B I L L

No. 903

An Act respecting Collège Mathieu, Gravelbourg, Sask., Incorporating

(Assented to)

Preamble

WHEREAS Rev. Olivier Elzéar Mathieu, Archbishop of Regina, Rev. Charles Maillard, parish priest, and Rev. Pierre Gravel, missionary, presented a petition praying for the incorporation of the Collège to be conducted under the authority of the Roman Catholic Church;

WHEREAS Collège Mathieu was constituted as a body corporate by *College Mathieu, Gravelbourg, Sask., Incorporating*, being Chapter 75 of the Statutes of Saskatchewan, 1917;

WHEREAS *College Mathieu, Gravelbourg, Sask., Incorporating* was amended by Chapter 122 of the Statutes of Saskatchewan, 1936, Chapter 91 of the Statutes of Saskatchewan, 1961 and Chapter 70 of the Statutes of Saskatchewan, 1976;

WHEREAS the oblates of the Roman Catholic Church transferred the administration of Collège Mathieu to a group of lay francophones in 1976 and the Collège was officially recognized as a private, Catholic high school in 1979;

WHEREAS, in 2004, Collège Mathieu became a postsecondary institution devoted to the development of francophone postsecondary education in Saskatchewan through partnerships with Saskatchewan Polytechnic, the University of Regina and other francophone postsecondary institutions across Canada;

WHEREAS the Collège seeks to continue its mission of developing francophone postsecondary education in Saskatchewan.

WHEREAS it is expedient to grant the prayer of the said Petition;

NOW THEREFORE HER MAJESTY, by and with the advice and consent of the Legislative Assembly of Saskatchewan, enacts as follows:

PART I
Short title and Interpretation

Short title

1 *The Collège Mathieu Act*.

Interpretation

2 In this Act:

(a) "**ACF**" means Assemblée communautaire fransaskoise Inc.

(b) "**Board**" means the Board of directors of Collège Mathieu appointed or elected pursuant to section 5.

(c) "**Collège"** means Collège Mathieu continued pursuant to section 3.

(d) "**Chief Executive Officer**" means the Chief Executive Officer of Collège Mathieu appointed pursuant to section 9.

(e) "**Collège Mathieu Gravelbourg, Sask.**" means Collège Mathieu Gravelbourg, Sask continued as a corporation pursuant to *College Mathieu, Gravelbourg, Sask., Incorporating*, Private Act as that Act existed on the day before the coming into force of this Act.

(f) "**Member of the Board of directors**" means a Member of the Board of directors of Collège Mathieu appointed or elected pursuant to section 5.

PART II

Administration

Collège Mathieu Continued

3 Collège Mathieu Gravelbourg, Sask. is continued as a corporation under the name of Collège Mathieu.

Role of the Collège

4(1) The primary role of the Collège is to operate a postsecondary education and continuing education institution which fulfills the needs of the Francophone and Francophile community and, in doing so, contributes to the cultural and linguistic development of the Fransaskois community.

(2) For the purposes of fulfilling its role, the Collège may:

(a) formulate and offer courses of study and rules of behaviour for the students;

(b) provide for the delivery of lectures and seminars and the holding of courses and conferences directly or indirectly to advance the cause of education, including continuing education;

(c) appoint such professors, associate professors, assistant professors, lecturers, instructors, and other officers and employees as may be necessary for carrying into effect the objects and purposes of the Collège;

(d) provide student services, career counselling, adult basic education, language training, literacy programming, and newcomer integration services;

(e) provide services to encourage and support scholarly activity related to programs of study provided by the Collège;

(f) provide any other post-secondary education and training-related functions or activities that may be authorized by the bylaws adopted by the Collège.

(3) The Collège shall operate in the French language, but may, where it is required in the circumstances, operate in another language.

Board of Directors

5(1) The primary role of the Collège is to operate a postsecondary education and continuing education institution which fulfills the needs of the Francophone and Francophile community and, in doing so, contributes to the cultural and linguistic development of the Fransaskois community.

(2) The Board of directors of the Collège shall be composed of 9 members in accordance with the Collège Mathieu's bylaws:

(a) The Assemblée communautaire fransaskoise Inc ("ACF") or its successor shall appoint one (1) member to the Board;

(b) *l'Amicale du Collège Mathieu* shall appoint one (1) member of the Board;

(c) The remaining seven (7) members of the Board shall be appointed to represent various portfolios to be set out in the Collège Mathieu Bylaws.

(3) Each member of the Board must be a resident of Saskatchewan or employed in Saskatchewan and able to function in the French language.

(4) No individual employed as a regular salaried employee by the Collège may be a member of the Board. Full time or part-time contractual employees are not excluded from being members of the Board.

(5) Subject to subsection 5(6), a person appointed as a member of the Board holds office for a term not exceeding three years and until a successor is appointed, and is eligible for reappointment.

(6) A person ceases to be a member of the Board on the day the person dies or resigns.

(7) A vacancy in the membership of the Board does not impair the power of the remaining members of the Board to act.

(8) Subject to the bylaws, the Collège may pay members of the Board:

(a) remuneration for their services at the rates approved by the Board; and

(b) reimbursement for their expenses incurred in the performance of their responsibilities at the rates paid to members of the public service of Saskatchewan.

Quorum

6(1) A majority of the members of the Board in office constitutes a quorum of the Board for the transaction of business.

(2) A member of the Board may participate in a meeting of the Board or of any committee of the Board by means of telephone or other communications facilities that permit all persons participating in the meeting to communicate with each other, and a member participating in a meeting by those means is deemed to be present at that meeting.

Responsibilities of the Board

7 The Board shall:

(a) ensure that the business and affairs of the Collège are conducted in accordance with this Act and the mandate of the Collège;

(b) hold a minimum of four regular meetings per fiscal year and any other meetings that the Board considers appropriate;

(c) make bylaws respecting the calling of its meetings and the conduct of business, including administering the Collège's property, auditing the Collège's financial statements, selecting an auditor and all other general powers granted to it by this Act;

(d) be responsible for ratifying the hiring and dismissal of the executor director;

(e) prepare and maintain a written record of all proceedings and decisions of the Board and any committee of the Board.

Committees

8(1)The Board shall:

(a) appoint from among its number an Executive Committee composed of:

(i) a President;
(ii) a Vice-president;
(iii) a Treasurer;
(iv) an Advisor;

(b) Subject to any restrictions passed by the Board, the Executive Committee shall, between the regular meetings of the Board, hold and exercise all of the Board's powers with respect to the regular administration of the Collège, except those powers which must be exercised exclusively by the Board under this law or the bylaws of the Collège.

(2) A member of the executive committee holds office until that person:

(a) is removed by resolution of the Board; or

(b) ceases to be a member of the Board.

(3) The Executive Committee may exercise any powers of the Board that are delegated to it by resolution of the Board, subject to any restrictions contained in the resolution.

(4) The Executive Committee shall:

(a) fix its quorum at not less than a majority of its members;

(b) keep minutes of its proceedings and decisions; and

(c) submit to the Board at each meeting of the Board, minutes of the Executive Committee's proceedings and decisions during the period since the most recent meeting of the Board.

(5) The Board may establish any committee consisting of Board members or non-Board members that the Board considers advisable.

(6) Any committee established pursuant to subsection 8(5) shall comply, with any necessary modification, with the requirements of subsection 8(4).

(7) The Board may:

(a) appoint a provincial program advisory committee for any technical or vocational program provided by the Collège;

(b) appoint any other advisory committees that it considers necessary for the efficient conduct of the business of the Collège;

(c) prescribe the duties of any committee appointed pursuant to this subsection;

(d) fix the remuneration of members of any committee appointed pursuant to this subsection;

(e) pay members of any committee appointed pursuant to this subsection for their expenses incurred in the performance of their responsibilities at the rates paid to members of the public service of Saskatchewan;

(f) by resolution, authorize the borrowing of money by the Collège for its purposes;

(g) that it considers necessary for the efficient operation of the Collège receive gifts of real and personal property, including moneys, for the purposes of the Collège;

(h) sell, lease or otherwise dispose of any of its property, subject to the terms of any gift received by the Collège; and

(i) manage, insure, maintain, repair, alter or improve any of the Collège's property and may construct or erect any buildings, structures or other improvements.

Chief Executive Officer

9(1) The Board shall appoint a Chief Executive Officer of the Collège.

(2) Subject to subsection 9(3), the Board shall determine the term of office of the Chief Executive Officer and his or her remuneration, which is to be paid by the Collège.

(3) The term of office for which the Chief Executive Officer is appointed shall not exceed five years, but the term may be renewed by the Board.

(4) Subject to the direction of the Board, the Chief Executive Officer is responsible for the general supervision and direction of:

(a) the academic work of the Collège, its teaching staff and student body and the officers and employees employed in connection with that work; and

(b) the business affairs of the Collège and the officers and employees employed in connection with those affairs.

(5) The Chief Executive Officer may exercise any powers and shall perform any other duties that are conferred on or assigned to the Chief Executive Officer by the Board.

(6) Annually and at any other time requested by the Board, the Chief Executive Officer shall report to the Board on:

(a) the operation of the Collège;

(b) the business plan and budget;

(c) the progress of the Collège towards the achievement of its goals, including recommendations for the benefit and advancement of the Collège; and

(d) any other matters that the Board may require.

Employees

10(1) The Collège may:

(a) employ any officers or other employees that it considers necessary for the conduct of its operations; and

(b) determine each officer's and employee's respective duties and powers, conditions of employment and remuneration, which is to be paid by the Collège.

(2) The Collège has control over and shall supervise its officers and employees.

Bonding

11 The Board may require any officers and employees of the Collège who, in the course of their employment, receive and disburse cash, and any other officers or employees of the Collège that the Board considers advisable, to be bonded in any sums that the Board may require for duly accounting for money or goods that come into the hands of the Board or under the Board's control.

Exemption from Taxation

12 Neither the Collège nor its real or personal property is liable to taxation for municipal or school purposes.

Additional Powers

13 The Collège may:

(a) determine admission, enrolment and graduation requirements and standards for students;

(b) fix and determine fees:

(i) for any programs, courses, seminars or other instruction;
(ii) for the use of or access to any facility or property of the Collège;
(iii) relating to examinations, diplomas, certificates; and
(iv) for any other matter that the Collège considers advisable;

(c) provide for the discipline of the Collège's students, including admission, dismissal, suspension and expulsion of students and the imposition of fines;

(d) provide for the conduct of examinations;

(e) provide for the granting of diplomas, certificates relating to programs, courses and seminars provided by the Collège;

(f) provide or facilitate the provision of scholarships, awards or bursaries to students of the Collège;

(g) accept any gift, grant, devise or bequest of any money or other property made to it;

(h) act as a trustee of any money or other property given in any manner for the support of the Collège or its students;

(i) enter into any agreement for the purpose of performing its duties or exercising its powers;

(j) do any other things that the Board may consider necessary or advisable to operate the Collège and its property or to carry out its functions and duties pursuant to this Act.

PART III

Financial Matters

Fiscal Year

14 The fiscal year of the Collège is the period commencing on July 1 in one year and ending on June 30 of the following year, or any other period that may be prescribed in the bylaws.

Budget and Business Plan

15 In each fiscal year, the Board shall prepare and adopt a budget and a business plan for the Collège and make these available to its funding providers upon request.

Audit

16(1) The Board shall appoint an auditor to audit the records, accounts and financial statements of the Collège.

(2) The auditor appointed pursuant to subsection 16(1) shall audit the records, accounts and financial statements of the Collège:

(a) annually; and

(b) at any other times that the Board may require.

PART IV

General

Limitation of Liability

17(1) No action or proceeding lies or shall be commenced against the Collège, the Board, any members of the Board, the Chief Executive Officer, or any officer or employee of the Collège, with respect to any act or omission done in good faith by any student or of any students, whether organized as a student body or not, arising out of any association or activity organized, managed, controlled or done, in whole or in part, by a student or students of the Collège.

(2) No action shall be brought against any member of the Board of directors or the Chief Executive Officer on account of anything done or omitted to be done in good faith in the performance of a duty imposed or the exercise of a power given pursuant to this Act.

PART V

Repeal and Transitional

S.S. 1917, c. 75 Repealed

18 *An Act to incorporate Collège Mathieu, Gravelbourg, Sask.*, being Chapter 75 of the Statutes of Saskatchewan, 1917 is repealed.

Transitional – Board of Directors, Chief Executive Officer

19(1) Those persons who were members of the Board of directors of Collège Mathieu, Gravelbourg, Sask on the day before the coming into force of this Act:

(a) continue as members of the Board of directors of the Collège pursuant to this Act;

(b) are deemed to be have been appointed pursuant to section 5; and

(c) hold office for the remainder of the terms for which they were appointed pursuant to the Private Act to incorporate Collège Mathieu, Gravelbourg, Sask, as that Act existed on the day before the coming into force of this Act, until they resign or are replaced pursuant to this Act.

(2) The persons who held office as chairperson and vice-chairperson of the Board of directors of Collège Mathieu, Gravelbourg, Sask on the day before the coming into force of this Act:

(a) are deemed to have been designated as chairperson and vice-chairperson, respectively, of the Board of directors of the Collège pursuant to subsection 8(1); and

(b) continue to hold office as chairperson or vice-chairperson until they resign or are replaced pursuant to this Act.

(3) The person who was the Chief Executive Officer of Collège Mathieu, Gravelbourg, Sask on the day before the coming into force of this Act is deemed to have been appointed Chief Executive Officer of the Collège pursuant to section 9.

PART VI

Coming into Force

Coming into force

20 This Act comes into force on proclamation.

SECOND SESSION

Twenty-Ninth Legislature

SASKATCHEWAN

B I L L

No. 903

An Act respecting College Mathieu, Gravelbourg, Sask., Incorporation

(Private)

Received and read the

First time

Second time

Third time

And Passed

Mr. Todd Goudy

REGINA SASKATCHEWAN
Printed by the authority of
The Speaker of the Legislative Assembly
of Saskatchewan
2021