

## Draft Regulations

### Draft Regulation

Act respecting private education  
(chapter E-9.1)

#### Regulation — Amendment

Notice is hereby given, in accordance with sections 10 and 11 of the Regulations Act (chapter R-18.1), that the Regulation to amend the Regulation respecting the application of the Act respecting private education, appearing below, may be made by the Government on the expiry of 45 days following this publication.

The draft Regulation increases the fees exigible for applications for the issue of a permit to operate a private educational institution and introduces fees exigible for applications for the modification of such a permit. Other measures include increasing the amount of the security provided by institutions, setting out new rules pertaining to the change of a director, a shareholder or an officer of the institution and to advertising, solicitation and offers of service, and updating the rules governing the educational service contract, enrollment, and the information and documents that must accompany an application for the issue, renewal or modification of a permit.

The draft Regulation may have different financial impacts depending in particular on the size, status, revenue, number of permit applications and the scope of the changes related to certain documents and means of communication of private educational institutions. The overall estimated cost for the network as a whole is \$906,980.46 for the rollout period, \$889,945.78 for the first year of implementation and \$925,105.78 per year after that.

Further information on the draft Regulation may be obtained by contacting Éric Beauregard, Director, Direction de l'enseignement privé, Ministère de l'Enseignement supérieur, 1035 rue De La Chevrotière, 12<sup>e</sup> étage, Québec (Québec), G1R 8A5; email: eric.beauregard@mes.gouv.qc.ca.

Any person wishing to comment on the draft Regulation is requested to submit written comments within the 45-day period to Isabelle Taschereau, Secretary General, Ministère de l'Enseignement supérieur, 675, boulevard René-Lévesque Est, aile René-Lévesque, bloc 4, 3<sup>e</sup> étage, Québec (Québec), G1R 6C8; email: isabelle.taschereau@mes.gouv.qc.ca, or Nancy-Sonia Trudelle, Secretary General, Ministère de l'Éducation, 1035, rue De La Chevrotière, 15<sup>e</sup> étage, Québec (Québec), G1R 5A5; email: nancy-sonia.trudelle@education.gouv.qc.ca.

PASCALE DÉRY  
*Minister of Higher Education*

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*Minister of Education*

### Regulation to amend the Regulation respecting the application of the Act respecting private education

Act respecting private education  
(chapter E 9.1, s. 111, pars. 2 to 6 and 11)

**1.** Section 7 of the Regulation respecting the application of the Act respecting private education (chapter E-9.1, r. 1) is amended

- (1) by replacing “\$373” by “\$1,275”; and
- (2) by adding the following paragraph at the end:

“The amount of the fees exigible for an application for the modification of a permit shall be \$1,020, except for an application for a change of name of the institution or facility.”

**2.** Section 9 is amended

- (1) by replacing “tuition” in the first paragraph by “admission or enrollment, educational service and accessory service”;

(2) by replacing the second paragraph by the following:

“The security is established as follows:

Total revenue from admission or enrollment, educational service and accessory service fees	Security
\$0 to \$49,999	\$5,000
\$50,000 to \$99,999	\$10,000
\$100,000 to \$199,999	\$20,000
\$200,000 to \$499,999	\$50,000
\$500,000 to \$999,999	\$100,000
\$1,000,000 to \$1,499,999	\$150,000
\$1,500,000 to \$2,499,999	\$250,000
\$2,500,000 to \$4,999,999	\$500,000
\$5,000,000 to \$9,999,999	\$1,000,000
\$10,000,000 to \$24,999,999	\$2,500,000
\$25,000,000 and over	\$5,000,000

**3.** Section 10 is amended by replacing “tuition” in the second paragraph by “admission or enrollment, educational service and accessory service”.

**4.** The following is inserted after section 16:

**“CHAPTER II.1  
CHANGE OF DIRECTOR, SHAREHOLDER  
OR OFFICER**

**16.1.** A notice of change of a director, a shareholder or an officer of the institution shall contain the following information and be accompanied by the following documents:

(1) the name, address, email address and telephone number of the director, shareholder or officer and, where applicable, the name of the person being replaced;

(2) a declaration concerning the person’s judicial record within the meaning of subparagraph 2 of the third paragraph of section 12.1 of the Act respecting private education (chapter E-9.1); and

(3) in the case of an officer, the officer’s curriculum vitae, the function or position held, the date of taking office and the institution’s updated organization chart if it has changed.”.

**5.** Section 17 is replaced by the following:

“**17.** In any advertising, solicitation or offer of service made by the institution or by a mandatary, the name of the institution and the educational services or program concerned shall be mentioned, as that information appears in the institution’s permit.

In addition, any advertising, solicitation or offer of service shall mention

(1) the address of the institution and the address of any buildings or premises at its disposal, as that information appears in the institution’s permit;

(2) the institution’s email address and website address and, if applicable, the institution’s telephone number;

(3) the code and name of the program concerned, as that information appears in the institution’s permit, if applicable;

(4) the fact that the awarding of a diploma, certificate or other attestation is subject to an examination or other requirement imposed under an Act or regulation, if applicable; and

(5) the fact that the instruction provided leads to a diploma, a certificate or other attestation awarded by the Minister or pursuant to the College Education Regulations (chapter C-29, r. 4), if applicable.

Where the advertising or solicitation provides a link to the institution’s website and the information required under the second paragraph is found on the website, the advertising or solicitation is deemed to comply with that paragraph.

**17.1.** Every offer of service shall mention the following in addition to the information set out in section 17:

(1) the school year for preschool education services, elementary school instructional services and secondary school instructional services in general education, the school year or term and the duration of the program in number of weeks for educational services for secondary school general adult education, vocational education and college level education;

(2) the date of the beginning of the provision of services;

(3) for educational services in vocational training and college level education,

(a) any prerequisite course or other preliminary condition to be met; and

(b) the term of validity of the offer of services and a list of courses that includes any laboratory work and internships;

(4) for educational services for secondary school general adult education, vocational education and college level education, the learning modalities of the educational services offered, that is classroom and, if applicable, distance learning;

(5) accessory services, instructional material and equipment, including textbooks and course notes, required for the programs of activities, the teaching of programs of studies or the courses, specifying, if applicable, any services, material or equipment not provided by the institution or not included in the price referred to in paragraph 6;

(6) the total price charged by the institution and the detailed price breakdown according to the following apportionment:

(a) admission or enrollment fees;

(b) educational services;

(c) accessory services, instructional material and equipment included;

(d) in the case of an institution accredited for purposes of subsidies, the amount of the additional financial contribution for a student who is not resident in Québec, within the meaning of government regulations, set in accordance with the budgetary rules established by the Minister of Education, Recreation and Sports or by the Minister of Higher Education, Research, Science and Technology;

(7) the text, “Except in the case of a bursary, the payment of the fees to the institution may only be made by the student, a parent or a person connected by marriage or a civil union.”; and

(8) for educational services in vocational training and college level education, the stages and dates of the routing of an application for admission up to enrollment.”.

**6.** Section 18 is amended

(1) by replacing “advertisement” in the portion before paragraph 1 by “advertising, solicitation”;

(2) by inserting the following before paragraph 1:

“(0.1) guarantee admission to a program of studies or guarantee that a person enrolling in the program will successfully complete it.”;

(3) by adding the following at the end:

“(4) suggest that the admission of a foreign student to an institution will guarantee the right to enter and stay in Canada under the Immigration and Refugee Protection Act (S.C. 2001, c. 27) and the Québec Immigration Act (chapter I-0.2.1) or to receive a permit or other document required by those Acts;

(5) mention any information that the institution or its mandatory knows to be incomplete, false or misleading.”.

**7.** Section 19 is amended

(1) by replacing “advertisement” by “advertising, solicitation”; and

(2) by replacing “the course is dispensed” by “the programs of studies are dispensed and, if applicable, the language of each course offered in another language”.

**8.** The following is inserted after section 19:

“**19.1.** The institution shall keep the following information concerning all advertising, solicitation and offers of service made by the institution or by a mandatory for a duration of five years:

(1) the text of the advertising, solicitation or offer of service whether written, audio or video recorded;

(2) if the advertising, solicitation or offer of service is an audio or video recording or contains an image, a copy of the recording or image in a format that allows it to be played or viewed;

(3) the period during which the advertising, solicitation or offer of service was published or broadcast;

(4) if the advertising, solicitation or offer of service was published or broadcast in a language other than French, a French translation of the text prepared by a certified translator;

(5) if the advertising, solicitation or offer of service contains a testimonial, recommendation or opinion, a separate text of the testimonial, recommendation or opinion dated and signed by its author and, if applicable, a French translation of the text prepared by a certified translator;

(6) if the advertising, solicitation or offer of service mentions that a program is recognized for training purposes by a regulatory body of a profession or by a professional association or organization, proof to that effect;

(7) if the advertising, solicitation or offer of service mentions that a program is recognized by the government of a province, territory or country for a particular purpose, proof to that effect.”

**9.** Section 20 is replaced by the following:

“**20.** Every educational service contract or registration form shall contain the following information:

- (1) the complete text of section 14, if applicable;
- (2) the dates of the beginning and end of the contract;
- (3) the information set out in sections 17, 17.1 and 19, except paragraph 8 of section 17.1;
- (4) a list and detailed price breakdown of each accessory service included;
- (5) the complete text of sections 70 to 75 of the Act respecting private education (chapter E-9.1); and
- (6) the text, “The institution undertakes not to assign or sell this contract.”

Such a contract shall also contain a space directly below the text referred to in paragraph 6 of the first paragraph for the client’s signature.”

**10.** Section 21 is replaced by the following:

“**21.** For educational services in vocational training and college level education, the educational service contract or registration form shall contain the following information, in addition to the information provided under section 20:

- (1) a list of the courses offered;
- (2) the nature of the recognition or certification of the studies; and
- (3) the days of the week and the hours during which the program of studies may be dispensed.

In the case of vocational training, the contract or registration form shall also contain the conditions of admission and standards of practice of the professional body involved, if such standards exist.”

**11.** Section 21.1 is amended by replacing “la formule” in the French text by “le formulaire”.

**12.** Schedule A is replaced by the following:

“**SCHEDULE A**  
(s. 6)

INFORMATION AND DOCUMENTS TO BE  
FURNISHED IN SUPPORT OF AN APPLICATION  
FOR THE ISSUE, RENEWAL OR MODIFICATION  
OF A PERMIT

Type of application	Information and documents to be furnished
1. The issue of a permit	1 to 10
2. The renewal of a permit	1.1, 2, 5.2, 6 to 10
3. The modification of a permit:	
a) change of name	1
b) change address	1.1, 2, 3.2, 5.2, 6 to 10
c) addition of a facility	1.1, 2, 3, 5, 6 to 10
d) change in student capacity	1.1, 2, 3.2, 5.2, 6.1, 6.3, 9.3, 9.4, 9.5, 10.1
e) addition of programs or services	1.1, 2, 3.1, 3.2, 4, 5.2, 6.1, 6.3, 7, 9.3, 9.4, 9.5, 10
f) closure of the institution	1, 2

INFORMATION AND DOCUMENTS TO BE  
FURNISHED

1. IDENTITY OF THE APPLICANT, THE  
INSTITUTION AND THE FACILITIES

1.1 Applicant’s name, address, email address and telephone number, as well as the resolution of the board of directors in the case of a legal person or the declaration of the highest authority of the institution certifying the information furnished and authorizing the filing of the application.

1.2 Where the applicant is a legal person,

—the letters patent and, where applicable, a certified copy, certificate of authenticity or certified true copy of the certificate of registration;

—the by-laws of the legal person;

—the list of members of the board of directors, including their name, address, email address and telephone number.

Where the applicant is not a legal person,

—a certified true copy of the original certificate of registration.

1.3 Name and address of the institution.

1.4 Name and address of each facility, if different from the institution.

## 2. PURPOSE OF THE APPLICATION

All or some of the educational services or categories of educational services, as well as the titles and codes of the programs the institution proposes to dispense in each facility at its disposal.

## 3. BASES FOR THE APPLICATION

3.1 Elements and procedures having marked the development of the project.

3.2 Needs to which the institution proposes to respond.

## 4. OBJECTIVES AND ACTIVITIES OF THE INSTITUTION

A description of the general objectives of the institution and, except as regards college level education, the features of its educational project.

## 5. STUDENT POPULATION

5.1 Profile of the student population.

5.2 Student enrollment estimates:

—the estimated number of students in each program or educational service, distinguishing, where applicable, full-time students from part-time students, students enrolled in a program offered in French from students enrolled in a program offered in English, and residents within the meaning of the Regulation respecting the definition of resident in Québec (chapter E-9.1, r. 2) from those who are not such residents;

—the information pertaining to expected changes in student enrollment over the next three school years.

## 6. ADMINISTRATIVE ORGANIZATION

6.1 Administrative structure

—a description of the mandates, duties and responsibilities of the directors and officers;

—the organization chart containing the names of the persons who perform the duties indicated in it;

—for the applicant or permit holder and for each director, shareholder or officer of the institution, a declaration concerning the person's judicial record within the meaning of subparagraph 2 of the third paragraph of section 12.1 of the Act respecting private education (chapter E-9.1).

6.2 Description of the functional links between the various groups of persons involved.

6.3 Human resources:

—the number of staff members in each category and employment group and their qualifications;

—the resume of the officers;

—with regard to preschool, elementary school and secondary school education, for applications for the issue of a permit and applications for the modification of a permit to add a facility and to add programs or services, a list of prospective teachers;

—with regard to college level education, for applications for the issue of a permit and applications for the modification of a permit to add a facility and to add programs or services, the curriculum vitae of the prospective teachers.

## 7. ORGANIZATION OF TEACHING

7.1 Admission policy.

7.2 Language of instruction.

7.3 Teaching approach.

7.4 Distribution of courses and activities for each category of educational services.

7.5 School calendar and student timetable.

7.6 Specific measurement and evaluation policy.

## 8. STUDENT SERVICES

A description of the organizational framework, that is the activities, plan of action and personnel for each of the following services:

—auxiliary services;

—special services;

—other services.

## 9. MATERIAL RESOURCES

9.1 Description of each building or facility and their location.

9.2 Terms of occupancy as owner or lessee and the relevant documents.

9.3 Description of the general or specialized premises for each facility:

—for all premises used by the students, the number of student places, surface area, use and furnishings;

—for science laboratories and, as regards vocational training and college level education, for all premises used by the students, the tools, apparatus and equipment;

—a basic plan or sketch for each facility.

9.4 The student capacity of each facility and, except as regards college level education, for each educational service or category of educational services dispensed in each facility.

9.5 For vocational training and college level education, a description of the instructional material, a list of the software used by the students and the reference documents used to enable the competencies for each program of studies to be achieved.

9.6 For vocational training and college level education, if the programs of studies include internships, provide letters from employers ready to accept or intending to accept trainees, signed by a duly authorized representative, and containing the following information:

—the name, address and Québec business number;

—the name and code of the program of studies involved;

—the terms or school years involved and number of trainees anticipated for each term or school year.

## 10. FINANCIAL RESOURCES

10.1 Budget estimates of the institution presented by category of revenue and expenditures, along with any document demonstrating that the institution will have access to sufficient financial resources to dispense the educational services for which the application is being made.

10.2 The prices charged to students, as prescribed by paragraph 7 of section 17.1.”

**13.** For the period from 1 July 2025 to 30 June 2026, section 7 of the Regulation respecting the application of the Act respecting private education (chapter E-9.1, r. 1) is to be read as follows:

“7. The amount of the fees exigible for an application for the issue of a permit shall be \$715.

The amount of the fees exigible for an application for the modification of a permit shall be \$570, except for an application for a change of name of the institution or one of its facilities.”

**14.** This Regulation comes into force on 1 July 2025.

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