ul style="list-style-type: none"> <li>• Trinity Western University</li> </ul>	<p>Theological Bachelor's and Master's</p>	<p>Trinity Western University Act 1964 (amended in 2004) Degree Authorization Act: Ministerial consent required for any new academic degree programs offered after the introduction of the DAA (April 11, 2002) Minister's approval for exempt status to the master's degree level</p>
	<ul style="list-style-type: none"> <li>• Quest University Canada</li> </ul>	<p>Bachelor's</p>	<p>Sea to Sky University Act 2002 Degree Authorization Act: Ministerial consent required for academic degree programs</p>

	<ul style="list-style-type: none"> <li>• Columbia College</li> </ul>	Associate	Degree Authorization Act: Ministerial consent to provide or grant degree programs
	<ul style="list-style-type: none"> <li>• Fairleigh Dickinson University</li> </ul>	Bachelor's	Degree Authorization Act: Ministerial consent to provide or grant degree programs Ministerial consent for use of the word "university"
	<ul style="list-style-type: none"> <li>• Lansbridge University</li> </ul>	Bachelor's and Master's	Degree Authorization Act: Ministerial consent to provide or grant degree programs Ministerial consent for use of the word "university"
	<ul style="list-style-type: none"> <li>• Sprott-Shaw Community College</li> </ul>	Bachelor's	Degree Authorization Act: Ministerial consent to provide or grant degree programs
	<ul style="list-style-type: none"> <li>• LearningWise Inc. operating as University Canada West</li> </ul>	Bachelor's and Master's	Degree Authorization Act: Ministerial consent to provide or grant degree programs Ministerial consent for use of the word "university"
	<ul style="list-style-type: none"> <li>• Vancouver Central College</li> </ul>	Associate of Arts	Degree Authorization Act: Ministerial consent to provide or grant degree programs
	<ul style="list-style-type: none"> <li>• Adler School of Professional Psychology</li> </ul>	Master's	Exempt from the requirements of the Degree Authorization Act until April 2007. However, at that time, Ministerial consent will be required for degree programs and for use of the word university.

	<ul style="list-style-type: none"> <li>• Central Michigan University</li> </ul>	Bachelor's and Master's	Exempt from the requirements of the Degree Authorization Act until April 2007. However, at that time, Ministerial consent will be required for degree programs and for use of the word university.
	<ul style="list-style-type: none"> <li>• City University</li> </ul>	Bachelor's and Master's	Exempt from the requirements of the Degree Authorization Act until April 2007. However, at that time, Ministerial consent will be required for degree programs and for use of the word university.
	<ul style="list-style-type: none"> <li>• Gonzaga University</li> </ul>	Master's	Exempt from the requirements of the Degree Authorization Act until April 2007. However, at that time, Ministerial consent will be required for degree programs and for use of the word university.
	<ul style="list-style-type: none"> <li>• Lawrence Technological University</li> </ul>	Master's	Exempt from the requirements of the Degree Authorization Act until April 2007. However, at that time, Ministerial consent will be required for degree programs and for use of the word university.
	<ul style="list-style-type: none"> <li>• New York Institute of Technology</li> </ul>	Master's	Exempt from the requirements of the Degree Authorization Act until April 2007. However, at that time, Ministerial consent will be required for degree programs and for use of the word university.

	<ul style="list-style-type: none"> <li>• Nova Southeastern University</li> </ul>	Doctoral	Exempt from the requirements of the Degree Authorization Act until April 2007. However, at that time, Ministerial consent will be required for degree programs and for use of the word university.
	<ul style="list-style-type: none"> <li>• Oklahoma City University</li> </ul>	Master's	Exempt from the requirements of the Degree Authorization Act until April 2007. However, at that time, Ministerial consent will be required for degree programs and for use of the word university.
	<ul style="list-style-type: none"> <li>• University of Oregon</li> </ul>	Master's	Exempt from the requirements of the Degree Authorization Act until April 2007. However, at that time, Ministerial consent will be required for degree programs and for use of the word university.
	<ul style="list-style-type: none"> <li>• University of Phoenix</li> </ul>	Bachelor's and Master's	Exempt from the requirements of the Degree Authorization Act until April 2007. However, at that time, Ministerial consent will be required for degree programs and for use of the word university.
	<ul style="list-style-type: none"> <li>• Upper Iowa University</li> </ul>	Bachelor's	Exempt from the requirements of the Degree Authorization Act until April 2007. However, at that time, Ministerial consent will be required for degree programs and for use of the word university.

Manitoba	<ul style="list-style-type: none"> <li>• Canadian Mennonite University</li> </ul>	Bachelor's	Act of the Legislature
	<ul style="list-style-type: none"> <li>• Providence Bible College and Seminary</li> </ul>	Bachelor's, Master's, Doctorate	Act of the Legislature
	<ul style="list-style-type: none"> <li>• Steinbach Bible College</li> </ul>	Bachelor's	Act of the Legislature
	<ul style="list-style-type: none"> <li>• William and Catherine Booth College</li> </ul>	Bachelor's and Master's	Act of the Legislature
New Brunswick	<ul style="list-style-type: none"> <li>• Lansbridge University</li> </ul>	Bachelor's and Master's	Permission from the minister pursuant to the DGA
	<ul style="list-style-type: none"> <li>• Yorkville University</li> </ul>	Master's	Permission from the minister pursuant to the DGA
	<ul style="list-style-type: none"> <li>• Atlantic Baptist University</li> </ul>	Bachelor's	Act of the Legislature
	<ul style="list-style-type: none"> <li>• Bethany Bible College</li> </ul>	Bachelor's	Act of the Legislature
	<ul style="list-style-type: none"> <li>• St. Stephen's University</li> </ul>	Bachelor's and Master's	Act of the Legislature
Newfoundland and Labrador	NA		
Nova Scotia	NA		
Northwest Territories	NA		
Nunavut	NA		
Ontario	<ul style="list-style-type: none"> <li>• Adler School of Professional Psychology</li> </ul>	Master's	Ministerial consent under the Post-secondary Education Choice and Excellence Act, 2000
	<ul style="list-style-type: none"> <li>• Baker College of Port Huron</li> </ul>	Bachelor's	Ministerial consent under the Post-secondary Education Choice and Excellence Act, 2000
	<ul style="list-style-type: none"> <li>• Canadian Memorial Chiropractic College</li> </ul>	Bachelor's	Ministerial consent under the Post-secondary Education Choice and Excellence Act, 2000
	<ul style="list-style-type: none"> <li>• Niagara University</li> </ul>	Bachelor's and Master's	Ministerial consent under the Post-secondary Education Choice and Excellence Act, 2000
	<ul style="list-style-type: none"> <li>• RCC College of Technology</li> </ul>	Bachelor's	Ministerial consent under the Post-

			secondary Education Choice and Excellence Act, 2000
	<ul style="list-style-type: none"> <li>• Trinity Western University</li> </ul>	Part of Bachelor's	Ministerial consent under the Post-secondary Education Choice and Excellence Act, 2000
	<ul style="list-style-type: none"> <li>• Baptist Bible College Canada and Theological Seminary</li> </ul>	Restricted undergraduate and graduate religious degrees	Act of the Legislative Assembly
	<ul style="list-style-type: none"> <li>• Master's College and Seminary</li> </ul>	Restricted undergraduate and graduate religious degrees	Act of the Legislative Assembly
	<ul style="list-style-type: none"> <li>• Canada Christian College and School of Graduate Theological Studies</li> </ul>	Restricted undergraduate and graduate religious degrees	Act of the Legislative Assembly
	<ul style="list-style-type: none"> <li>• Ner Israel Yeshiva College</li> </ul>	Restricted undergraduate and graduate religious degrees	Act of the Legislative Assembly
	<ul style="list-style-type: none"> <li>• Emmanuel Bible College</li> </ul>	Restricted undergraduate and graduate religious degrees	Act of the Legislative Assembly
	<ul style="list-style-type: none"> <li>• Faithway Baptist College</li> </ul>	Restricted undergraduate and graduate religious degrees	Act of the Legislative Assembly
	<ul style="list-style-type: none"> <li>• St. Phillips Seminary</li> </ul>	Restricted undergraduate and graduate religious degrees	Act of the Legislative Assembly
	<ul style="list-style-type: none"> <li>• Great Lakes Bible College</li> </ul>	Restricted undergraduate and graduate religious degrees	Act of the Legislative Assembly
	<ul style="list-style-type: none"> <li>• Talpiot College</li> </ul>	Restricted undergraduate and graduate religious degrees	Act of the Legislative Assembly
	<ul style="list-style-type: none"> <li>• Heritage Baptist College and Heritage Theological Seminary</li> </ul>	Restricted undergraduate and graduate religious degrees	Act of the Legislative Assembly
	<ul style="list-style-type: none"> <li>• Theological College of Reformed Canadian Churches</li> </ul>	Restricted undergraduate and graduate religious degrees	Act of the Legislative Assembly
	<ul style="list-style-type: none"> <li>• Institute for Advanced Judaic Studies</li> </ul>	Restricted undergraduate and graduate religious degrees	Act of the Legislative Assembly

	<ul style="list-style-type: none"> <li>• Toronto Baptist Seminary and Bible College</li> </ul>	Restricted undergraduate and graduate religious degrees	Act of the Legislative Assembly
	<ul style="list-style-type: none"> <li>• Maimonides Schools for Jewish Studies</li> </ul>	Restricted undergraduate and graduate religious degrees	Act of the Legislative Assembly
	<ul style="list-style-type: none"> <li>• Institute for Christian Studies</li> </ul>	Restricted undergraduate and graduate religious and secular degrees	Act of the Legislative Assembly
	<ul style="list-style-type: none"> <li>• Redeemer University College</li> </ul>	Restricted undergraduate and graduate religious and secular degrees	Act of the Legislative Assembly
	<ul style="list-style-type: none"> <li>• Tyndale University College and Theological Seminary</li> </ul>	Restricted undergraduate and graduate religious and secular degrees	Act of the Legislative Assembly
Prince Edward Island	Maritime Christian College	Bachelor's	Exempted under the University Act
Quebec	Institut de formation théologique de Montréal	Bachelor's and Master's	Act of the Quebec Parliament
Saskatchewan <sup>1</sup>	Briercrest College	Theological and secular	
Yukon	NA		

<sup>1</sup> There are also bible colleges and seminaries that offer religious degrees (degrees in divinity) in Alberta and Saskatchewan that, except for what they can call their degrees in divinity, are excluded from provisions of degree-granting regulation.

DEGREE-LEVEL E-LEARNING RESOURCES IN CANADA

Canada-wide

**Canadian Virtual University:** A consortium of 12 Canadian public universities that offer degrees on-line. (<http://www.cvu-uvc.ca/>)

Alberta

**eCampusAlberta:** A consortium of 15 colleges and technical institutes established to facilitate access to distance education (primarily diplomas and certificates but currently offering two applied degrees). (<http://www.ecampusalberta.ca>)

**EdInfo:** A government database of all distance education programs in western Canada provided by Alberta Learning Information Services. (<http://www.alis.gov.ab.ca>)

**Athabasca University:** A public university, created in 1970, with approx 32,000 students per year studying for degrees on-line or by distance. (<http://www.athabascau.ca>)

British Columbia

**BCcampus:** Provided by BC public postsecondary institutions and established in 2002 to provide students with a Web-based access point to on-line learning programs and services. (<http://www.bccampus.ca>)

**Thompson Rivers University Open Learning:** Public university established in April 2005. All courses and programs of the former BC Open University are now provided by TRU. (<http://www.tru.ca/distance/>)

Manitoba

**Campus Manitoba:** A consortium of public colleges and universities established to facilitate access to postsecondary education throughout the province. (<http://www.campusmanitoba.com/>)

New Brunswick, Newfoundland, Nova Scotia, Prince Edward Island

**Association of Atlantic Universities:** Provides an on-line calendar of e-learning opportunities: Calendar of University Distance Education Courses in the Atlantic Provinces. (<http://www.atlanticuniversities.ca/>)

## Northwest Territories

**University of the Arctic:** An international network of universities, colleges, and other organizations committed to higher education and research in the North. (<http://www.uarctic.org>)

## Nunavut

With the NWT and Yukon, Nunavut is involved in the University of the Arctic project. In addition, Nunavut is involved in a number of evolving e-learning initiatives including bilateral projects such as one with Carleton University, Athabasca University, and others.

## Ontario

**Contact North:** A bilingual (English and French) distance education network of colleges, universities, and secondary schools established by the provincial government in 1986 to facilitate the provision of distance education courses and programs to residents of Northern Ontario. (<http://www.contactnorth.ca/>)

## Quebec

**Comité de liaison interordres en formation à distance (CLIFAD):** A collaboration of Quebec's institutions to promote and advocate distance education. (<http://www.clifad.qc.ca/>)

**La Télé-université:** Part of the University of Quebec at Montreal, a provider of on-line courses and programs. (<http://www.teluq.quebec.ca/>)

## Saskatchewan

**Campus Saskatchewan:** A partnership of public postsecondary institutions that collaborate in developing courses for distance delivery, accessible through a common Web site that provides a complete list of provincial postsecondary courses available through alternative delivery formats. (<http://www.campussaskatchewan.ca/>)

## Yukon

**Yukon Workinfontet:** As part of a broader web site that provides information and resources on a broad range of topics, Web site that provides links to (primarily) Canadian institutions that offer on-line courses. (<http://yuwin.ca/>)