



BILL NO. 126

Government Bill

*2nd Session, 61st General Assembly
Nova Scotia
59 Elizabeth II, 2010*

**An Act Respecting
the Nova Scotia School for Adult Learning
and Other Designated Components
of Adult Learning in Nova Scotia**

CHAPTER 31
ACTS OF 2010

**AS ASSENTED TO BY THE LIEUTENANT GOVERNOR
DECEMBER 10, 2010**

The Honourable Marilyn More
Minister of Labour and Workforce Development

*Halifax, Nova Scotia
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of Adult Learning in Nova Scotia**

WHEREAS the Government of Nova Scotia is committed to the development of Nova Scotia as a learning province where every place is a learning place and everyone a learner;

AND WHEREAS participation in lifelong learning through formal, non-formal and informal learning opportunities at all stages of life has intrinsic value, enhancing the confidence, skills and abilities of Nova Scotia residents with respect to family life, social and civic engagement, workforce participation, productivity and success, and health and well-being, including the development of mind, body and spirit and participation in community and cultural life;

AND WHEREAS lifelong learning opportunities reflect a learning continuum ranging from participation in families, schools, post secondary education, community and other adult-learning organizations, workplace education and training, community and cultural experiences, sports and recreation activities, and volunteer organizations;

AND WHEREAS lifelong learning includes adult learning;

AND WHEREAS adult learning is recognized as a shared responsibility amongst learners, their families, educators, employers and employees, communities and government;

AND WHEREAS adult learning requires learner-centered, multi-faceted, holistic teaching approaches that are consistent with recognized adult-learning principles;

AND WHEREAS participation in adult learning is enhanced when individuals have the necessary literacy and essential skills required to maximize their learning opportunities;

THEREFORE be it enacted by the Governor and Assembly as follows:

1 This Act may be cited as the *Adult Learning Act*.

2 The purpose of this Act is to provide designated components of adult learning whose primary mandate is to support adult-learning programs and services to enable adult learners to develop their potential and acquire the knowledge, skills and attitudes needed to contribute to a healthy society and a prosperous and sustainable economy.

3 In this Act,

- (a) “Department” means the Department of Labour and Workforce Development;
- (b) “designated component” means the Nova Scotia School for Adult Learning or a specified adult-learning component designated under this Act;
- (c) “Minister” means the Minister of Labour and Workforce Development;
- (d) “Nova Scotia School for Adult Learning” means the adult-learning component of the Department known as the Nova Scotia School for Adult Learning;
- (e) “personal information” means personal information as defined in the *Freedom of Information and Protection of Privacy Act*;

(f) “prescribed” means prescribed by the regulations made by the Minister.

4 (1) The Minister has the general supervision and management of this Act and the regulations.

(2) The Minister may delegate to a person employed in the Department any power conferred or duty imposed on the Minister under this Act except the power to make regulations.

5 The Minister shall regularly consult with the adult-learning community including, but not limited to, adult learners, adult-learning practitioners and adult-learning organizations to continue the strategic development, implementation and evaluation of adult learning in the Province.

6 The Minister may require Government agencies and the other departments, branches and offices of the Government of the Province to provide the Minister with information to assist in the continued strategic development, implementation and evaluation of adult learning in the Province.

7 (1) The purpose of the Nova Scotia School for Adult Learning is to provide support for learning organizations to offer tuition-free adult-learning programs in English or French for adult Nova Scotians seeking to improve their knowledge and skills.

(2) The support may include funding to assist learning organizations to offer adult-learning programs.

8 (1) The Minister may prescribe a component of adult learning as a designated component.

(2) The purpose of a designated component is to provide support for learning organizations that offer adult-learning programs for adult Nova Scotians seeking to improve their knowledge and skills.

(3) The support may include funding to assist learning organizations to offer adult-learning programs.

9 (1) An annual report to the Minister must be prepared with respect to each designated component.

(2) The contents of the report must be as prescribed.

10 To be eligible to receive funding from a designated component, a learning organization

- (a) must be a recognized learning organization that meets the prescribed criteria;
 - (b) shall provide an adult-learning program that, in the opinion of the Minister, meets the prescribed requirements and standards;
 - (c) shall apply in the manner and provide the information required by the Minister;
- and

- (d) must enter into an agreement with the Minister that contains
 - (i) the prescribed terms and conditions, and
 - (ii) any other terms and conditions that are required by the Minister.

11 (1) For the purpose of evaluating and monitoring a learning organization and an adult-learning program offered by a learning organization that has received support from a designated component, the Minister may

- (a) require the learning organization to produce for examination or copying
 - (i) records, documents or things relating to the learning organization's operations, and
 - (ii) information relating to the adult learners who attend the learning program,

that are in its custody or under its control;

- (b) monitor the manner in which the learning organization provides its adult-learning program, facilities, resource materials and other aspects of the learning organization's learning environment through site visits, review of resource materials and records and such other means as determined by the Minister;

- (c) conduct interviews or surveys of adult learners attending the adult-learning program, and require the learning organization to provide information respecting adult learners who are attending or have attended the adult-learning program, for the purpose of conducting interviews or surveys;

- (d) require the learning organization to provide any and all records, documents, or things necessary for an external audit; and

- (e) take any other steps that the Minister considers necessary to evaluate the learning organization and adult-learning program.

(2) Personal information required by the Minister must be limited to the minimum amount necessary to accomplish the purpose for which it is required or disclosed.

12 For the purpose of adult learning supported by designated components, formal, non-formal and informal learning may be recognized by

- (a) the High School Diploma for Adults;
- (b) the General Educational Development (GED) Certificate;
- (c) the Recognition of International Credentials as prescribed;
- (d) the Recognition of Prior Learning as prescribed; and
- (e) such additional forms of recognition as prescribed.

13 (1) The Minister shall prepare an annual report on adult learning for the Province.

(2) The annual report must include, but is not limited to, the activities of the Nova Scotia School for Adult Learning, the performance of each learning organization and adult-learner outcomes.

14 The Minister may enter into agreements with the Government of Canada, the government of another province of Canada, a municipality, learning organizations or any person in respect of adult learning in the Province.

15 (1) The Minister may make regulations

- (a) establishing the criteria for designating a component of adult learning as a designated component;
- (b) establishing the obligations of adult learners;
- (c) establishing learner-centered requirements and standards respecting adult-learning programs including, without limiting the generality of the foregoing, standards respecting
 - (i) the requirements for admission,
 - (ii) the methods of instruction, hours of instruction and duration of programming,
 - (iii) the professional development and qualifications and competencies of instructors, and
 - (iv) the availability and quality of resource materials;
- (d) prescribing criteria for determining eligibility for the purpose of clause 10(a);
- (e) respecting records to be made and maintained by learning organizations that receive support under a designated component, and information that those learning organizations are required to provide to the Minister, including records and information respecting
 - (i) financial matters,
 - (ii) the qualifications and competencies of instructors, and
 - (iii) the attendance and measures of the performance of adult learners who are or have attended the adult-learning program;
- (f) respecting the times at which and the form and manner in which records and information under clause (d) are to be provided to the Minister;
- (g) respecting forms of recognition of adult learning for the purpose of this Act;
- (h) respecting the contents of a report required by this Act.

(2) The exercise by the Minister of the authority in subsection (1) is regulations within the meaning of the *Regulations Act*.

16 (1) The Governor in Council may make regulations

- (a) defining any word and expression used but not defined in this Act;
- (b) respecting any other matter that the Governor in Council considers necessary or advisable to carry out effectively the intent and purpose of this Act.

(2) The exercise by the Governor in Council of the authority in subsection (1) is regulations within the meaning of the *Regulations Act*.

17 This Act comes into force on such day as the Governor in Council orders and declares by proclamation.
