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CHAPTER S-2.1

SCHOOL ACT

CERTIFICATION AND STANDARDS BOARD REGULATIONS

Pursuant to section 147 of the *School Act* R.S.P.E.I. 1988, Cap. S-2, Council made the following regulations:

1. In these regulations

Definitions

(a) "Act" means the *School Act* R.S.P.E.I. 1988, Cap. S-2.1;

Act

(b) "Board" means the Certification and Standards Board established under subsection 2(1);

Board

(c) "Registrar" means the Registrar of the Board appointed under subsection 3(1). (EC236/04)

Registrar

Certification and Standards Board

2. (1) There shall be a Certification and Standards Board which shall make recommendations to the Minister respecting instructional licenses, including the qualifications for, and the classes and categories of licenses, and for authorizations for substitutes for teachers, and non-teaching instructional licenses.

Certification and Standards Board

(2) The Board shall consist of the following members:

Board members

(a) a director of the Department, as chairperson;

(b) one other representative of the Department, as vice-chairperson;

(c) the president of the Prince Edward Island Teachers' Federation;

(d) one other representative of the Prince Edward Island Teachers' Federation;

(e) one representative of each school board;

(f) one representative of the University of Prince Edward Island;

(g) one representative from Holland College;

(h) the Registrar, who shall act as secretary to the Board and who shall not have a vote.

(3) The Minister shall appoint the Board members for a term of three years, except for the member referred to in clause (2)(c).

Term, Board members

(3.1) The president of the Prince Edward Island Teachers' Federation holds office as a Board member during his or her term of office as president.

Term, president of PEITF

(3.2) All Board members may serve subsequent terms on the Board.

May serve subsequently

Quorum	(4) The quorum of the Board shall be 5 voting members.
Board resolutions	(5) Notwithstanding subsection (1), the Board may pass resolutions not directly affecting qualifications, criteria and standards of licensing, that do not require the approval of the Minister. (EC430/97; 236/04)
Registrar	3. (1) The Minister shall appoint a Registrar of the Board, who shall be an employee of the Department.
Duties of the Registrar	(2) The Registrar shall perform the duties delegated by the Minister or required by these regulations. (EC236/04)
Academic Instructional Licenses	
Categories of Academic Instructional Licenses	4. (1) Academic Instructional Licenses shall be divided into the following categories: (a) Permanent Academic Teacher's License; and (b) Interim Academic Teacher's License.
Classes of Instructional Licenses	(2) Academic Instructional Licenses may be further divided into classes by Board policy. (EC430/97)
Courses to qualify	5. (1) Courses recognized for qualification for an Academic Instructional License shall be limited to academic or professional courses offered by Faculties of Arts, Science or Education common to all or most Canadian universities, as determined by Board policy.
Other criteria	(2) The Board may determine other criteria, such as work experience, that must be satisfied for the issue of an Academic Instructional License. (EC430/97)
Permanent Academic Teacher's License	6. The Registrar shall issue a Permanent Academic Teacher's License to an applicant who qualifies under Board policy and who has (a) successfully completed two school years of service with a school board in the province under a probationary or a fixed term contract; (b) executed a permanent contract with a school board in the province; or (c) completed two years of service with (i) a licensed private school in the province; or (ii) an employer approved by the Minister. (EC430/97)
Interim Academic Teacher's License	7. (1) The Registrar may issue an Interim Academic Teacher's License to an applicant who qualifies under Board policy.
Same rights and responsibilities	(2) A person holding an Interim Academic Teacher's License may be employed as a teacher with the same rights and responsibilities as any other teacher under the Act.

(3) A Interim Academic Teacher's License is valid for the period set out in Board policy. (EC430/97) Period of validity

8. The Registrar shall issue an Instructional Non-Teaching License to an applicant who qualifies under Board policy. (EC430/97) Instructional Non-Teaching License

Vocational Instructional Licenses

9. Vocational Instructional Licenses shall be divided into the following categories: Vocational Instructional Licenses

- (a) Permanent Vocational Teacher's License;
- (b) Interim Vocational Teacher's License; and
- (c) Vocational Teacher's Letter of Authority. (EC430/97)

10. The Registrar may approve training and experience that will be recognized for qualification for a vocational license subject to Board policy. (EC430/97) Training and experience as qualification

11. The Registrar shall issue a Permanent Vocational Teacher's License to an applicant who qualifies under Board policy and who has Permanent Vocational Teacher's License

- (a) successfully completed two school years of service with a school board in the province under a probationary or a fixed term contract;
- (b) executed a permanent contract with a school board in the province; or
- (c) completed two years of service with
 - (i) a licensed private school in the province; or
 - (ii) an employer approved by the Minister. (EC430/97)

12. (1) The Registrar may issue an Interim Vocational Teacher's License, to an applicant who qualifies under Board policy. Interim Vocational Teacher's License

(2) A person holding an Interim Vocational Teacher's License may be employed as a teacher with the same rights and responsibilities as any other teacher under the Act. Same rights and responsibilities

(3) An Interim Vocational Teacher's License is valid for the period set out in Board policy. (EC430/97) Period of validity

13. (1) The Registrar may issue a Letter of Authority to an applicant who does not qualify for a Vocational Teacher's License. Vocational Teacher's Letter of Authority

(2) A Letter of Authority is valid for one school year or part of a school year and may be renewed, subject to Board policy, a maximum of three times. (EC430/97) Period of validity

Instructional Administrative Licenses

14. (1) The Board may establish a category of Instructional Administrative Licenses. Instructional Administrative Licenses

Registrar issues	(2) The Registrar shall issue an Instructional Administrative License to an applicant who qualifies under Board policy. (EC430/97)
Substitute Teacher Authorizations	
Substitute Teacher Authorizations	15. The Registrar shall issue an Authorization to Substitute for a Teacher to an applicant who qualifies under Board policy. (EC430/97)
Hearings By The Board	
Hearing respecting refusal to issue a license or an authorization	16. (1) Upon the written request of the applicant, the Board shall hold a hearing to review the refusal of the Registrar to issue a license or an authorization under sections 6, 8, 11, 13, 14 and 15.
Refusal includes issuance of a License at a lower level	(2) A refusal of the Registrar, for the purposes of subsection (1), includes issuance by the Registrar of a License at a level lower than that which had been expected by the applicant.
Time for hearing	(3) An applicant's request for a hearing under this section shall be made not later than 20 working days from the date the applicant received notice of the refusal of the Registrar to issue a license or authorization, which notice of refusal may have been given orally or in writing.
Notice of hearing	(4) The Board shall give the applicant not less than 5 working days notice of hearing under subsection (1), and the notice of hearing shall be served on the applicant personally, or by registered mail which shall be deemed to have been received by the applicant 2 working days after the mailing of the notice.
Board determines procedure for hearing	(5) Except where otherwise provided in these regulations, the Board may determine its own procedure respecting a hearing.
Applicant's right to be heard	(6) The applicant shall have the opportunity to be heard and to be represented by counsel at the hearing.
Board decision	(7) Upon the completion of the hearing, the Board may issue the license or authorization or it may determine that the applicant did not qualify for the license or authorization.
Time for decision	(8) The Board shall render its written decision within 10 working days of the completion of the hearing, and it shall provide copies of its decision to the Minister and to the applicant.
Decision of Board, final	(9) The decision of the Board shall be final and binding upon the parties. (EC430/97)
Miscellaneous	
Form of license	17. Licenses and authorizations shall be in the form determined by the Board. (EC430/97)

18. Notwithstanding any other provision of these regulations, nothing in these regulations derogates from the Minister's powers under the Act to suspend or revoke any instructional license or authorization. (EC430/97)

Nothing derogates from Minister's right to suspend or revoke

19. The provisions of these regulations apply to teachers employed by a school board or by a licensed private school in the province, or teachers employed by an employer approved by the Minister. (EC430/97)

Applies to public and private school teachers