Alberta’s Student Teacher Practicum: A Legal Analysis of the Statutory and Regulatory Framework

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In 2005, a total of approximately 2,915 student teachers were placed for practicum purposes in Alberta’s schools by the five Alberta universities which offer teacher preparation programs leading to the Bachelor of Education degree: the University of Alberta, the University of Calgary, the University of Lethbridge, King’s University College, and Concordia University College of Alberta. That number of placements was not unusual and indeed may increase if other institutions are accredited by the Alberta Government for the provision of teacher preparation.

The legal framework for the student teacher practicum is based upon Alberta’s statutes and regulations as well as agreements between the Government of Alberta and the above mentioned institutions. Moreover, the Alberta Teachers’ Association (ATA) has entered into an agreement with the universities regarding matters related to cooperating teachers, and seconded teachers. However, an examination of the legislation and various documents disclose some areas of concern.

This paper is based upon Alberta’s legislation and documents which are relevant to student teachers’ practicum and addresses the above mentioned concerns by, a) describing the practicum framework, b) analyzing the implications of that framework, and c) recommending legislative amendments, agreements between the parties, and lastly, the creation of school districts’ policies. This paper does not address questions surrounding the legal rights and responsibilities of student teachers - which would include a further examination of both federal and provincial legislation and in particular, institutional policies and procedures. Those areas are currently being researched by the author.
Part I
The Practicum Framework

The legislative framework for the student teacher practicum (the “practicum”) is contained in the School Act, Government Organization Act, and indirectly in the Teaching Profession Act.

The School Act and the Government Organization Act

The Minister of Education acts under the School Act, which states in part,

The Minister may make regulations

94.1(a) (iii) respecting education, training and experience, character and other eligibility requirements of applicants for certificates [respecting teacher certification];

and further enters into agreements with the universities’ boards of governors under the Government Organization Act, which reads,

10(1) Subject to section 11, a Minister may enter into agreements on or in connection with any matter under the Minister’s administration.

These Acts empower the Minister to “make regulations and to enter into agreements regarding the certification of teachers.” The standard agreement between the Minister and universities requires that the universities’ boards of governors “provide courses and programs required to qualify students for certification,” and that the deans of the faculties of education “shall recommend the individual [student teacher] to the Minister only if in the Dean’s opinion the individual should be issued a certificate,” and has “completed a program of studies required to qualify for certification.” Other sections of the agreement require, amongst other things, that the faculties of education report on a regular basis to the Minister on the adequacy and efficacy of their teacher education programs.

Schedule A to that agreement, Ministerial Order #016/97, entitled Teaching Quality Standard Applicable to the Provision of Basic Education in Alberta, sets out the criteria which a student teacher must meet to be certified on an interim basis as a teacher.
It therefore seems clear that the practicum is primarily the responsibility of the universities. However, the School Act also includes the school boards as very important players in the practicum. Indeed, that Act states directly, or arguably by interpretation, that the matters of acceptance of a student teacher into the school district, the appointment of the cooperating teacher, the conduct of the student teacher on the school premises as well as the responsibilities of the student teacher to the cooperating teacher, as well as to the school administration and pupils is under the jurisdiction of the school board. An interpretation of the relevant sections follows.

Section 62 (4) of the School Act relates to the practicum and puts the onus upon universities, hence their respective faculties of education, to enter into agreements with school districts to enable the placement of students and indeed to provide for the attendance of university personnel for the purposes of observation of those student students. That section reads,

62 (4) A board shall, on the request of an institution that has a program of teacher education authorized by the Minister, enter into an agreement with the institution permitting those individuals enrolled in the program of teacher education and their instructors to attend a classroom of a school operated by the board while the school is in session for the purpose of observing or student teaching [emphasis added].

Once placement has been agreed to, section 18 (2) (c) provides that the school board may require that a teacher take on the responsibility of supervising a student teacher.

18 (2) At any time during the period of time that a teacher is under an obligation to the board to provide instruction or supervision or to carry out duties assigned to the teacher by a principal or the board, a teacher must, at the request of the board, (a) participate in curriculum development and field testing of new curriculum; (b) develop, field test and mark provincial achievement tests and diploma examinations; (c) supervise student teachers [emphasis added].

Although section 18 (2) is operative without the invocation of section 62 (4), it seems reasonable that the legislation assumes that a section 62(4) agreement would be in place prior to placement of a student teacher and hence visits for assessment purposes by
university personnel. Moreover, it appears that the appointment of cooperating teachers is under the sole prevue of the school board.

These interpretations seem to make sense given that the ultimate legal responsibility for pupils and the school premises rests with the school board and further, that as the cooperating teachers are employees of the board, it is reasonable that the Boards’ appointees, the school principals, should have the final word on supervisory duties.

Following a successful academic experience and practicum, the student teacher may apply for interim certification under Certification of Teacher Regulation # 3/99, authorized under section 94(1) of the School Act. That Regulation reads, in part,

7(1) The Registrar may issue an interim professional certificate to an applicant who
(ii) meets the requirements for professional teacher certification in the jurisdiction where the degree or the basic professional teacher preparation program was completed.

The Funding of the Practicum
The funding for the practicum pays for various matters such as the cooperating teachers’ honoraria, the cost of university supervision in schools, and the secondments of teachers, is provided through G1 and G2 Grants as well as a contribution from the universities. This matter is detailed in the Practicum Grant Plan and suggestions are made to the government through the Joint Committee on the Practicum Grant Plan.

One may ask what responsibility the ATA has regarding the practicum. The response is that in legislative terms it is very minor.

The Teaching Profession Act
Sections 3 and 4 of the Teaching Profession Act indicate that the ATA’s role in the practicum is perhaps best seen as indirect or implicit in the statute. Section 3 relates to the practicum in that it is a “matter . . . directly affecting the teaching profession” in that the practicum is academically required to become certified as a teacher. The section reads,
3(1) The association may take any measure that is not inconsistent with this Act or any Act or regulation of Alberta and that it considers necessary in order to give effect to any policy adopted by it with respect to any question or matter directly or indirectly affecting the teaching profession [emphasis added].

Section 4 of that Act also does not speak directly to the practicum but it is relevant as it states that the objectives of the ATA are, in part, to be involved with the “promoting and supporting” of the “recruitment and selection practices that ensure capable candidates for teacher education” and the “preservice, preparation, [and] certification” programs.

Section 4 reads in part,

4 The objects of the association are
   (a) to advance and promote the cause of education in Alberta;
   (b) to improve the teaching profession
       (i) by promoting and supporting recruitment and selection practices that ensure capable candidates for teacher education,
       (ii) by promoting and supporting adequate programs of preservice preparation, internship and certification, [emphasis added]

Beyond the indirect legislative warrant for its involvement in the practicum, the ATA is very much involved through its Teacher Education and Certification Committee (TECC) and the Area Field Experiences Committees. TECC operates under the ATA Provincial Executive Council and is composed of representatives from a wide variety of bodies: the Alberta Government (the Director of Teacher Development and Certification Branch of Alberta Education who is also the Registrar of Alberta Certification), representatives from all of the universities (excluding King’s University College and Concordia University College of Alberta as they are private universities), as well as a representative from the University of Alberta’s Faculty St. Jean educational sector, an ATA representative who is a member of the Council on Alberta Teaching Standards (COATS), two ATA executive staff members, two members of the ATA Provincial Executive (one of whom acts as Chair of TECC), four active ATA members each of whom is the Chair of an Area Field Experiences Committee, three ATA members from school districts, and one other representative of Alberta Learning from the post secondary branch.
TECC’s function is to receive reports from the various committee members, organize conferences, review ATA policies, and to make recommendations to the ATA Provincial Executive Council regarding a variety of matters which include, amongst other things, student teachers’ practicum, field experiences, and certification.

Although the ATA’s role in the practicum is limited, its policies lay claim to be much more involved in the practicum. The Association’s *Teacher Education and Certification Policy* xxiv states,

2.A.1 The professional organization must be a partner in making decisions affecting the preparation of teachers: *recruitment, selection, admission, institutional preparation*, internship, placement and orientation”

2.A.10 The field experiences component of the bachelor of education degree program must

1. be the equivalent of not less than 13 weeks of full-time school-based experience,

2. *have objectives established jointly* by the universities in consultation with the profession and in accordance with provincial certification requirements, and

3. *require selection of cooperating teachers* as defined in Association policy.

2.A.11 The Alberta Teachers’ Association cooperates with the universities of Alberta, the Department of Education, the Department of Human Resources and Employment, and the Alberta School Boards Association in efforts to provide high-quality field experience for teachers. [emphasis added]

Moreover, that document speaks to the “Recruitment and Selection,” “Institutional Preparation,” “Certification,” “Teacher Education Programs,” “Field-Experiences Programs,” “Field Experiences Implementation,” “Roles and Responsibilities,” “Arrangements for cooperating teachers,” “Relationships,” “Evaluation,” “Internship,” and other matters. Such Association policies and regulations however, bind only the Association’s members, not the universities nor the school boards.

In concert with the Association’s policies, in the past, it has entered into agreements, which vary in particulars, but not in general, with the universities in relation to teacher preparation programs but not student teachers *per se.* xxv The latter area deals with the
Provincial Field Experiences Grant Plan Guidelines which, as stated earlier, deal with the honorarium for cooperating teachers and the secondment of teachers as university associates. The preamble of the standard agreement is important in that it appears that the faculties of education have acquiesced to the key role of the ATA in the practicum. The preamble is rather long, but important, and reads,

The Faculty of Education of the University of . . . and the . . . Area Field Experiences Committee (CAFEC) of The Alberta Teachers’ Association jointly acknowledge the critical and central importance of school-based learning opportunities in the preparation of beginning teachers and in the continuing professional growth of practicing teachers and faculty in the university and schools. The active involvement of education faculty members in school classrooms through interaction with student teachers is a condition of a successful field experiences program, as is the voluntary participation of teachers in providing positive school-based learning environments. It is acknowledged that the nature of the university-based and school-based components of the field experiences program will continue to be a matter of ongoing examination, refinement, enrichment, improvement and approval, by The Alberta Teachers’ Association, the Faculty of Education of the University of . . . and relevant partners [emphasis added].

As noted above, pursuant to section 18(2) of the School Act, school boards may compel a teacher to “supervise” a student teacher apparently whether or not the ATA is in agreement. Indeed, it is clear that under law, it is not the ATA but rather the faculties of education and the boards of education which are the key players in the student teachers’ practicum for matters of placement, the appointment of the cooperating teachers, presence on school board property, and conduct of the student teacher during the practicum and the final assessment of the students teacher’s success in the practicum.

Interestingly, the ATA is involved with some student teachers if they have chosen to become student members of the Association under section 6(1) of the Teaching Profession Act, which reads,

6(1) The membership of the association [the Alberta Teachers’ Association] is composed of active, associate, life, honorary and student members.
(2) Only teachers who are employed by school boards, other than as superintendents, may be active members of the association.
(3) The association may grant associate, honorary, life or student membership to any person who meets the conditions prescribed by the bylaws [emphasis added].
However, it is important to note that student members are not bound by the ATA *Code of Professional Conduct* or the disciplinary regimen of the Association.

**Part II**

**Implications of the Practicum Framework**

The absence of s. 62 (4) agreements is unfortunate. Without such agreements it is foreseeable that questions could arise to which no prior written agreement could be referenced for an appropriate response by the parties. Moreover, the legal status of student teachers and their relationship to the school board is unknown or ambiguous at best.

It is suggested that section 62(4) agreements between the universities and the school boards could be drafted similar to student practicum agreements which some universities have with third parties: as evidenced between university departments such as social work, psychology, and nursing and their work place placements for practice purposes. It is surprising that faculties of education do not have such written agreements in place.

A practicum agreement between school boards and the universities might describe the nature of the legal relationship between the student teacher and the school boards as well as the relationship between, and the reasonable expectations of, the student teacher and the school administration. Such an agreement might also state the responsibilities of the student teacher to the school board, the cooperating teacher, and pupils, as well as the applicable remedial and appeal procedures when there is an issue of misconduct by a student teacher on school premises. This agreement could also address student teachers placements and the Section 18 issue of the appointment of supervising teachers and their supervision by the cooperating teacher.

Beyond the above, there are implications regarding the lack of school district policies which deal with student teachers. At least five of Alberta’s school boards apparently
do not have policies in place that define the responsibilities and rights of student teachers within their schools.

As the nature of the legal relationship of the school board and the student teacher is unclear, both in terms of the lack of section 62(4) agreements and school board policies, the question arises whether or not student teachers are insured under a school board’s insurance policy. Section 60 of the School Act states, in part,

60(1) A board must
(a) establish policies respecting the provision of educational services and programs;
(b) in respect of its operations
(i) keep in force a policy or policies of insurance,
(ii) with the approval of the Minister, participate in an arrangement under Part 1, Subpart 3 of the Insurance Act, or
(iii) with the approval of the Minister, participate in an alternative arrangement acceptable to the Minister, for the purpose of indemnifying the board and its employees.

It is arguable that student teachers are simply invitees of the Board. If that is so, then the term “student teacher” should be added to the list of those insured by the Board to ensure insurance coverage. Failure to do so would leave the student, alleged to have been negligent respecting an injury to a pupil, seeking protection for liability under her or his university’s insurance policy. This is problematic as anecdotal evidence suggests that some student teachers take on or are placed in situations in their practicum which are not contemplated or endorsed and may be expressly prohibited by their respective faculties of education. Thus such activities, being not within the scope of the students’ activities in their practicum as contemplated by the universities’ insurance policies, could result in a denial of insurance coverage for the student teacher from the university insurer or at least a contested claim.

It is apparent from the forgoing that the legislative framework for the student teacher practicum places the primary responsibility in the hands of both the deans of education
and the school boards. In the matter of student teacher conduct in the practicum and in the schools the matter has in part been addressed.

The faculties of education have provided some guidance regarding student teachers’ conduct while in the practicum, through the incorporation by reference of the ATA Code of Professional Conduct into their field experiences programs. Further, the ATA is directly involved in consulting with the faculties of education and the Registrar of Teacher Certification regarding teacher education programs which includes the practicum component of the B.Ed. requirements, through the TECC. The Registrar, or his designate, attends the TECC meetings for information purposes. It can be said that through the good offices of the ATA, there is a flow of the information, needs, and requirements of the practicum to the various stakeholders in the practicum, excluding perhaps, Alberta’s school boards.

The appearance of the board of educations’ lack of voice in the above consultative process is a bit misleading. The Alberta School Boards Association is represented on the Advisory Committee on Teacher Education which is composed of an executive member of the ATA, the deans of the faculties of education at the universities and a representative from the Alberta School Boards Association. Moreover, the Joint Committee on the Practicum is composed of the associate deans of the universities who are in charge of field experiences, and two ATA representatives (the Chair of TECC, and the secretary of TECC), and a representative from the Alberta School Boards Association. The latter committee is advisory and can make recommendations to the Faculties of Education, the ATA, and the Alberta School Boards Association. All of the above committees send representation to TECC. Lastly, in October 2005, Alberta’s Commission on Learning made a recommendation, which was subsequently accepted, stating as follows:

| Establish permanent mechanism to ensure a closer link among faculties of education, superintendents, teachers and Alberta Learning. | Accepted Alberta Education implemented bi-annual meetings (Spring and Fall) with representatives of Alberta’s teacher preparation institutions and the College of Alberta School Superintendents, the Alberta School Boards Association, and the Alberta Teachers’ Association to improve linkages. |
The consultative body created in pursuit of the above is the Alberta Education Deputy Minister’s Committee which has had meetings in response to the above.

In Part III of this paper provides a summary of the concerns derived from Part II.

Part III

Recommendations: Legislation, Agreements, & Policies

In sum, the concerns respecting Alberta’s student teacher practicum are six fold. First, the School Act does not define the term “student teacher” nor does it provide explicit insurance protection for student teachers. Those matters should be addressed either by legislative amendment or by Ministerial Order. Second, the universities have not yet entered into agreements with Alberta’s school boards detailing the legal relationship of student teachers to school boards, the reasonable expectations of the universities and the school boards of the student teacher, as well as the rights and responsibilities of practicum students. It seems incumbent on the faculties of education to begin the process of negotiating with the school boards concerning the contents of such Section 62(4) agreements. Third, recognition and delineation of the school boards’ role in the selection of cooperating teachers is not stated in an agreement. Such an agreement should be negotiated between the school boards and the ATA which acknowledges the primacy of the school principal in the appointment of cooperating teachers. Fourth, school boards’ websites viewed for this paper indicates a lack of policies to address the role of the parties involved with the practicum while in the school. School boards should create policies which detail the reasonable expectations which they have for student teachers, the cooperating teachers, and the visiting university personnel during the practicum. Fifth, where it is not the case, G1 and G2 funding should be sent directly to the faculties of education rather than their universities to ensure that such funds are in total directed towards the practicum.

Lastly, as approximately 140 student teachers from the two private university colleges, King’s University College, and Concordia University College of Alberta, are directly involved with Alberta’s pupils, with the likelihood of St Mary’s University College and
Canadian University College, as well as others, being added to that number, it appears to be an anomaly that these institutions are not involved with TECC and other committees which are shaping the future of the student teachers’ practicum in Alberta. Arguably, notwithstanding their independent status, the voices in those institutions should be heard in those committees, even if only on a consultative basis, which are shaping the practicum in Alberta.

**Conclusion**

This paper has outlined in brief, the framework for the student teacher practicum in Alberta, analyzed the implications of that framework, and made recommendations in the areas of legislation, agreements, and school board policies.
References


Memorandum of Agreement between Her majesty the Queen in the Right of Alberta and the Board of Governors of the University of Calgary.


Endnotes

i The time in which student teachers are in schools is referred to as field experiences by the universities but as the student practicum in the relevant legislation. See: the Certification of Teacher Regulation # 3/99 (e.1), provided for under section 94(1) (iii) under the School Act, states, “practicum” means a student teaching placement in a kindergarten to Grade 12 program supervised by academic staff of an approved basic professional teacher preparation program

ii The University of Alberta - http://www.ualberta.ca/
Note: In this paper I have included the Faculty St. Jean when referring to the University of Alberta. The University of Alberta has a “satellite arrangement” with Red Deer College (http://www.rdc.ab.ca/) and Grande Prairie Regional College (http://www.gprc.ab.ca/) whereby students may take courses towards their B.Ed. after which a B.Ed. degree will be granted from the U of A. Placement of student teachers in the practicum for these satellite campuses is directed by adjunct staff of the University of Alberta on those campuses.

iii University of Calgary – See: http://www.ucalgary.ca/

iv University of Lethbridge – See: http://home.uleth.ca/

v The King’s University College – See: http://www.kingsu.net/Default.aspx

vi Concordia University College of Alberta – See: http://www.concordia.ab.ca/
Canadian University College students who have successfully completed the B.Ed. program from the University of Nebraska, U.S.A., in Lacombe Alberta can be accredited to teach in Alberta. Indeed, that College has received accreditation for its own B.Ed. program which is in preparation at the time of this paper. See: http://www.cauc.ca/

St. Mary’s University College is in the process of designing and planning for its own B.Ed. program. See: http://www.stmc.ab.ca/

The Alberta Teachers’ Association - See: http://www.teachers.ab.ca/

Cooperating teachers are those members of the Alberta Teachers’ Association who teach in a school and who act under section 18(2)(c) of the Alberta School Act to “supervise student teachers.”

Seconded teachers are those members of the Alberta Teachers’ Association who have been temporarily released from teaching duties by their school board to assist in a university’s teacher development program.


This paper has used the former, but now outdated, Memorandum of Agreement Between Her majesty the Queen in the Right of Alberta and the Board of Governors of the University of Calgary. A new agreement is not yet available.

Teaching Quality Standard Applicable to the Provision of Basic Education in Alberta

Cooperating teacher and supervising teacher relate to a teacher’s relationship to a student teacher. The terms, cooperating and supervising, seem to be interchangeable but the most common expression is cooperating teacher and hence that is the term which will be used in this paper.

The conduct of the student teacher in relation to the cooperating teacher and pupils and the school administration is addressed in part by the overlapping jurisdiction of the school board’s policies and the universities’ directions to student teachers, usually contained in Faculty of Education student handbooks, while they are engaged in the practicum. However, the disciplinary procedures for student teacher misconduct, which relate to her or his academic standing and school placement, fall under the aegis of the relevant faculty of education.

School Act [Responsibility for students and school premises is the school board’s responsibility]. Sections 45 and 60.

The School Principals’ duties as stated in the School Act Section 20 (e) (i) (j)

The Registrar of Teacher Certification is appointed by the Minister of Education.

G1 and G2 Grants are grants which come from the Government of Alberta and are marked for the assistance of teacher education programs, related, amongst other things, to the financing of seconded teachers.

Teacher Education and Certification Committee:
The Teacher Education and Certification Committee studies all matters related to the education and certification of teachers and administers the Association’s fellowship and scholarship program. It consists of two members of Provincial Executive Council (one as chair), seven practising teachers, one education student, two Association staff officers (one as secretary), the Association’s representative on the Council on Alberta Teaching Standards, two
representatives from Alberta Education and a representative from each of the Alberta faculties of education. [emphasis added] See: http://www.teachers.ab.ca/About+the+ATA/Committees/ATA+Standing+Committees.htm#TECC

Area Field Experiences Committees:

Area field experiences committees (AFECs) monitor all aspects of the practicum component of the teacher education programs offered at Alberta universities. The Association has four field experiences committees, one associated with each education faculty in the province: the Calgary Area Field Experiences Committee (associated with the University of Calgary), the Edmonton Area Field Experiences Committee (associated with the University of Alberta), the Faculté Saint-Jean Area Field Experiences Committee (associated with the Faculté Saint-Jean) and the Lethbridge Area Field Experiences Committee (associated with the University of Lethbridge). Each AFEC consists of representatives from locals that accept practicum placements from the affiliated faculty of education, a member of the relevant student local, a practicum associate from the faculty, one or two members of Provincial Executive Council and an Association staff officer (as secretary). [emphasis added] See: http://www.teachers.ab.ca/About+the+ATA/Committees/ATA+Standing+Committees.htm#TECC

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Council on Alberta Teaching Standards (COATS) - See: http://www.teachingquality.ab.ca/

Teacher Education and Certification Policy http://www.teachers.ab.ca/About+the+ATA/Policy+and+Position+Papers/Policy/Educational+Policy/Teacher+Education+and+Certification.htm

The actual negotiating body is the ATA Area Field Experiences Committee (CAFEC) which operates under the aegis of the Alberta Teachers’ Association.

Provincial Field Experiences Grant Plan Guidelines deal with G1 and G2 Grants.

There is overlapping jurisdiction issue here with the University’s Code of Conduct as well as the Faculty’s student Code of Conduct and the policy requirements regarding conduct as determined by the board of education.

ATA Student Locals See: http://www.teachers.ab.ca/Resources+For/Student+Members/

ATA Code of Professional Conduct See:
http://www.teachers.ab.ca/Albertas+Education+System/Teaching+in+Alberta/Professional+Conduct/Code +of+Professional+Conduct.htm


It is the case that at the University of Calgary, students involved with their social work practicum and applied psychology practicum have such agreements between the faculty and third parties.


The author’s five years in the Teacher Education Program at the University of XXXXX has led me to this conclusion through the conversations with many B.Ed. students who have been involved in such activities while on their practicum.

A student teacher may find that she or he is used as a regular teacher for supervision purposes or as a driver of students in an unusual situation, or as a substitute teacher. All of these cases are regularly stated as occurring in schools by student teachers every year to this writer. Although student teachers are aware of
the requirement that they do not become involved in those activities is very difficult to openly disagree with a cooperating teacher or school administrator when they are involved with judging the cooperativeness and other areas of the student teacher’s practicum in the school.

xxxv Alberta School Boards Association. See: http://www.asba.ab.ca/

xxxvi Advisory Committee on Teacher Education (an ATA Committee) See: http://www.education.gov.ab.ca/commission/

xxxvii This is an independent committee which answers to itself and its stakeholders.

xxxviii Alberta’s Commission on Learning. See: http://www.education.gov.ab.ca/commission/