

# *The Private Vocational Schools Regulations, 2014*

*Repealed*

by [Chapter P-26.2 Reg 3](#) (effective May 19, 2022).

*Formerly*

[Chapter P-26.2 Reg 2](#) (effective November 20, 2014).

**NOTE:**

This consolidation is not official. Amendments have been incorporated for convenience of reference and the original statutes and regulations should be consulted for all purposes of interpretation and application of the law. In order to preserve the integrity of the original statutes and regulations, errors that may have appeared are reproduced in this consolidation.

## Table of Contents

<p style="text-align: center;">PART 1 <i>Preliminary Matters</i></p> <p>1 Title</p> <p>2 Interpretation</p> <p>3 Exempt schools, institutions</p> <p>4 Forms</p> <p>5 Expiry of certificate</p> <p>6 Deadline to renew</p> <p style="text-align: center;">PART II <i>Category I Schools</i></p> <p style="text-align: center;">DIVISION 1 <i>Preliminary Matters</i></p> <p>7 Application of Part</p> <p>8 Interpretation of Part</p> <p style="text-align: center;">DIVISION 2 <i>Application for Issuance or Renewal of Certificate of Registration</i></p> <p>9 Application for issuance or renewal of certificate</p> <p>10 Registration fees</p> <p>11 Training completion plan</p> <p style="text-align: center;">DIVISION 3 <i>Security Requirements</i></p> <p>12 Security requirements</p> <p>13 Other security</p> <p>14 Security to remain in force</p> <p>15 Additional security</p> <p>16 Forfeiture of security</p> <p>17 Claim for payment</p> <p>18 Payment of claims</p> <p style="text-align: center;">DIVISION 4 <i>Training Completions Fund</i></p> <p>19 Deposit to fund</p> <p>20 Payment on issuance of initial certificate</p> <p>21 Payment on renewal of certificate</p> <p>22 Surcharge</p> <p>23 Time of payment</p> <p style="text-align: center;">DIVISION 5 <i>Student Matters</i></p> <p>24 Student contract to be given to student</p> <p>25 Student registration fees</p> <p>26 Refund of student fees</p>	<p>27 Refunds and retaining fees and other payments</p> <p>28 Power to cancel student contract</p> <p>29 Internal dispute mechanism</p> <p>30 Mediation</p> <p>31 Certificates and diplomas</p> <p style="text-align: center;">DIVISION 6 <i>Reports and Records</i></p> <p>32 Annual reports</p> <p>33 Record of student services</p> <p>34 Retention of student records</p> <p>35 Instructors and examiners</p> <p>36 Premises</p> <p style="text-align: center;">DIVISION 7 <i>Other Matters</i></p> <p>37 Advertising</p> <p>38 Prohibited representations</p> <p>39 Price schedule for public services</p> <p style="text-align: center;">PART III <i>Category II Schools</i></p> <p>40 Application of Part</p> <p>41 Application for issuance or renewal of certificate</p> <p>42 Registration fee</p> <p style="text-align: center;">PART IV <i>Repeal and Coming into Force</i></p> <p>43 R.R.S. c.P-26.2 Reg 1 repealed</p> <p>44 Coming into force</p> <p style="text-align: center;"><i>Appendix</i></p> <p style="text-align: center;">PART I <i>Tables</i></p> <p>Table 1 Category I Schools – Amount of Security Required</p> <p>Table 2 Category I Schools – Training Completions Fund Contribution</p> <p style="text-align: center;">PART II <i>Forms</i></p> <p>Form A Category I School – Application for Issuance of Initial Certificate of Registration</p> <p>Form B Category I School – Application for Renewal of Certificate of Registration</p> <p>Form C Category II School – Application for Issuance of Initial Certificate of Registration</p> <p>Form D Category II School – Application for Renewal of Certificate of Registration</p>
---	--

## CHAPTER P-26.2 REG 2

### *The Private Vocational Schools Regulation Act, 1995*

#### PART 1

#### Preliminary Matters

##### Title

1 These regulations may be cited as *The Private Vocational Schools Regulations, 2014*.

##### Interpretation

2(1) In these regulations:

- (a) “**Act**” means *The Private Vocational Schools Regulation Act, 1995*;
- (b) “**applicant**” means the operator of a private vocational school who applies for, or on whose behalf an agent applies for, the issuance or renewal of a certificate of registration with respect to the school;
- (c) “**Category I school**” means a private vocational school that offers vocational training to fee-paying students;
- (d) “**Category II school**” means a private vocational school that offers only vocational training that is contracted for by a sponsor and not by the students enrolled in the private vocational school;
- (e) “**course**” means a distinct unit of instruction that forms part of a program;
- (f) “**Crown**” means the Crown in right of Saskatchewan;
- (g) “**Form**” means a Form set out in Part II of the Appendix;
- (h) “**ministry**” means the ministry over which the minister presides;
- (i) “**private vocational school year**” means:
  - (i) September 1, 2014 to June 30, 2015; and
  - (ii) July 1 to June 30 for every subsequent school year;
- (j) “**program**” means a series of courses that leads to employment in a vocation and that:
  - (i) comprises more than 50 hours of instruction; and
  - (ii) in the case of a Category I school, imposes a tuition fee of more than \$1,000;
- (k) “**sponsor**” means the person who funds a course or program offered at a Category II school;
- (l) “**Table**” means a Table set out in Part I of the Appendix.

(2) For the purposes of subclause 2(h)(iv) of the Act, “**governed by**” means that the content of the school’s instruction and the qualifications of its instructors are regulated by an Act of the Legislature or an Act of the Parliament of Canada.

(3) For the purposes of clause 2(k) of the Act, “**vocation**” means an occupation included in the *National Occupational Classification* developed and published by the Government of Canada, as amended from time to time, but does not include the following occupations listed in the *National Occupational Classification*:

- (a) Title Number 3124 - Midwives;
- (b) Title Number 3232 - Practitioners of Natural Healing;
- (c) Title Number 5232 - Other Performers not elsewhere classified;
- (d) Title Number 6564 - Other Personal Services Occupations.

(4) For the purposes of subclause 4(2)(c)(iii) of the Act, “**is not likely to be insolvent**” means that the applicant is not likely to be insolvent at the time the applicant’s certificate of registration is issued or renewed.

(5) For the purposes of clause 15(g) of the Act, “**is likely to become an insolvent operator**” means that the operator is likely to become insolvent within one week after the date on which the minister considers suspending or cancelling the operator’s certificate of registration.

28 Nov 2014 cP-26.2 Reg 2 s2.

#### Exempt schools, institutions

3 For the purposes of subclause 2(h)(viii) of the Act, a school or institution that offers only correspondence courses or home study courses is exempt from the Act.

28 Nov 2014 cP-26.2 Reg 2 s3.

#### Forms

4 The following Forms are prescribed for the purposes of the Act and these regulations:

- (a) Form A is prescribed as the application form for the issuance of an initial certificate of registration as a Category I school;
- (b) Form B is prescribed as the application form for the renewal of a certificate of registration as a Category I school;
- (c) Form C is prescribed as the application form for the issuance of an initial certificate of registration as a Category II school;
- (d) Form D is prescribed as the application form for the renewal of a certificate of registration as a Category II school.

28 Nov 2014 cP-26.2 Reg 2 s4.

**Expiry of certificate**

**5** A certificate of registration expires on June 30 following the date of its issue or renewal, unless it is:

- (a) renewed before that date in accordance with section 6; or
- (b) suspended or cancelled pursuant to the Act.

28 Nov 2014 cP-26.2 Reg 2 s5.

**Deadline to renew**

**6** Every application to renew a certificate of registration must be received by the minister on or before June 1 preceding the private vocational school year for which the renewal is sought.

28 Nov 2014 cP-26.2 Reg 2 s6.

**PART II**  
**Category I Schools**

**DIVISION 1**  
**Preliminary Matters**

**Application of Part**

**7** This Part applies to Category I schools only.

28 Nov 2014 cP-26.2 Reg 2 s7.

**Interpretation of Part**

**8** In this Part:

- (a) **“advertisement”** includes:
  - (i) a catalogue, sales circular and other printed advertisement;
  - (ii) a radio and television advertisement; and
  - (iii) any other advertisement or promotion of a private vocational school or of a course or program offered by a private vocational school;
- (b) **“annual tuition revenue”** means the total of all tuition fees earned by a Category I school during the school’s most recently completed reporting year;
- (c) **“approved”** means approved by the minister;
- (d) **“authorized issuer or guarantor”** means:
  - (i) Canada, Saskatchewan or another province or territory of Canada;
  - (ii) an agency of the Government of Canada or of a province or territory of Canada;
  - (iii) a municipality in Canada; or
  - (iv) a bank, credit union or other financial institution that is supervised or examined by a governmental authority in Canada;

- (e) “**reporting year**” means the period commencing on July 1 in one year and ending on June 30 of the following year;
- (f) “**tuition fee**” means the fee that a Category I school charges to a student who registers for a course or program.

28 Nov 2014 cP-26.2 Reg 2 s8.

## DIVISION 2

### Application for Issuance or Renewal of Certificate of Registration

#### Application for issuance or renewal of certificate

9(1) Every applicant for the issuance of a certificate of registration of a Category I school shall provide the minister with the following information respecting the school:

- (a) the proposed requirements students must meet to be enrolled;
- (b) the proposed method of enrolling students;
- (c) an outline of the proposed content of the courses and programs;
- (d) the proposed standards and methods of instruction;
- (e) the proposed duration of each course and program;
- (f) the proposed maximum number of students to be enrolled in each course and program;
- (g) the proposed maximum number of students per instructor;
- (h) the proposed registration fee and maximum tuition fee to be charged and the proposed basis on which the fees will be calculated;
- (i) the proposed texts, books and other instructional material or equipment that students will be required to use;
- (j) the proposed fees or charges the school will impose for the items mentioned in clause (i) and the proposed basis on which the fees or charges will be calculated;
- (k) the proposed criteria to be used to evaluate successful completion of each course and program;
- (l) a business plan that identifies operational projections;
- (m) a copy of the articles of incorporation, certificate of registration and any annual certificates issued by the Director of Corporations with respect to the school and the operator of the school.

(2) Every applicant for the renewal of a certificate of registration of a Category I school shall provide the minister with any changes in or additions to the information provided pursuant to subsection (1) since the issuance or last renewal of the certificate of registration.

28 Nov 2014 cP-26.2 Reg 2 s9.

**Registration fees**

**10(1)** Subject to subsection (2), every applicant for the issuance or renewal of a certificate of registration of a Category I school shall submit the following registration fees with the application:

- (a) \$300 for the first course or program offered; and
  - (b) \$75 for each additional course or program offered.
- (2) For the 2015-2016 private vocational school year only:
- (a) the fee mentioned in clause (1)(a) shall be reduced to \$250; and
  - (b) the fee mentioned in clause (1)(b) shall be reduced to \$62.50.
- (3) If the operator of a Category I school intends to offer one or more new courses or programs, the operator shall:
- (a) either:
    - (i) identify the new courses or programs in the application for the issuance or renewal of a certificate of registration; or
    - (ii) if a new course or program is to be offered after the issuance or renewal of the operator's certificate of registration, obtain the written approval of the minister to offer the new course or program; and
  - (b) submit an assessment fee of \$100 in addition to the registration fees to be paid pursuant to subsection (1) or (2).
- (4) The fees paid pursuant to this section are non-refundable.

28 Nov 2014 cP-26.2 Reg 2 s10.

**Training completion plan**

**11(1)** For the purposes of clause 4(2)(b) of the Act, an applicant for the issuance of a certificate of registration as a Category I school shall have a training completion plan for each course or program the applicant proposes to offer.

- (2) A training completion plan mentioned in subsection (1) must contain the following items:
- (a) a description of the course or program content, and the texts, books and other instructional material or equipment to be used in the course or program;
  - (b) a description of whether and to what extent the course or program is compatible with a similar course or program offered by a post-secondary institution that is recognized by the minister;
  - (c) a plan satisfactory to the minister that explains how, if the course or program is discontinued for any reason before students have completed the course or program, students will be:
    - (i) compensated for the discontinuation of the course or program; or
    - (ii) able to complete the course or program with a post-secondary educational institution that is recognized by the minister.

(3) After an application for the issuance of a certificate of registration of a Category I school is approved, the operator of the school shall maintain, as part of the training completion plan, the following information for each student enrolled in an approved course or program:

- (a) full name;
- (b) gender;
- (c) date of birth;
- (d) residential address and permanent address;
- (e) residential telephone number and permanent telephone number;
- (f) educational history before enrolment in the course or program; and
- (g) status in the course or program at any given time.

(4) As part of the training completion plan, every operator of a Category I school shall record any change in the information to be maintained pursuant to subsection (3).

(5) Every operator of a Category I school shall make all of the school's training completion plan available for inspection by the minister.

28 Nov 2014 cP-26.2 Reg 2 s11.

### DIVISION 3 Security Requirements

#### Security requirements

**12(1)** Every operator of a Category I school shall give security for the due performance by the Category I school of its student contracts.

- (2) Subject to section 13, the security given pursuant to subsection (1) must be:
  - (a) in the form of a note, bond, debenture or other evidence of indebtedness issued or guaranteed by an authorized issuer or guarantor; and
  - (b) made payable to the Crown.
- (3) Subject to section 13, the following rules apply with respect to any security given pursuant to subsection (1):
  - (a) while the certificate of registration is in effect, the authorized issuer or guarantor is not entitled to cancel the security before it expires unless:
    - (i) the authorized issuer or guarantor gives at least 30 days' written notice to the minister and to the operator of the Category I school that the authorized issuer or guarantor intends to cancel the security; and
    - (ii) the minister gives the authorized issuer or guarantor written permission to do so, specifying the date on or after which the security may be cancelled;

- (b) the amount of the security becomes payable to the Crown on the written direction of the minister;
  - (c) the minister may give the written direction mentioned in clause (b) while the security is in effect or within one year after the security expires or is cancelled.
- (4) The amount of security required is the amount listed in column 2 of Table 1 for the applicable private vocational school year based on the annual tuition revenue of the Category I school listed in column 1 of Table 1.

28 Nov 2014 cP-26.2 Reg 2 s12.

#### Other security

**13(1)** If a Category I school satisfies the minister that it is not able to obtain the full amount of security required pursuant to section 12 in the form required pursuant to that section, the minister may allow the Category I school to give the balance of the security required:

- (a) through the establishment and maintenance of a trust fund, in accordance with a trust agreement satisfactory to the minister;
  - (b) in the form of an irrevocable letter of credit; or
  - (c) in any other form satisfactory to the minister.
- (2) The following rules apply with respect to any trust fund established pursuant to clause (1)(a):
- (a) the trust fund must be maintained in Saskatchewan at a bank, an authorized foreign bank within the meaning of section 2 of the *Bank Act* (Canada), a credit union, a loan corporation or a trust corporation, both as defined in *The Trust and Loan Corporations Act, 1997*;
  - (b) the trustee of the trust fund must be the bank, credit union, loan corporation or trust corporation, as the case may be;
  - (c) the beneficiary of the trust fund is the Crown;
  - (d) all payments by the trustee out of the trust fund shall be deposited by the Crown into the training completions fund to be distributed by the minister to students of the Category I school in accordance with sections 17 and 18.

28 Nov 2014 cP-26.2 Reg 2 s13.

#### Security to remain in force

**14** The operator of a Category I school shall:

- (a) ensure that the security required with respect to an approved course or program remains in force for as long as there are students registered in the course or program;
- (b) annually, and when otherwise requested by the minister, provide proof satisfactory to the minister that security is being maintained in accordance with these regulations; and
- (c) at the request of the minister, provide any information or documents to verify the calculation of security required pursuant to subsection 12(4).

28 Nov 2014 cP-26.2 Reg 2 s14.

**Additional security**

**15(1)** Notwithstanding any other provision of these regulations, if the minister believes that the security provided by the operator of a Category I school is insufficient, the minister may require the operator of the Category I school to provide additional security or to change the form of security or the issuer or guarantor of the security.

(2) The operator of the Category I school shall comply with any additional requirements imposed by the minister pursuant to subsection (1) and shall provide the minister with proof of compliance satisfactory to the minister.

28 Nov 2014 cP-26.2 Reg 2 s15.

**Forfeiture of security**

**16(1)** On the direction of the minister, the security provided by a Category I school in accordance with these regulations is forfeited and is to be paid to the Crown, for deposit into the training completions fund, if the Category I school:

- (a) is unable to continue providing the course or program for which a student has signed a contract or is unable to meet its other obligations as specified in any terms and conditions attached to the certificate of registration;
- (b) is convicted of an offence pursuant to the Act;
- (c) is convicted of an offence pursuant to the *Criminal Code* involving fraud or theft, or an offence pursuant to the *Criminal Code* of conspiracy to commit an offence involving fraud or theft, and the conviction has become final;
- (d) is unable or refuses to refund applicable fees to a student or students;
- (e) does not comply with provisions set out in these regulations requiring evidence that the security is being maintained in accordance with these regulations, either annually or on request from the minister;
- (f) is undergoing proceedings to wind up the school; or
- (g) is the subject of proceedings pursuant to the *Bankruptcy and Insolvency Act* (Canada), including a consumer proposal.

(2) For the purposes of clause 18(2)(a) of the Act, with respect to the training completions fund, **“moneys that operators are directed by the regulations to provide”** to the training completions fund includes the amount of any security forfeited to the Crown by a Category I school and deposited into the fund in accordance with this Part.

28 Nov 2014 cP-26.2 Reg 2 s16.

**Claim for payment**

**17(1)** If the security maintained by a Category I school has been forfeited pursuant to section 16, an individual who is or was a student in a course or program at the school may apply in writing to the minister for a payment from the forfeited security within one year after the date of the forfeiture.

(2) The amount that an individual may claim against the forfeited security is the amount of the refund of the tuition fee for a course or program that is due by the Category I school to the individual, as verified by the minister.

28 Nov 2014 cP-26.2 Reg 2 s17.

**Payment of claims**

**18(1)** If the minister is satisfied that a claim is valid, he or she shall pay the claim in accordance with this section.

(2) If the amount of the forfeited security is sufficient to satisfy all claims against the security made within one year after the date of forfeiture, the minister shall pay the full amount of each claim.

(3) If the amount of the forfeited security is not sufficient to satisfy all claims against the security made within one year after the date of forfeiture, the minister shall make proportionate payments with respect to each claim.

(4) If the amount of the forfeited security exceeds the amount required to satisfy all claims against the security made within one year after the date of forfeiture, the minister shall pay the excess amount to the authorized issuer or guarantor.

(5) If a student's tuition fee for a course or program was paid by a third party, the minister may pay any refund of the tuition fee directly to the third party if the minister considers it appropriate to do so.

28 Nov 2014 cP-26.2 Reg 2 s18.

DIVISION 4  
**Training Completions Fund**

**Deposit to fund**

**19** The payments to be made by operators of Category I schools pursuant to this Division are for deposit into the training completions fund pursuant to clause 18(2) (a) of the Act.

28 Nov 2014 cP-26.2 Reg 2 s19.

**Payment on issuance of initial certificate**

**20(1)** The operator of a Category I school who is applying for the issuance of an initial certificate of registration shall provide the minister with a payment equal to the greater of:

- (a) 1% of projected tuition revenue for the school's first year of operation; and
- (b) \$2,000.

(2) The payment required by subsection (1) must be paid before the issuance of an initial certificate of registration.

28 Nov 2014 cP-26.2 Reg 2 s20.

**Payment on renewal of certificate**

**21(1)** Subject to subsection (2), the operator of a Category I school who is applying for the renewal of a certificate of registration shall provide the minister with an annual payment equal to:

(a) if the school has been in operation for more than five years and is in compliance with the Act and these regulations, the percentage of the school's annual tuition revenue as set out in Table 2 for the applicable private vocational school year; or

(b) in all other cases, 1.0% of the school's annual tuition revenue.

(2) The minimum annual payment to be paid to the minister pursuant to subsection (1) is \$500.

28 Nov 2014 cP-26.2 Reg 2 s21.

**Surcharge**

**22** In addition to the payment required pursuant to section 21, if a payment has been made from the fund pursuant to section 18, the operator of every Category I school shall, for the reporting year after the reporting year in which the payment was made from the fund, provide the minister with a surcharge fee equal to 0.25% of the school's annual tuition revenue.

28 Nov 2014 cP-26.2 Reg 2 s22.

**Time of payment**

**23** The payments required by sections 21 and 22 must be paid:

(a) before the renewal of a certificate of registration; or

(b) with the prior written consent of the minister, in quarterly instalments at those times consented to by the minister.

28 Nov 2014 cP-26.2 Reg 2 s23.

**DIVISION 5**  
**Student Matters**

**Student contract to be given to student**

**24** Every operator of a Category I school shall ensure that every student has a fully executed copy of his or her student contract.

28 Nov 2014 cP-26.2 Reg 2 s24.

**Student registration fees**

**25(1)** An operator of a Category I school may charge a student a registration fee only if:

- (a) the registration fee is stipulated in the student contract; and
- (b) the registration fee does not exceed the lesser of:
  - (i) 10% of the tuition fee payable pursuant to the student contract; and
  - (ii) the following amount for the relevant private vocational school year:
    - (A) for 2015-2016, \$125;
    - (B) for 2016-2017, \$175;
    - (C) for 2017-2018 and each subsequent school year, \$250.

(2) Subject to subsection 26(1), all registration fees paid pursuant to this section are non-refundable.

(3) Other than a registration fee imposed pursuant to this section, a student is not required to pay any amount with respect to a course or program more than three months before the date on which the course or program is to commence.

28 Nov 2014 cP-26.2 Reg 2 s25.

**Refund of student fees**

**26(1)** An operator of a Category I school shall immediately refund to a student all amounts paid to the operator pursuant to the student contract if any of the following circumstances occurs:

- (a) at the time the student contract was entered into, the operator did not have a certificate of registration;
- (b) the course or program contracted for was not approved by the minister pursuant to the Act and these regulations;
- (c) the operator or his or her employees made a false or misleading statement regarding the course or program contracted for, or the nature of the student contract, that induced the student to enter into the student contract.

(2) If an operator of a Category I school fails to fully deliver a course or program contracted for, the minister may require the operator to:

- (a) refund any unearned tuition fee to the student; or
- (b) make up the deficiency in the course or program.

(3) Nothing in this section is to be construed as abrogating or limiting in any way the rights and remedies that a student otherwise has at law with respect to a breach by an operator of a student contract with that student.

28 Nov 2014 cP-26.2 Reg 2 s26.

**Refunds and retaining fees and other payments**

**27(1)** If a student commences a course or program contracted for and provides written notice to an operator of a Category I school that he or she intends to discontinue taking the course or program, the operator may retain the applicable proportion, in accordance with subsection (2), of the tuition fee payable for the course or program.

(2) If, at the time notice is given:

(a) 20% or less of the hours of instruction for the course or program have been delivered, the operator may retain 25% of the tuition fee payable;

(b) more than 20% but 50% or less of the hours of instruction for the course or program have been delivered, the operator may retain 60% of the tuition fee payable; or

(c) more than 50% of the hours of instruction for the course or program have been delivered, the operator may retain 100% of the tuition fee payable.

(3) If a student is absent from a course or program for 21 consecutive calendar days:

(a) the student is deemed to have discontinued the course or program; and

(b) the operator shall immediately provide written notice to the student that the operator will retain the applicable proportion, in accordance with subsection (5), of the tuition fee payable for the course or program.

(4) The operator shall send the written notice mentioned in subsection (3) by ordinary mail, courier or hand delivery addressed to the most recent permanent address that the student has provided to the operator.

(5) If, on the twenty-first consecutive calendar day that a student has been absent from a course or program:

(a) 20% or less of the hours of instruction for the course or program have been delivered, the operator may retain 25% of the tuition fee payable;

(b) more than 20% but 50% or less of the hours of instruction for the course or program have been delivered, the operator may retain 60% of the tuition fee payable; or

(c) more than 50% of the hours of instruction for the course or program have been delivered, the operator may retain 100% of the tuition fee payable.

(6) If part of a tuition fee is retained by an operator of a Category I school:

(a) pursuant to subsections (1) and (2), the operator, within 30 days after the notice mentioned in subsection (1) is given, shall refund the balance of the tuition fee, if any, to the student who paid the tuition fee; or

(b) pursuant to subsections (3) and (5), the operator, within 30 days after the notice mentioned in subsection (4) is given, shall refund the balance of the tuition fee, if any, to the student who paid the tuition fee.

(7) A written notice sent by ordinary mail pursuant to subsection (4) is deemed to have been received by the student on the tenth day after it was mailed, unless the student establishes that, through no fault of his or her own, the notice was received at a later date.

(8) If a student has paid for but not received any texts, books or other instructional material or equipment on the day the operator becomes eligible to retain part of the student's tuition fee pursuant to this section, the operator shall refund to the student the moneys the student has paid for those texts, books and other instructional material and equipment.

28 Nov 2014 cP-26.2 Reg 2 s27.

**Power to cancel student contract**

**28(1)** A student in a Category I school may cancel his or her student contract within 10 days after entering into the student contract if the student has not attended any course or program contracted for in the student contract.

(2) If a student cancels his or her student contract pursuant to subsection (1), the operator of the Category I school shall refund to the student:

- (a) all tuition fees paid by the student pursuant to the student contract; and
- (b) any moneys that the student has paid for texts, books and other instructional material and equipment and that the student has not received.

28 Nov 2014 cP-26.2 Reg 2 s28.

**Internal dispute mechanism**

**29(1)** Every operator of a Category I school shall establish an internal dispute mechanism plan that complies with subsection (2) and provide a copy of the plan to the minister.

(2) Every internal dispute mechanism plan must identify the following:

- (a) the procedures respecting making and receiving complaints;
- (b) the officer or employee of the Category I school to whom complaints shall be given;
- (c) the process to be followed when a complaint is received;
- (d) the manner in which each complaint, and the resolution of the complaint, are to be recorded.

(3) Every operator of a Category I school shall:

- (a) maintain a record of all complaints received and the resolution of those complaints; and
- (b) make that record available to the minister for inspection, at the request of the minister.

28 Nov 2014 cP-26.2 Reg 2 s29.

**Mediation**

**30(1)** Any mediation pursuant to section 14 of the Act with respect to a Category I school is to be conducted according to this section.

(2) A student of a Category I school who wishes to have a dispute mediated must give written notice of that fact to:

- (a) the minister; and
- (b) the operator of the Category I school.

(3) The written notice mentioned in subsection (2) must set out the issues that the student wishes to have mediated.

(4) If the minister appoints a mediator, the mediator shall endeavour to assist the parties to settle the issues that are the subject of the mediation.

(5) Evidence arising from anything said, evidence of anything said, or evidence of an admission or communication made in the course of mediation pursuant to this section is not admissible in any action or proceeding, except with the consent of the mediator, the student and the operator of the Category I school.

28 Nov 2014 cP-26.2 Reg 2 s30.

**Certificates and diplomas**

**31(1)** No operator of a Category I school shall issue a certificate or diploma to a student without obtaining the prior written approval of the minister with respect to the form and content of the certificate or diploma.

(2) If a student has successfully completed a course or program and has paid all fees required to be paid to the operator, the operator shall immediately issue to that student:

- (a) any certificate or diploma approved by the minister pursuant to subsection (1); and
- (b) the student's transcript of marks evidencing the student's successful completion of the course or program.

28 Nov 2014 cP-26.2 Reg 2 s31.

## DIVISION 6

### Reports and Records

**Annual reports**

**32(1)** In this section, "**mature student**" means a student who:

- (a) does not meet the minimum entrance requirement for the course or program; and
- (b) is at least 19 years of age.

(2) On or before August 1 of each year, every operator of a Category I school shall prepare and submit to the minister an annual report of the Category I school's operation for the previous reporting year.

(3) The report submitted pursuant to subsection (2) must contain the following information with respect to each student enrolled in a course or program for the previous reporting year:

- (a) the student's:
  - (i) full name;
  - (ii) gender;
  - (iii) date of birth;
  - (iv) residential address and permanent address; and
  - (v) residential telephone number and permanent telephone number;
- (b) the courses or programs enrolled in;
- (c) the enrolment date for each course or program;
- (d) the completion or discontinuance date for each course or program;
- (e) the academic or equivalent qualifications of the student at the time of enrolment for each course or program.

(4) In addition to the information mentioned in subsection (3), the report submitted pursuant to (2) is to contain information respecting the number of students, expressed as a percentage of all students in the course or program, who fall into the following categories:

- (a) students who have completed the course or program;
  - (b) students who have completed all of the courses or programs leading to a diploma or certificate and who have received a diploma or certificate;
  - (c) mature students who have completed all of the courses or programs leading to a diploma or certificate and who have received a diploma or certificate;
  - (d) students who have completed the course or program and who are employed in a vocation related to the course or program.
- (5) Every operator of a Category I school shall provide to the minister:
- (a) within 120 days after the end of the school's fiscal year, a copy of the school's financial statements for the previous fiscal year; and
  - (b) any other information, in a form satisfactory to the minister, that the minister may request.

28 Nov 2014 cP-26.2 Reg 2 s32.

#### **Record of student services**

**33** Every operator of a Category I school shall maintain a record of services performed by students for the public as part of the students' vocational training and make a copy of those records available to the minister at the request of the minister.

28 Nov 2014 cP-26.2 Reg 2 s33.

**Retention of student records**

**34(1)** Every operator of a Category I school shall keep, with respect to each student, a file of all of his or her exams and assignments for at least two years after the student has completed his or her course or program or has left the course or program.

(2) If an operator's certificate of registration expires and is not renewed, if an operator ceases to operate or if an operator's certificate of registration is cancelled, the operator shall immediately send to the minister:

- (a) all files and other records held by the operator relating to present and former students; and
- (b) any other information that the minister may request.

28 Nov 2014 cP-26.2 Reg 2 s34.

**Instructors and examiners**

**35(1)** Every operator of a Category I school shall ensure that each instructor and examiner employed in a course or program offered by the school is approved by the minister and:

- (a) possesses a degree from a university recognized by the minister in an area of study directly related to the vocation to be taught and has at least 12 consecutive months of occupational experience in that vocation;
- (b) is a graduate of an educational institution recognized by the minister in an area directly related to the vocation to be taught and has at least 12 consecutive months of occupational experience in that vocation; or
- (c) has at least three years of occupational experience in the vocation to be taught.

(2) The minister may approve the employment of an instructor who does not have the qualifications described in subsection (1) if the minister is satisfied that the person is otherwise qualified to instruct in the vocation to be taught.

(3) No operator of a Category I school shall employ any person to be an instructor of a course or program who does not have the qualifications or experience set out in subsection (1) without obtaining the prior written approval of the minister pursuant to subsection (2).

(4) Every operator of a Category I school, with respect to each instructor employed by the private vocational school, shall provide the minister with the following information:

- (a) the instructor's:
  - (i) full name;
  - (ii) residential address; and
  - (iii) residential telephone number;

- (b) the instructor's academic and experiential qualifications, including the name of the educational institution that the instructor attended and the dates of that attendance;
  - (c) the name and description of all course and programs to be taught by the instructor and any additional duties the instructor may have at the school;
  - (d) whether the instructor teaches full time or part time;
  - (e) at least three employment references.
- (5) The minister may require an operator of a Category I school to provide verification, to the satisfaction of the minister, of the information provided pursuant to clause (4)(b).
- (6) Every operator of a Category I school shall immediately notify the minister:
- (a) when an instructor:
    - (i) ceases to teach at the school; or
    - (ii) ceases to teach a particular course or program; or
  - (b) when the information provided pursuant to subsection (4) changes in any way.

28 Nov 2014 cP-26.2 Reg 2 s35.

**Premises**

- 36(1)** No operator of a Category I school shall provide any course or program unless the premises in which the course or program is to be offered have been approved by the minister.
- (2) Every operator of a Category I school shall ensure that the premises, equipment and other facilities used to provide the course or program, and the manner of using the premises, equipment and other facilities, comply with all applicable building, fire, health, sanitary and safety laws.
- (3) Every operator of a Category I school shall provide the minister with evidence that is satisfactory to the minister of compliance with the laws mentioned in subsection (2).

28 Nov 2014 cP-26.2 Reg 2 s36.

DIVISION 7  
**Other Matters**

**Advertising**

**37(1)** No operator of a Category I school shall publish or cause to be published any advertisement relating to the Category I school that:

- (a) may tend to mislead the public; or
- (b) subject to section 39, refers to the prices charged by the school for work performed by its students.

(2) Subject to subsection (3), no operator of a Category I school shall publish or cause to be published any advertisement relating to the school that states that the Government of Saskatchewan, the minister, the ministry or any official of the ministry has approved:

- (a) the school; or
- (b) any course or program offered by the school.

(3) If an operator of a Category I school has a certificate of registration, an advertisement relating to the school may state that fact.

(4) Every operator of a Category I school who publishes or causes to be published any advertisement relating to the school shall ensure that the advertisement clearly sets out the name of the school to which the advertisement relates.

(5) The minister may, after giving the operator of a Category I school an opportunity to be heard:

- (a) prohibit the publication of any advertisement relating to the school; or
- (b) require that deletions or changes be made to any advertisement relating to the school published by the operator.

28 Nov 2014 cP-26.2 Reg 2 s37.

**Prohibited representations**

**38** No operator of a Category I school shall:

- (a) guarantee an employment position to any student or prospective student;  
or
- (b) make a false or misleading statement with respect to the earnings of any person who has completed a course or program at the school.

28 Nov 2014 cP-26.2 Reg 2 s38.

**Price schedule for public services**

**39** Every operator of a Category I school whose school offers services to the public shall prepare a price schedule for the services and post that price schedule in a prominent place at the school where members of the public are able to see it.

28 Nov 2014 cP-26.2 Reg 2 s39.

**PART III**  
**Category II Schools**

**Application of Part**

**40** This Part applies to Category II schools only.

28 Nov 2014 cP-26.2 Reg 2 s40.

**Application for issuance or renewal of certificate**

**41** Every applicant for the issuance or renewal of a certificate of registration of a Category II school shall provide the minister with the following information respecting the school:

- (a) a copy of the contract between the applicant and the sponsor;
- (b) a copy of any proposal prepared by the applicant and given to the sponsor;
- (c) the proposed number of students to be enrolled.

28 Nov 2014 cP-26.2 Reg 2 s41.

**Registration fee**

**42(1)** Every applicant for the issuance or renewal of a certificate of registration as a Category II school shall submit a fee of \$150 with the application.

(2) Notwithstanding subsection (1), for the 2015-2016 private vocational school year only, the fee mentioned in subsection (1) shall be reduced to \$125.

28 Nov 2014 cP-26.2 Reg 2 s42.

**PART IV**  
**Repeal and Coming into Force**

**R.R.S. c.P-26.2 Reg 1 repealed**

**43** *The Private Vocational Schools Regulations, 1995* are repealed.

28 Nov 2014 cP-26.2 Reg 2 s43.

**Coming into force**

**44** These regulations come into force on the day on which they are filed with the Registrar of Regulations.

28 Nov 2014 cP-26.2 Reg 2 s44.

**Appendix****PART I****Tables****TABLE 1***[Subsection 12(4)]***Category I Schools - Amount of Security Required**

<i>Annual Tuition Revenue</i>	<i>Amount of Security Required</i>		
	<i>2014-2015</i>	<i>2015-2016</i>	<i>2016-2017 or after</i>
\$100,000 or less	\$10,000	\$10,000	\$10,000
\$100,001 - \$200,000	\$10,000	\$15,000	\$20,000
\$200,001 - \$300,000	\$15,000	\$22,500	\$30,000
\$300,001 - \$400,000	\$20,000	\$30,000	\$40,000
\$400,001 - \$500,000	\$25,000	\$37,500	\$50,000
\$500,001 - \$600,000	\$30,000	\$45,000	\$60,000
\$600,001 - \$700,000	\$35,000	\$52,500	\$70,000
\$700,001 or more	\$37,500	\$56,250	\$75,000

28 Nov 2014 cP-26.2 Reg 2.

**TABLE 2***[Clause 21(1)(a)]***Category I Schools - Training Completions Fund Contribution**

<i>Contribution for applicable private vocational school year based on percentage of annual tuition revenue</i>				
<i>2014-2015</i>	<i>2015-2016</i>	<i>2016-2017</i>	<i>2017-2018</i>	<i>2018-2019 or after</i>
0.2%	0.3%	0.45%	0.6%	0.75%

28 Nov 2014 cP-26.2 Reg 2.

PART II

Forms

FORM A

[Clause 4(a)]

Category I School - Application for Issuance of Initial Certificate of Registration

July 1, 20\_\_ to June 30, 20\_\_

Primary Applicant Contact Information

Full Name: \_\_\_\_\_

Mailing Address: \_\_\_\_\_

Daytime Telephone: \_\_\_\_\_

Other Telephone: \_\_\_\_\_

Fax: \_\_\_\_\_

Email: \_\_\_\_\_

Business Information

Business/Corporate Name: \_\_\_\_\_

Registered Owner: \_\_\_\_\_

Business Address: \_\_\_\_\_

Date of Corporate Registration: \_\_\_\_\_

(mm-dd-yy)

Business Classification

Is your business a

Sole Proprietorship  Partnership  Corporation  Not for Profit

(Include copy of partnership agreement.)

Franchise  Yes  No (If yes, include a copy of the franchise agreement.)

Fiscal year end for your business: \_\_\_\_\_

(mddd)

**Applicant Information**

Please list the name of each applicant (i.e. sole proprietor in a proprietorship; all partners in a partnership; all directors in a corporation) and attach a completed **Applicant Profile Form** for each person named.

Applicant 1 Name: \_\_\_\_\_

Applicant 2 Name: \_\_\_\_\_

Applicant 3 Name: \_\_\_\_\_

Applicant 4 Name: \_\_\_\_\_

Applicant 5 Name: \_\_\_\_\_

Applicant 6 Name: \_\_\_\_\_

Applicant 7 Name: \_\_\_\_\_

Applicant 8 Name: \_\_\_\_\_

Applicant 9 Name: \_\_\_\_\_

**School Information**

• School Name: \_\_\_\_\_

• Address: \_\_\_\_\_

• Other School Location(s): \_\_\_\_\_

• Principal/Manager in Saskatchewan: \_\_\_\_\_

*(Please attach an Applicant Profile Form for the Principal/Manager of the school in Saskatchewan, if he or she is not identified above as an applicant.)*

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_ Website: \_\_\_\_\_

**Course/Program Information**

Please list the name of each course or program you are applying to offer. You must attach a completed **New Course/Program Registration Application** for each course or program listed here.

Course/Program 1: \_\_\_\_\_

Course/Program 2: \_\_\_\_\_

Course/Program 3: \_\_\_\_\_

Course/Program 4: \_\_\_\_\_

Course/Program 5: \_\_\_\_\_

**Registration Fee**

- assessment of new courses/programs \$100
- registration of first course/program \$300
- registration of additional courses/programs x \$75 each + \$\_\_\_\_\_

**Total = \$**

\*For the 2015-2016 private vocational school year only, the Registration Fee is:

- |  |           |
|--|-----------|
| • assessment of new courses/programs                         | \$100     |
| • registration of first course/program                       | \$250     |
| • registration of additional courses/programs x \$62.50 each | + \$_____ |
| <b>Total = \$</b>  |           |

### Training Completions Fund Contribution

- An amount equal to the greater of:
  - (a) 1% of projected tuition revenue for first year of operation; and
  - (b) \$2,000.

*The Training Completions Fund Contribution must be paid on final approval of this application and before the issuance of a Certificate of Registration.*

### Supporting Items

- Please check () that the following items are attached:
  - Copy of Certificate of Incorporation or Registration  
*(Obtain from Corporate Registry, Information Services Corporation (ISC));*
  - PVS Security;
  - Fire Safety Report;
  - Health Safety Report;
  - Building Safety Report;
  - Business Plan;
  - Applicant Profile Form(s);
  - Course/Program Registration Application Form(s);
  - Registration Fee *(Cheque made payable to Minister of Finance).*

*The Training Completions Fund Contribution must be paid on final approval of this application and before the issuance of a Certificate of Registration.*

### Declaration and Consent

I certify that the information provided in this application, including the attachments, and in all other communications relating to this application, is correct.

I understand that registration fees paid are not refundable.

I understand that this application will expire six (6) months after the date on which it is submitted to the Minister of Advanced Education (Saskatchewan) if I have not successfully completed the application requirements within that period.

Applicant's signature: \_\_\_\_\_

Applicant's name *(please print)*: \_\_\_\_\_

Date: \_\_\_\_\_

FORM B  
[Clause 4(b)]

**Category I School - Application for Renewal of Certificate of Registration**

July 1, 20\_\_ to June 30, 20\_\_

**Please review the following information and make any necessary changes. This information will appear on your new Certificate of Registration.**

Operator Information

Registered Business or Corporate Name: \_\_\_\_\_

Registered Business or Corporate Address: \_\_\_\_\_

President/Owner: \_\_\_\_\_

Email: \_\_\_\_\_

Registered School Name: \_\_\_\_\_

School Location and Mailing Address: \_\_\_\_\_

**School Contact Information**

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_ Website URL: \_\_\_\_\_

**Registration Fee**

- |   |             |  |
|---|-------------|--|
| • registration of first course/program                    | \$300       |  |
| • registration of additional courses/programs x \$75 each | + \$_____   |  |
| <b>Total</b>  | <b>= \$</b> |  |

**\*For the 2015-2016 private vocational school year only, the Registration Fee is:**

- |  |             |  |
|--|-------------|--|
| • registration of first course/program                       | \$250       |  |
| • registration of additional courses/programs x \$62.50 each | + \$_____   |  |
| <b>Total</b>   | <b>= \$</b> |  |

**Training Completions Fund Contribution**

*The applicable Training Completions Fund Contribution must be paid:*

- (a) before the renewal of a certificate of registration; or
- (b) with the prior written consent of the Minister of Advanced Education, in quarterly instalments at those times consented to by the Minister of Advanced Education.

**Supporting Items**

- Please check () that the following items are attached:
  - Course/Program Reporting form;
  - Instructor Reporting form;
  - Registration Fee (*Cheque made payable to Minister of Finance*).

The Operator confirms that it:

- (a) will comply with all requirements for a private vocational school as prescribed in *The Private Vocational Schools Regulation Act, 1995* (the Act) and *The Private Vocational Schools Regulations, 2014* (the Regulations);
- (b) has security in place as prescribed in the Regulations;
- (c) is not insolvent and is not likely to be insolvent;
- (d) will employ only approved instructors in accordance with the Regulations; and
- (e) will offer approved courses or programs in accordance with the Regulations.

**Declaration and Consent**

I certify that the information provided in this application, including the attachments, and in all other communications relating to this application, is correct.

I understand that registration fees paid are not refundable.

Applicant's signature: \_\_\_\_\_

Applicant's name (*please print*): \_\_\_\_\_

Date: \_\_\_\_\_

Please note: **This application is due by June 1, 20\_\_\_\_\_.**

Your existing Certificate of Registration expires on June 30. If any information contained in or attached to this Form is incomplete as of the June 1 submission deadline, registration for the next school year (beginning July 1) and the issuance of a new Certificate of Registration may be delayed or denied until all information is complete and the school is in compliance with the Act and Regulations.

FORM C  
[Clause 4(c)]

**Category II School - Application for Issuance of  
Initial Certificate of Registration**

July 1, 20\_\_ to June 30, 20\_\_

**Business Information**

Business/Corporate Name: \_\_\_\_\_

Registered Owner: \_\_\_\_\_

Business Address: \_\_\_\_\_

Date of Corporate Registration: \_\_\_\_\_  
(mm-dd-yy)

Current Directors (if a corporation): \_\_\_\_\_

**School Information**

• School Name: \_\_\_\_\_

• Address: \_\_\_\_\_

• Other School Location(s): \_\_\_\_\_

• Principal/Manager in Saskatchewan: \_\_\_\_\_

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_ Website: \_\_\_\_\_

*(Please attach information for any Principals/Managers at other locations.)*

• Proposed number of students to be enrolled:

**Supporting Items**

• Please check (☐) that the following items are attached:

- Copy of Certificate of Incorporation or Registration  
*(Obtain from Corporate Registry, Information Services Corporation (ISC));*
- Copy of contract(s) between the applicant and sponsor(s) and of any proposal(s) prepared by the applicant and given to the sponsor;
- Registration Fee of \$150. (For the 2015-2016 private vocational school year only, the Registration Fee is \$125.) *(Cheque made payable to Minister of Finance)*

**Declaration and Consent**

I certify that the information provided in this application, including the attachments, and in all other communications relating to this application, is correct.

I understand that registration fees paid are not refundable.

I understand that this application will expire six (6) months after the date on which it is submitted to the Minister of Advanced Education (Saskatchewan) if I have not successfully completed the application requirements within that period.

Applicant's signature: \_\_\_\_\_

Applicant's name (*please print*): \_\_\_\_\_

Date: \_\_\_\_\_

FORM D  
[Clause 4(d)]

**Category II School - Application for Renewal of Certificate of Registration**

July 1, 20\_\_ to June 30, 20\_\_

**Please review the following information and make any necessary changes. This information will appear on your new Certificate of Registration.**

**Operator Information**

Registered Business or Corporate Name: \_\_\_\_\_

Registered Business or Corporate Address: \_\_\_\_\_

President/Owner: \_\_\_\_\_

Email: \_\_\_\_\_

Registered School Name: \_\_\_\_\_

School Location and Mailing Address: \_\_\_\_\_

**School Information**

Telephone: \_\_\_\_\_ Fax: \_\_\_\_\_

Email: \_\_\_\_\_ Website URL: \_\_\_\_\_

Proposed number of students to be enrolled in 20\_\_ – 20\_\_ : \_\_\_\_\_ ;

Actual number of students enrolled in 20\_\_ – 20\_\_ : \_\_\_\_\_ .

**Supporting Items**

Please check (  ) that the following items are attached:

- Copy of the contract(s) between the applicant and sponsor and of any proposal prepared by the applicant and given to the sponsor;
- Registration Fee of \$150. (For the 2015-2016 private vocational school year only, the Registration Fee is \$125.) (*Cheque made payable to Minister of Finance*)

**Declaration and Consent**

I certify that the information provided in this application, including the attachments, and in all other communications relating to this application, is correct.

I understand that registration fees paid are not refundable.

Applicant's signature: \_\_\_\_\_

Applicant's name (*please print*): \_\_\_\_\_

Date: \_\_\_\_\_

28 Nov 2014 cP-26.2 Reg 2.