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For more information concerning the history of these regulations, please see the [Table of Regulations](#).

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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.

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; 451/10)
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)
Instructional Licenses	
Instructional licenses	4. A person shall apply to the Minister for an instructional license in the manner and form required by the Minister. (EC430/97; 451/10)
Issuance of instructional licenses	5. Where the Minister issues an instructional license to a person under section 3 of the Act, the Minister may, subject to the recommendations of the Board as approved or varied by the Minister under section 11 of the Act, <ul style="list-style-type: none"> (a) assign a category to the instructional license; (b) assign a qualification level to the instructional license; (c) assign a restricted status to the instructional license where deemed appropriate by the Minister; and (d) assign conditions to the instructional license where deemed appropriate by the Minister. (EC430/97; 451/10)
Upgrades	6. The Minister may, on application by a teacher in the manner and form required by the Minister, assign a new qualification level to the teacher's instructional license, based on the teacher obtaining additional qualifications specified in the recommendations of the Board as approved or varied by the Minister under section 11 of the Act. (EC430/97; 451/10)
Instructional license	7. Subject to section 5, where the Minister issues an instructional license to a person under section 3 of the Act, the instructional license is permanent, and remains in force unless suspended or revoked by the Minister pursuant to the Act. (EC430/97; 451/10)
Transitional	8. A person who holds a valid interim instructional license immediately before the coming into force of this section shall be deemed, as of the date of the coming into force of this section, to hold an instructional license, of the same category and qualification level as the license held immediately before the coming into force of this section, that is permanent and that remains in force unless suspended or revoked by the Minister pursuant to the Act. (EC430/97; 451/10)

- 9.** (1) The Minister may, on application by a teacher in the manner and form required by the Minister, issue a Statement of Professional Standing to a teacher. Statement of Professional Standing
- (2) The Statement of Professional Standing referred to in subsection (1) shall indicate the status, at the time of issuance of the Statement of Professional Standing, of a teacher's instructional license. (EC430/97; 451/10) Indication of status
- 10.** Sections 10 to 14 revoked by EC451/10. (EC430/97; 451/10)
Substitute Teacher Authorizations Training and experience as qualification
- 15.** (1) A person shall apply to the Minister for an authorization to substitute for a teacher in the manner and form required by the Minister. Substitute teacher authorization application
- (2) Where the Minister issues, under section 4 of the Act, an authorization to substitute for a teacher to a person who holds a valid instructional license, the authorization to substitute is permanent, and remains in force unless the authorization to substitute is suspended or revoked by the Minister pursuant to the Act, or, unless the person's instructional license is suspended or revoked by the Minister pursuant to the Act. Substitute teacher authorization with instructional license
- (3) Where the Minister issues, under section 4 of the Act, an authorization to substitute for a teacher to a person who does not hold a valid instructional license, the authorization to substitute expires on June 30 of the school year in which it was issued. (EC430/97; 451/10) Substitute teacher authorization expiry
- Hearings By The Board**
- 16.** (1) Upon the written request of an applicant, the Board shall hold a hearing to review the refusal of the Minister to assign a new qualification level to the applicant's instructional license under section 6. Hearing respecting refusal to assign a new qualification level
- (2) A refusal of the Minister, for the purposes of subsection (1), includes the assignment by the Minister of a qualification level lower than that which had been applied for by the applicant. Refusal includes assignment of a lower level
- (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 Minister to assign a new qualification level, which notice of refusal may have been given orally or in writing. Time for 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. Notice of hearing

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; 451/10)
Miscellaneous	
Form of license	17. Licenses and authorizations shall be in the form determined by the Board. (EC430/97)
Nothing derogates from Minister's right to suspend or revoke	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)
Applies to public and private school teachers	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)
Fees	<p>20. (1) The following fees are prescribed and must be paid for services and documents under the Act and the regulations:</p> <p>(a) For the review of an application for an instructional license by an applicant who received his or her teacher education within Canada, the fee is..... \$100</p> <p>(b) For the review of an application for an instructional license by an applicant who received his or her teacher education outside Canada, the fee is..... 125</p> <p>(c) For the review of an application for an authorization to substitute for a teacher by a person holding a valid instructional license, the fee is..... 50</p> <p>(d) For the review of an application for an authorization to substitute for a teacher by a person who does not hold a valid instructional license, the annual fee is..... 50</p>

(e) For the review of an application for the assignment of a new qualification level of instructional license based on the teacher obtaining additional qualifications, the fee is	50
(f) For an evaluation of qualifications related to a condition imposed on a license, the fee is.....	25
(g) For the review of an application for a Statement of Professional Standing, the fee is.....	25
(h) For a replacement document for any of the above, the fee is.....	10

(2) The fees prescribed under subsection (1) are payable to the Minister of Finance and Municipal Affairs and are to be paid to the Registrar. (EC451/10) Payment of fees