Fact Sheet: Bill 38

Advanced Education Statutes Amendment Act, 2026

Overview

If passed, Bill 38 would amend the *Post-secondary Learning Act* and *Professional Governance Act*. The proposed amendments would:

- Introduce a new approach to regulating tuition fees.
- Establish initial requirements for institutional neutrality and freedom of expression policies, with more detailed policy requirements to be outlined in forthcoming regulations.
- Support clearer and more consistent student codes of conduct.
- Make targeted changes to the *Professional Governance Act* to ensure the new regulatory framework works as intended
- Streamline regulation of professional technologists and professional licensees.

Post-secondary Learning Act – Proposed Amendments

Tuition

- Beginning in 2027-28, the Minister of Advanced Education would be able to set maximum tuition amounts for programs or groups of programs through Ministerial Order.
- Institutions would continue to set tuition within the applicable maximums.
- During the transition, tuition increases for existing domestic students would be limited to two per cent in 2027-28. This protection will be established through future amendments to the Tuition and Fees Regulation.
- Regulations would outline the factors the Minister must consider when setting maximums, supporting transparency while recognizing differences among programs.

Institutional neutrality and freedom of expression

- Bill 38 would require public post-secondary institutions and independent academic institutions to establish institutional neutrality and freedom of expression policies that meet minimum requirements to be outlined in further detail in forthcoming regulations.
- Institutional neutrality would apply to official positions on political, social or ideological matters unrelated to an institution's academic mission, not the individual views of students, faculty or staff.
- The changes would not restrict academic freedom or lawful expression.
- Institutions would develop and administer their policies. The Minister could direct institutions to consult with their campus communities. The Minister could also review submitted policies to ensure they meet minimum requirements.

Student codes of conduct

- Alberta's government would be able to establish minimum requirements for student codes of conduct at public post-secondary institutions, including requirements related to academic misconduct, non-academic misconduct, sexual and gender-based violence, fair and timely processes, transparency and appropriate privacy protections. These minimum requirements will be outlined in further detail in forthcoming regulations.
- Institutions would continue to develop and administer their own codes and address individual cases.
- Similar to the approach to institutional neutrality and freedom of expression, the Minister could direct institutions to consult with their campus communities and review submitted policies for alignment with minimum requirements.

Key concepts

- **Institutional neutrality:** The principle that a post-secondary, as an institution, must refrain from issuing statements that take positions on political, social or ideological issues that are not related to its academic mission.
- **Freedom of expression:** The right of all members of the institution – students and staff –, as well as visitors, to express opinions, debate ideas and engage in open discourse without institutional censorship, as long as the expression is lawful.

Classification: Public

- **Academic freedom:** The right of academic staff to research, teach, question, criticize, publish and express ideas without institutional, political or ideological pressure.
- **Student Codes of Conduct:** Institutional policies that establish standards for student behaviour and processes for responding to alleged misconduct.

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Professional Governance Act – Proposed Amendments

Technical Amendments

- The bill would make technical and administrative amendments to support implementation of the *Professional Governance Act*.
- Bill 38 would align language and continue the PROs' respective current governance models under the PGA.

Professional technologists and professional licensees

- Bill 38 would end joint regulation of professional technologists by the Association of Professional Engineers and Geoscientists of Alberta (APEGA) and the Association of Science and Engineering Technology Professionals of Alberta (ASET).
- Professional technologists and professional licensees would merge to form one professional limited licensee class regulated solely by APEGA.
- The merger would take effect after both organizations are continued under the PGA.

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