

*The
Private Vocational
Schools Regulations,
2022*

being

Chapter P-26.2 Reg 3 (effective May 19, 2022) as amended by
Saskatchewan Regulations [12/2024](#).

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.

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CHAPTER P-26.2 REG 3

The Private Vocational Schools Regulation Act, 1995

PART 1

Preliminary Matters

Title

1-1 These regulations may be cited as *The Private Vocational Schools Regulations, 2022*.

Definitions and interpretation

1-2(1) In these regulations:

“Act” means *The Private Vocational Schools Regulation Act, 1995*;

“advertisement” includes:

- (a) a catalogue, sales circular or other printed advertisement;
- (b) a radio or television advertisement;
- (c) an online or mobile application advertisement, including a social media advertisement; and
- (d) any other advertisement or promotion of a private vocational school or of a course or program offered by a private vocational school;

“annual tuition revenue” means the total of all tuition fees earned by a private vocational school during the school’s most recently completed reporting year;

“applicant” means a person who applies for, or on whose behalf an agent applies for, the issuance or renewal of a certificate of registration with respect to a private vocational school;

“approved” means approved by the minister;

“authorized issuer or guarantor” means:

- (a) Canada, Saskatchewan or another province or territory of Canada;
- (b) an agency of the Government of Canada or of a province or territory of Canada;
- (c) a municipality in Canada; or
- (d) a bank, credit union or other financial institution that is supervised or examined by a governmental authority in Canada;

“course” means a distinct unit of instruction that forms part of a program;

“Crown” means the Crown in right of Saskatchewan;

“Form” means a Form set out in Part 2 of the Appendix;

“**ministry**” means the ministry over which the minister presides;

“**National Occupation Classification**” means the National Occupational Classification developed and published by the Government of Canada, as amended from time to time;

“**private vocational school year**” means the period commencing on July 1 in one year and ending on June 30 of the following year;

“**program**” means a series of courses that leads to employment in a vocation and that:

- (a) comprises more than 50 hours of instruction; and
- (b) imposes a tuition fee of more than \$1,000;

“**reporting year**” means the period commencing on July 1 in one year and ending on June 30 of the following year;

“**sponsor**” means the person or organization that funds a course or program offered at a school;

“**Table**” means a Table set out in Part 1 of the Appendix;

“**tuition fee**” means the fee that a private vocational school charges to a student who registers for a course or program.

(2) For the purposes of clause 2(k) of the Act and in these regulations, “**vocation**” means an occupation included in the National Occupational Classification but does not include the occupations listed in Table 2.

(3) 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.

(4) 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 1 week after the date on which the minister considers suspending or cancelling the operator’s certificate of registration.

27 May 2022 cP-26.2 Reg 3 s1-2.

Exempt schools, institutions

1-3(1) For the purposes of subclause 2(h)(viii) of the Act, a school or an institution is exempt from the application of the Act and these regulations if that school or institution:

- (a) does not have a physical presence in Saskatchewan;
- (b) is an educational institution located outside of Saskatchewan and provides distance or online education to Saskatchewan residents;
- (c) only delivers online, correspondence or home study courses or programs; or
- (d) delivers courses or programs that are entirely funded by a sponsor.

(2) The exemption mentioned in clause (1)(c) does not apply to a private vocational school that offers courses or programs solely online as a temporary measure during a public emergency period.

(3) In subsection (2), “**public emergency period**” means the period during which an emergency declaration ordered pursuant to *The Emergency Planning Act*, or an order of the chief medical health officer pursuant to *The Public Health Act, 1994* respecting quarantines, travel restrictions or other forms of isolation, is in force.

(4) For the purposes of clause (1)(a), evidence of physical presence in Saskatchewan may include:

- (a) a head office in Saskatchewan;
- (b) a postal address, telephone number or fax number in Saskatchewan;
- (c) the occupancy of real property in Saskatchewan for the purpose of providing vocational training courses or programs; or
- (d) the employment of or contracting with:
 - (i) an agent, manager or other person in Saskatchewan who provides vocational training courses or programs in Saskatchewan; or
 - (ii) an employee, contractor or other organization that provides vocational training courses or programs in Saskatchewan.

27 May 2022 cP-26.2 Reg 3 s1-3.

Forms

1-4 For the purposes of the Act and these regulations, Form A is prescribed as the application form to obtain or renew a certificate of registration.

5 Apr 2024 SR 12/2024 s3.

Expiry of certificate

1-5 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 1-6; or
- (b) suspended or cancelled pursuant to the Act.

27 May 2022 cP-26.2 Reg 3 s1-5.

Deadline to renew

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

27 May 2022 cP-26.2 Reg 3 s1-6.

PART 2

Application for Issuance or Renewal of Certificate of Registration**Application for issuance or renewal of certificate**

2-1(1) Every applicant for the issuance of a certificate of registration of a private vocational school shall provide information satisfactory to the minister respecting the following matters concerning the school:

- (a) the proposed course or program name;
 - (b) the proposed requirements students must meet to be enrolled;
 - (c) the proposed method of enrolling students;
 - (d) the proposed curriculum for courses or programs;
 - (e) the proposed standards and methods of instruction;
 - (f) the proposed duration of each course or program;
 - (g) the proposed maximum number of students to be enrolled in each course or program;
 - (h) the proposed maximum number of students per instructor;
 - (i) the proposed registration fee, maximum tuition fee and any other fees to be charged and the proposed basis on which the fees will be calculated;
 - (j) the proposed learning resources such as textbooks, instructional materials or equipment that students will be required to use;
 - (k) 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;
 - (l) for online courses or programs, any information that the minister considers necessary that is not provided pursuant to the other provisions of this subsection;
 - (m) the proposed criteria to be used to evaluate successful completion of each course or program;
 - (n) any program reviews, as mentioned in section 2-3, by stakeholders for each proposed program;
 - (o) the program performance information mentioned in section 2-2;
 - (p) a business plan that identifies operational projections;
 - (q) 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;
 - (r) any other information that the minister may reasonably require.
- (2) Every applicant for the renewal of a certificate of registration of a private vocational 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.

Program performance

2-2(1) Every applicant pursuant to subsection 2-1(1) shall provide evidence satisfactory to the minister that, with respect to each proposed program or course, the applicant is likely to meet or is meeting the performance standards recognized by the minister for that program, including the following:

- (a) program graduation results;
 - (b) maintenance by the applicant of all accreditation, regulatory, occupational and industry standards or requirements for the program;
 - (c) current labour market information with respect to each program or course offered by the applicant;
 - (d) the completion and results of any program reviews required pursuant to section 2-3;
 - (e) employment of program graduates in the relevant vocation;
 - (f) student satisfaction levels with respect to the school, program, and instruction of the program;
 - (g) if the applicant is or was previously operating a private vocational school in a jurisdiction other than Saskatchewan, evidence from the regulator or equivalent in that jurisdiction that the applicant has been and continues to be compliant with that jurisdiction's regulatory requirements;
 - (h) any other information that the minister may reasonably require.
- (2) Every applicant for the renewal of a certificate of registration of a private vocational 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.

27 May 2022 cP-26.2 Reg 3 s2-2.

Program review

2-3(1) On receipt of an application for the issuance or renewal of a certificate of registration of a private vocational school and at any other time the minister considers appropriate, the minister may:

- (a) require a program review to be carried out by the ministry;
 - (b) require a program review to be carried out by a relevant employer or hiring manager, industry association, accreditor, regulator or other independent person or body that the minister considers appropriate; or
 - (c) require an expert third party review by any organization or person the minister considers appropriate.
- (2) The applicant or operator, as the case may be, is responsible for all costs associated with a review carried out pursuant to clause (1)(b) or (c).

27 May 2022 cP-26.2 Reg 3 s2-3.

Registration fee

2-4(1) Every applicant for the issuance of a certificate of registration shall submit the following registration fees with the application:

- (a) \$400 for the private vocational school and the first program offered;
 - (b) \$400 for each additional program.
- (2) Every applicant for the renewal of a certificate of registration shall submit the following registration fees with the application:
- (a) \$300 for the private vocational school and the first program offered; and
 - (b) \$75 for each additional program offered.
- (3) If an operator intends to make changes to any of its programs, the operator shall:
- (a) identify the proposed program changes prior to renewal of a certificate of registration; and
 - (b) if the minister considers it appropriate to conduct further review of proposed program changes, submit a fee of \$100 to the minister in addition to the registration fees to be submitted with an application pursuant to subsection (2).
- (4) Any fees paid pursuant to this section are non-refundable.

27 May 2022 cP-26.2 Reg 3 s2-4.

Training completion plan

2-5(1) For the purposes of clause 4(2)(b) of the Act, an applicant for the issuance of a certificate of registration as a private vocational 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 learning materials such as textbooks, instructional materials 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) reimbursed by the private vocational school 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 private vocational school is approved, the operator 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) email address;
 - (g) educational history before enrolment in the course or program;
 - (h) status in the course or program at any given time.
- (4) As part of the training completion plan, every operator shall record any change in the information to be maintained pursuant to subsection (3).
- (5) Every operator shall make all of the school's training completion plan available for inspection by the minister.

27 May 2022 cP-26.2 Reg 3 s2-5; 5 Apr 2024 SR 12/2024 s4.

PART 3 Security Requirements

Definition for Part

3-0.1 For the purposes of the Act and this Part, “**compensation**” means a payment amount made to a student or, if applicable, a third party that does not exceed the total of all amounts paid to the operator for the student's course or program pursuant to the student contract that applies to the private vocational school year in which a forfeiture of the security occurred.

5 Apr 2024 SR 12/2024 s5.

Security requirements

3-1(1) Every operator shall give security for the due performance by the private vocational school of its student contracts.

- (2) Subject to section 3-2, 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 3-2, 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 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 1 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 private vocational school listed in column 1 of Table 1.

27 May 2022 cP-26.2 Reg 3 s3-1.

Other security

3-2(1) If a private vocational school satisfies the minister that it is not able to obtain the full amount of security required pursuant to section 3-1 in the form required pursuant to that section, the minister may allow the private vocational 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 private vocational school in accordance with sections 3-6 and 3-7.

27 May 2022 cP-26.2 Reg 3 s3-2.

Security to remain in force

3-3 Every operator 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 3-1(4).

27 May 2022 cP-26.2 Reg 3 s3-3.

Additional security

3-4(1) Notwithstanding any other provision of these regulations, if the minister believes that the security provided by an operator is insufficient, the minister may require the operator to provide additional security or to change the form of security or the issuer or guarantor of the security.

(2) The operator 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.

27 May 2022 cP-26.2 Reg 3 s3-4.

Forfeiture of security

3-5(1) On the direction of the minister, the security provided by a private vocational 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 private vocational 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 within the meaning of that Act.

(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 private vocational school and deposited into the fund in accordance with these regulations.

27 May 2022 cP-26.2 Reg 3 s3-5.

Claim for payment

3-6(1) If the security maintained by a private vocational school has been forfeited pursuant to section 3-5, an individual who is or was a student in a course or program at the private vocational school may apply for compensation in the form and within the time frame specified by the minister.

(2) On receipt of an application pursuant to subsection (1), the minister shall verify the amount of compensation claimed.

5 Apr 2024 SR 12/2024 s6.

Payment of claims - forfeited security

3-7(1) If an application is made in accordance with section 3-6 and the minister is satisfied that the claim is valid, the minister shall pay all or a portion of the claim from the forfeited security in accordance with this section.

(2) If the amount of the forfeited security is sufficient to satisfy all valid claims against the security, the minister shall pay the full amount of each claim.

(3) If the amount of the forfeited security is not sufficient to satisfy all valid claims against the security, the minister shall, with respect to each claim:

- (a) make proportionate payments from the forfeited security; or
- (b) after considering the factors mentioned in subsection 3-8(2) make partial or full payments from both the forfeited security and the training completions fund pursuant to clause 3-8(1)(a), if the minister considers it appropriate to do so.

(4) If a third party has paid an amount to the operator in relation to a student's course or program, the minister may pay compensation in that amount directly to the third party if the minister considers it appropriate to do so.

(5) The minister may make payments from the forfeited security to the training completions fund with respect to any compensation paid out of the training completions fund in relation to individuals who are otherwise entitled to make a claim against the forfeited security pursuant to section 3-6, including with respect to any amount of compensation paid out of the fund to individuals pursuant to clause 18(4)(b) or (d) of the Act or, if applicable, to third parties.

(6) If the amount of the forfeited security exceeds the amount of the payments made pursuant to subsections (1) to (5), the minister shall pay the excess amount of the forfeited security to the authorized issuer or guarantor.

5 Apr 2024 SR 12/2024 s6.

Payment of compensation from training completions fund

3-8(1) For the purposes of clause 18(4)(d) of the Act, the minister may use the training completions fund to pay compensation to students or, if applicable, third parties:

- (a) if the amount of the forfeited security is not sufficient to satisfy all valid claims against the security and the minister considers it appropriate to do so; or
- (b) if, in the opinion of the minister, it is in the public interest to do so before all claims against the forfeited security are submitted or verified in accordance with section 3-6.

(2) Before using the training completions fund pursuant to subsection (1), the minister shall consider the following factors:

- (a) the total monetary amount of compensation to be paid to students;
- (b) the total amount of the forfeited security;
- (c) the amount available in the training completions fund;
- (d) whether the training completions fund would remain reasonably funded for the general benefit of students enrolled at all private vocational schools;
- (e) any other factor that the minister considers reasonable.

5 Apr 2024 SR 12/2024 s6.

Claims against the training completions fund or the forfeited security

3-9 Notwithstanding the provisions of the Act and these regulations, a student is not entitled to compensation from the training completions fund.

5 Apr 2024 SR 12/2024 s6.

PART 4**Training Completions Fund****Deposit to fund**

4-1 The payments to be made by operators pursuant to this Part are for deposit into the training completions fund pursuant to clause 18(2)(a) of the Act.

27 May 2022 cP-26.2 Reg 3 s4-1.

Payment on issuance of initial certificate

4-2(1) Every operator 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.

27 May 2022 cP-26.2 Reg 3 s4-2.

Payment on renewal of certificate

4-3(1) Subject to subsection (2), every operator 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 5 years and is in compliance with the Act and these regulations, 0.75% of the school's annual tuition revenue for the applicable private vocational school year; or
- (b) in all other cases, 1.0% of the school's annual tuition revenue for the applicable private vocational school year.

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

27 May 2022 cP-26.2 Reg 3 s4-3.

Surcharge

4-4(1) Subject to subsection (2), in addition to the payment required pursuant to section 4-3, if a payment has been made from the fund pursuant to section 3-7, every operator 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.

(2) If the minister considers it appropriate to do so, the minister may waive the surcharge fee mentioned in subsection (1).

27 May 2022 cP-26.2 Reg 3 s4-4.

Time of payment

4-5 The payments required pursuant to sections 4-3 and 4-4 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.

27 May 2022 cP-26.2 Reg 3 s4-5.

PART 5
Student Matters

Student Contract

5-1(1) Every operator shall ensure that every student has a fully executed copy of the student's contract.

(2) The term of a student contract may not exceed 18 months.

27 May 2022 cP-26.2 Reg 3 s5-1.

Student registration fees

5-2(1) An operator of a private vocational 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 \$250 or 10% of the tuition fee payable pursuant to the student contract, whichever is less.

(2) Subject to subsection 5-3(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 3 months before the date on which the course or program is to commence.

27 May 2022 cP-26.2 Reg 3 s5-2.

Refund of student fees

5-3(1) An operator 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 pursuant to the Act and these regulations;
- (c) the operator or the operator's 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 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.

27 May 2022 cP-26.2 Reg 3 s5-3.

Refunds and retaining fees and other payments

- 5-4(1)** If a student commences a course or program contracted for and provides written notice to an operator that the student 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 21st 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:
- (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 10th day after it was mailed, unless the student establishes that, through no fault of the student's 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.

27 May 2022 cP-26.2 Reg 3 s5-4.

Power to cancel student contract

- 5-5(1)** A student in a private vocational school may cancel the student's contract up to the day before the commencement of the course or program.
- (2) If a student cancels the student's contract pursuant to subsection (1), the operator 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 learning materials such as textbooks, instructional materials and equipment that the student has not received.

27 May 2022 cP-26.2 Reg 3 s5-5.

Internal dispute mechanism

- 5-6(1)** Every operator 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 private vocational 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;
 - (e) the period within which the school will provide the student with its decision and rationale in writing after the school receives the student complaint;

- (f) a statement that encourages a student to have another person present during interactions with the school;
 - (g) a statement describing the student's right to contact the ministry to seek further resolution.
- (3) Every operator 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.

27 May 2022 cP-26.2 Reg 3 s5-6.

Mediation

- 5-7(1)** Any mediation pursuant to section 14 of the Act with respect to a private vocational school is to be conducted according to this section.
- (2) A student of a private vocational school who wishes to have a dispute mediated must give written notice of that fact to:
- (a) the minister; and
 - (b) the operator.
- (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 private vocational school.

27 May 2022 cP-26.2 Reg 3 s5-7.

Certificates and diplomas

- 5-8(1)** No operator 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 approved certificate or diploma pursuant to subsection (1); and
 - (b) the student's transcript of marks evidencing the student's successful completion of the course or program.

27 May 2022 cP-26.2 Reg 3 s5-7.

PART 6
Reports and Records

Annual reports

6-1(1) On a date determined by the minister, every operator shall prepare and submit to the minister an annual report of the private vocational school's operation for the previous reporting year.

(2) The report submitted pursuant to subsection (1) 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) permanent address;
 - (v) telephone number; and
 - (vi) email address;
- (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;
- (f) any other information required by the minister.

(3) In addition to the information mentioned in subsection (2), the report submitted pursuant to subsection (1) is to contain information respecting the number of students in the course or program who fall into the following categories:

- (a) students who have completed, have withdrawn or have been discontinued from the course or program and have not received a diploma or certificate;
- (b) students who have completed the course or program and have received a diploma or certificate;
- (c) students who have completed the course or program and who are employed in a vocation related to the course or program.

(4) Every operator of a private vocational 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.

Record of student services

6-2 Every operator 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.

27 May 2022 cP-26.2 Reg 3 s6-2.

Retention of student records

6-3(1) Every operator shall keep, with respect to each student, a file of all of the student's exams and assignments for at least 2 years after the student has completed the student's course or program or has left the course or program.

(2) Every operator shall keep, with respect to each student, a file that contains the student's transcript, diploma, and certificate for at least 25 years after the student has completed or left the program.

(3) 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.

27 May 2022 cP-26.2 Reg 3 s6-3.

Instructors and examiners

6-4(1) Every operator shall ensure that each instructor and examiner employed in a course or program offered by the school is approved 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 3 years of occupational experience in the vocation to be taught.

(2) The minister shall approve the employment of an instructor if the instructor meets all of the qualifications required of persons instructing in the course or program of instruction by any of the following:

(a) an Act or a regulation;

(b) an Act of the Parliament of Canada or a regulation made pursuant to an Act of the Parliament of Canada;

(c) the bylaws of a professional association or professional regulatory body, accrediting body or other association related to the course or program of instruction.

(3) 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.

- (4) No operator 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).
- (5) With respect to each instructor employed by the private vocational school, every operator shall provide the minister with the following information:
- (a) the instructor's:
 - (i) full name;
 - (ii) address;
 - (iii) telephone number; and
 - (iv) email address;
 - (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 courses or 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 3 employment references.
- (6) The minister may require an operator to provide verification, to the satisfaction of the minister, of the information provided pursuant to clause (5)(b).
- (7) Every operator shall immediately notify the minister:
- (a) when an instructor:
 - (i) ceases to teach at the school; or
 - (ii) ceases to teach a particular courses or program; or
 - (b) when the information provided pursuant to subsection (5) changes in any way.

27 May 2022 cP-26.2 Reg 3 s6-4.

Premises

- 6-5(1)** No operator shall provide any course or program unless the premises in which the course or program is to be offered have been approved.
- (2) Every operator 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 shall provide the minister with evidence that is satisfactory to the minister of compliance with the laws mentioned in subsection (2).

27 May 2022 cP-26.2 Reg 3 s6-5.

PART 7
Other matters

Advertising

7-1(1) No operator shall publish or cause to be published any advertisement relating to the private vocational school that:

- (a) may tend to mislead the public; or
 - (b) subject to section 7-3, refers to the prices charged by the school for work performed by its students.
- (2) Subject to subsection (3), no operator 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 has a certificate of registration, an advertisement relating to the school may state that fact.
- (4) Every operator 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 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.

27 May 2022 cP-26.2 Reg 3 s7-1.

Requirement re program information

7-1.1(1) In this section, “**registered programs**” means the programs set out in the operator’s certificate of registration.

(2) Every operator shall ensure that all information made publicly available in relation to all registered programs and unregistered programs offered by the private vocational school clearly identifies the registered programs and the unregistered programs.

5 Apr 2024 SR 12/2024 s7.

Prohibited representations

7-2 No operator shall:

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

(c) make a false or misleading statement in an oral or written communication made to any person or persons with the intent to recruit prospective students with respect to, but not limited to:

- (i) a course or program;
- (ii) the terms of a student contract;
- (iii) the needs of the relevant labour market;
- (iv) the expected employment attainment or earnings; or
- (v) any approvals or accreditations obtained for the course or program.

27 May 2022 cP-26.2 Reg 3 s7-2.

Price schedule for public services

7-3 Every operator 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.

27 May 2022 cP-26.2 Reg 3 s7-3.

PART 8

Repeal and Coming into Force

RRS c P-26.2 Reg 2 repealed

8-1 *The Private Vocational Schools Regulations, 2014* are repealed.

27 May 2022 cP-26.2 Reg 3 s8-1.

Coming into force

8-2 These regulations come into force on the day on which they are filed with the Registrar of Regulations.

27 May 2022 cP-26.2 Reg 3 s8-2.

Appendix**PART 1****Tables**

TABLE 1

[Subsection 3-1(4)]

Private vocational schools – Amount of Security Required

| Annual Tuition Revenue | Amount of Security Required for applicable private vocational school year |
|-------------------------------|--|
| \$100,000 or less | \$10,000 |
| \$100,001 - \$200,000 | \$20,000 |
| \$200,001 - \$300,000 | \$30,000 |
| \$300,001 - \$400,000 | \$40,000 |
| \$400,001 - \$500,000 | \$50,000 |
| \$500,001 - \$600,000 | \$60,000 |
| \$600,001 - \$700,000 | \$70,000 |
| \$700,001 or more | \$75,000 |

TABLE 2

[Subsection 1-2(2)]

Occupations excluded from the definition of “vocation”

| National Occupational Classification Numeric Code | Title |
|--|--|
| 31303 | Physicians, midwives, and allied health professionals |
| 32101 | Licensed practical nurses |
| 32200 | Traditional Chinese medicine practitioners and acupuncturists |
| 32209 | Other practitioners of natural healing, except manual osteopathy |
| 41302 | Religious leaders |
| 42204 | Religion workers |
| 55109 | Other performers |
| 65229 | Other support occupations in personal service |
| 72600 | Air pilots, flight engineers and flying instructors |

PART 2
Forms

FORM A

Application for Issuance or Renewal of Certificate of Registration

| Applicant | | | |
|--|------------|-----------|--------------|
| Full Name: | | | |
| Address: | | | |
| Telephone: | | | |
| Email: | | | |
| Title/Position with respect to the school: | | | |
| Private Vocational School | | | |
| School Name: | | | |
| Address: | City/Town: | Province: | Postal Code: |

You are required to provide additional information to accompany this application form in accordance with *The Private Vocational Schools Regulation Act, 1995* and *The Private Vocational Schools Regulations, 2022*.

I declare that:

- I hereby certify that all information in this application, including the attachments in any other communications related to the application and all additional information provided in accordance with *The Private Vocational Schools Regulation Act, 1995* and *The Private Vocational Schools Regulations, 2022*, is correct. I give my consent to the Minister of Advanced Education, or that minister's delegate, to collect, disclose and use the information for the purpose of administering *The Private Vocational Schools Regulation Act, 1995* and *The Private Vocational Schools Regulations, 2022*.
- I understand the registration fees are not refundable.
- I understand that this application will expire three (3) months after the date on which it is submitted to the Ministry of Advanced Education (Saskatchewan) if I have not successfully completed the application requirements within that period.

Applicant Name:

Date:

By electronically entering your name and the date above, you are binding yourself to the representations made in the application pursuant to subsection 14(1) of The Electronic Information and Documents Act, 2000.

5 Apr 2024 SR 12/2024 s8.

FORM B

Repealed. 5 Apr 2024 SR 12/2024 s8.