

CONSULTATION DOCUMENT - ENHANCED REGISTRATION FRAMEWORK

Introduction

1. This document sets out the proposed requirements for the registration of private education institutions (PEI) under the enhanced registration regime, which will be made mandatory under the proposed Private Education Bill.

Registration of PEIs

2. PEIs will not be allowed to operate unless they are registered under the proposed Bill, or exempted from registration. The registration of each PEI shall be valid only for such period as may be specified by the Council for Private Education, and the registration of a PEI may be renewed when the preceding registration expires. Terms and conditions of registration may be imposed. The registration fees charged would vary according to the size of the PEI.

3. The duration of the period of registration granted to a PEI at each time may vary, depending on the PEI's compliance with the provisions of the Bill during the preceding registration period.

4. PEIs are required to be natural persons, societies or legal entities (e.g. companies and limited liability partnerships).

5. Applications for new or renewal registration must be made by the manager of a PEI and accompanied by a prescribed fee. Applicants are required to furnish such information as the regulatory authority requires in its application for registration. Where an applicant fails to provide any information or document as required within a specified period of time, his application will be rejected.

6. General reasons to refuse to grant or renew the registration of a PEI will be provided. Possible reasons include the suitability of its premises for use as a PEI, the qualifications and experience of its teachers; the veracity of information furnished in its application; the suitability of managers to manage the PEI; whether the proposed name of the PEI is likely to be misleading, be identical to or resemble the name of another education service provider (whether in Singapore or overseas), or be undesirable or offensive. The regulatory authority may also suspend or cancel the registration of any PEI if the PEI has ceased to provide private education, has ceased to operate, or has breached any of the terms and conditions under which it is registered.

7. A "show cause" process will be instituted where the regulatory authority will give notice in writing of its intention to cancel or refuse to renew the registration of any PEI, and allow the PEI to show cause as to why the regulatory authority should renew or not cancel the registration of the private education institution. Thereafter, the regulatory authority may cancel, suspend, abridge or refuse renewal of registration after show cause proceedings.

Manager

8. Under the proposed Bill, a manager of a PEI includes any person who has control or management of the PEI, and also refers to the following persons:

- a. If the PEI is a private limited company, any director or shareholder will be a manager;
- b. If the PEI is a body corporate (other than private limited company), any director, partner or member of the committee of management, or other similar officer of the body corporate will be a manager;
- c. If the PEI is a sole-proprietorship, the sole-proprietor is the manager;
- d. If the PEI is a partnership, any partner of the partnership will be a manager; and
- e. If the PEI is an unincorporated association (other than a partnership or a sole-proprietorship), any member of the committee of the unincorporated association, or any person holding a position analogous to that of member of a committee will be a manager.

9. Managers are required to fulfill a prescribed set of duties and responsibilities. The regulatory authority can suspend or remove any manager of a registered PEI if he is unsuitable or unable to discharge his duties of a manager.

10. A manager shall have responsibilities such as:

- a. To ensure the keeping of proper records within the premises of the PEI (see Annex A);
- b. To ensure that necessary efforts are made for affected students to complete the enrolled course or a similar one in another PEI in the event of PEI closure;
- c. To furnish information requested by the regulatory authority within stipulated duration. This will include annual submission of requested data and information on the PEI;
- d. To ensure that he/she is contactable by the regulatory authority for matters relating to operations of the PEI;
- e. To inform, within stipulated timeframe, the regulatory authority on the following:
 - i. Any change in name, ownership and control of PEI (within 14 days);
 - ii. Any manager or member of Academic Board or Examinations Board being convicted of a criminal offence (within 14 days);
 - iii. Any legal proceeding of which the PEI is a party of (within 14 days);
 - iv. Intention to cease operations of PEI, including plans on managing affected students (at least 14 days prior to ceasing of operation);
 - v. Any change or addition of new facilities (at least 30 days prior to change); and

- vi. Any change in location (at least 30 days prior to change).
11. A manager of a PEI must not:
- a. Be an un-discharged bankrupt;
 - b. Have any previous criminal conviction; or
 - c. Have been a manager of a deregistered PEI.
12. A manager of a PEI shall be required to declare all his interests in other businesses or companies.

Name of PEI

13. Names of PEIs will be regulated and must:
- a. Denote a place of learning, e.g. “ABC School”, “ABC Learning Centre”;
 - b. Not be liable to be misconstrued as referring to another existing institution (local or overseas) to which the PEI is not affiliated; and
 - c. Not contain any term restricted by the Ministry of Education (MOE) (see Annex B).
14. Names of branches, departments, subsidiaries or any affiliated educational business of the PEI (e.g. ABC School of Business, or a subsidiary or department under ABC institution) will also need to be approved by the regulatory authority.
15. Any subsequent change in the name of a registered PEI must be approved by the regulatory authority. Application for name change comes with a prescribed fee and shall be submitted by the manager of the PEI.
16. The regulatory authority will have the power to direct any PEI to change its name, even after registration, if the name of the PEI:
- a. is likely to mislead members of the public as to the true character or purpose of the PEI;
 - b. is identical to or so nearly resembles the name of another education institution, whether in Singapore or elsewhere;
 - c. is undesirable or offensive;
 - d. is a name of a kind the Minister has by Gazette notification directed the regulatory authority not to accept;
 - e. has been restrained from usage by an injunction granted under the Trade Marks Act.

Premises

17. In order for PEIs to obtain registration, they will be required to have such minimum facilities requirements as the regulatory authority may think it necessary. These requirements will include:

- a. Dedicated administration area and at least one fully partitioned classroom, unless it is purely on-line;
- b. Necessary facilities for proper conduct of its programmes, e.g. science laboratory for science practical lessons; and
- c. Proper physical demarcation (e.g. separate entrance) of the PEI business from other business entity, if there is co-location of different businesses within the same premises.

Academic Board

18. The PEI shall set up an independent academic board with at least 3 members. Its members should:

- a. Have an education qualification which is at least one level above the highest course level offered by the PEI;
- b. Have at least 5 years relevant industry experience related to the course(s) offered by the PEI; and
- c. Not be an undischarged bankrupt;
- d. Not have any previous criminal conviction; and
- e. Not have been a manager of a deregistered PEI.

19. Not more than a third of the members of the academic board shall be either managers or employees of the PEI or its associated organisations.

20. The academic board shall:

- a. Have an accountable and transparent framework for:
 - i. Implementation and review of policy on all academic matters;
 - ii. Development and review of academic quality assurance measures; and
 - iii. Facilitating compliance with its policies and procedures.
- b. Develop a set of standards to ensure academic quality of every course proposed by the PEI, including (but not limited to):
 - i. Coverage of the modules/topics;
 - ii. Duration of the course; and
 - iii. Appropriate entry and graduation requirement.
- c. Approve the teacher to teach the proposed course/module/topic, making sure that the teacher has met the minimum requirement stipulated in the regulations.

21. The deliberations and conclusions of the academic board must be minuted and all records be made available for examination by the regulatory authority.

Examinations Board

22. The PEI shall set up an examinations board whose responsibilities shall be to develop examinations and assessment procedures such as:
- a. Security of examination and answer scripts;
 - b. Conduct of examinations;
 - c. Duties and responsibilities of the invigilators and markers;
 - d. Moderation of marks; and
 - e. Appeals for students when reviewing examination scripts.
23. A member of the examinations board should:
- a. Have an educational qualification which is at least one level above the highest level course offered by the PEI;
 - b. Have at least 5 years relevant industry experience related to the course(s) offered by the PEI;
 - c. Not be an undischarged bankrupt;
 - d. Not have any previous criminal conviction; and
 - e. Not have been a manager of a deregistered PEI.
24. The number of members who are either managers or employees of the PEI or its associated organisations shall not exceed a third of the total number of members in the examinations board.
25. The deliberations and conclusions of the examinations board shall be minuted and all records be made available for examination by the regulatory authority.

Permission to Offer a Course

26. PEI must seek the permission of the regulatory authority before offering a course . As part of the application, PEIs will be required to furnish such information and documents about the courses it will offer, as requested by the regulatory authority within a stipulated time period, or the application will be considered withdrawn.
27. While seeking permission for a new course, a PEI will be required to also update the regulatory authority on the teacher(s) proposed to be deployed.
28. A PEI may be allowed to offer and confer qualifications in its own name, up to diploma (including advanced and post-graduate) level.
29. External degree programmes (EDPs) proposed by PEIs to be offered in Singapore will be assessed based on the following criteria:
- a. "University" status in home country, with the competent authority in the home country willing to recognise the qualification issued by the university for a student studying in an off-shore campus being the same as one issued for a student studying on campus;

- b. Track record of university in home country:
 - i. National ranking in the home country;
 - ii. Age of the university;
 - iii. Track record of conducting EDPs in other countries;
 - iv. Linkage with top-ranked universities, e.g. whether there student exchange programmes with credit transfer or co-development of courses to be taught at both the campuses;
 - v. Student acceptance rate, i.e. the number of students accepted in the university divided by the number of applications;

- c. Oversight by home university. A high level representative of the home university (i.e. Vice-Chancellor or equivalent) will have to:
 - i. Approve the EDP to be run by the local agent;
 - ii. Affirm that the EDP offered here are subject to the same academic approval and assurance process as programmes offered at the home campus;
 - iii. Commit to giving equal recognition, similar to its original campus, to students enrolled here, e.g. same result slips and degree scroll (without name of local partners), eligibility to join its alumni networks, etc.;
 - iv. Commit to issuing and printing the degree in the name of the university from its home campus;
 - v. Ensure that enrolled students are able to continue their studies either at the home campus or at another provider in the event of the local agent defaulting on their delivery;
 - vi. Ensure that the course is taught in a similar language as the similar course in the home country;
 - vii. Commit to adequate and frequent auditing of the PEIs; and

- d. Track record of local PEI.

30. Unless otherwise permitted by the regulatory authority, a PEI should adhere to the following terms (see Annex C) when naming a course to indicate level and/or the type of course offered:

- a. Tuition or Preparatory
- b. Foundation or Certificate
- c. Diploma or Specialist Diploma
- d. Higher Diploma or Advanced Diploma
- e. Graduate or Post-Graduate Diploma / Certificate
- f. Bachelor's

- g. Master's
- h. Doctorate

Course Administration

31. PEIs will need to adhere to obligations and impositions relating to course and academic administration. In conducting a course, a PEI shall ensure the following:

- a. Courses that have been permitted by the regulatory authority are delivered and conducted in accordance with the schedule drawn up by the PEI and communicated to the students enrolled in the permitted courses;
- b. Course content does not consist of anything that is obscene, or against public interest;
- c. Sufficient and appropriate facilities for the conduct of the course;
- d. Be responsible for helping students register for external examinations which it prepares its students for;
- e. Not to enrol a student into a course which has already started without the written agreement of the student; and
- f. Collection of course fee corresponding to a maximum of one year of study; and
- g. Contractual agreements (without clauses to make changes to the terms and conditions) with the students should provide the following information:
 - i. Course schedule listing modules/subjects that will be taught;
 - ii. Start and end dates of each intake/course;
 - iii. Scheduled holidays for each intake/course;
 - iv. Examination (internal or external) and/or assignment dates for each intake/course;
 - v. All results and certificates should be released within 3 months upon completion of the final examinations and/or assignments of the course;
 - vi. All fees and date/schedule for collection to be listed;
 - vii. Fees collected beyond the current semester (not more than 6 months) are to be refunded in full when the students withdraw or have been expelled from the course; and
 - viii. For a foreign course, i.e. a course offered by a foreign education provider through local partner, all results and certificates shall be issued by the foreign course providers.

Teachers

32. PEIs are required to notify the regulatory authority of teachers and their particulars before deploying them to teach. A PEI shall update the regulatory

authority at least 7 days before the actual deployment of a teacher. A PEI shall ensure the following when deploying a teacher to teach a course/module/subject:

- a. Authenticity of qualifications. Degrees should be recognised by education authorities in home countries, or from publicly funded local institutions. For qualifications of diplomas and below, they must be registered by education authorities in home country, or from publicly funded local institutions.
- b. Suitability of qualifications. For teachers to be suitably qualified, they must meet either of the following
 - i. A higher qualification in the same field as the programme/modules/subjects being taught;
 - ii. A qualification in the same level and field as the programme/modules/subjects being taught, and has 5 or more years of relevant working experience; or
 - iii. A higher qualification in a different field as the programme/modules/subjects to be taught, and has 3 or more years of relevant working experience,and
- c. Have a minimum relevant language ability at O level or its equivalent qualification.

33. All details and necessary documents (copy of NRIC/Passport, qualification certificates, documentary proof of previous experience, etc.) of teachers deployed must be made readily available at all times.

34. A registered PEI may be directed to cease the deployment of a teacher if this person is found to have contravened any of the requirements stipulated or has misconducted himself in the course of teaching at the PEI.

Disclosure

35. PEIs will be required to publicly disclose information in prescribed form and manner. Under this provision, the information that a PEI shall display for easy public access include the following:

- a. Registration number;
- b. Registered address, or addresses if it operates from more than one location;
- c. Photographic, or video, representation of its registered premises;
- d. All facilities that it provides, including the number of registered classrooms and the individual area or capacity;
- e. Names of all managers
- f. Organisation structure with names of officers heading the PEI and all departments;

- g. All permitted course names, and the modules/subjects titles covered, that it offers, and the teachers (indicate part or full-time employment) deployed to teach them;
- h. Detailed information on permitted courses, which includes internal or external examinations, number of intakes, course start and end date, total course duration and hours (indicate classroom, self-study , theory and/or practical lessons, and/or project/assignment hours), entry and graduation requirements (assignment, project, and or examination based), industrial attachment (indicate duration), etc;
- i. Average teacher/student ratio for each course/class;
- j. All fees for each course;
- k. All academic and examination policies and procedures endorsed by the respective boards; and
- l. Any other information which the regulatory authority may require from time to time.

36. PEIs will be required to update the information contained in paragraphs 35a. to l. above within 14 days upon occurrence of any changes.

Advertisement and Publication

37. Any advertisement relating to a PEI and its courses which is false or misleading is prohibited. The prohibition will extend to advertisements published, circulating or for reception outside of Singapore.

38. A PEI shall not advertise or publicise itself and/or its course(s) until it has been duly registered, and its course(s) permitted, by the regulatory authority.

39. A PEI shall only use the term “registered” in its advertisements or publications. It is not allowed to use any of the following words:

- a. Approved;
- b. Accredited;
- c. Endorsed;
- d. Supported;
- e. Validated; or
- f. Any other words with similar meaning.

40. A PEI shall ensure that all its advertisements include the following:

- a. Registered name, or associated organisations/departments (if applicable); and
- b. Registration mark (with correct specifications), and registration number assigned by the regulatory authority.

41. Advertisement and publication of courses shall only bear the names of courses permitted by the regulatory authority.

42. For a course offered by a foreign institution through the local PEI, it should be stated as such. The name of a foreign institution should not appear in an advertisement, other than in the title of its course as stated in 46(a), so as to prevent the misleading impression that the institution is based in Singapore.

43. The following are some examples:

a. Foreign institution developed and awarded courses should include the following:

- i. Name of the institution;
- ii. Home country of the institution in bracket; and
- iii. Name of the course.

E.g. LCCI's (UK) Diploma in Financial Management, Newcastle University's (Australia) Bachelor of Business, University of Maryland's (USA) Masters in Business Administration

b. PEI self-developed and awarded courses should include the following:

- ii. Name of the institution; and
- iii. Name of the course.

E.g. ABC Business School's Advanced Diploma in Business

c. Preparation courses for external examinations should include the following:

- Word "Preparatory" or "Tuition" preceding the course title;
- Name of the institution; and
- Name of the course.
- eg. Preparatory programme for UOL's (UK) Bachelors in Business, Tuition for Cambridge's GCE O Level – English

44. A PEI shall not display the name of a foreign institution in any form at its premises, other than in the title of the course that it offers.

45. Any person, including student agent, responsible for the issue or publication of false and misleading advertisement will be directed to cease or correct the erroneous advertisement at his own cost and expense.

Requisition for Information

46. A requisition in writing may be issued to any person to furnish information relating to any matter under the registration framework. Such a requisition may specify the form in which and the time within which the particulars or information are to be furnished; and the place or manner at or in which the particulars and information are to be delivered.

47. Under such a provision, a PEI will need to submit the following information annually:

- a. List of permitted courses offered and/or conducted
- b. List of members of the Academic Board for the reporting period, making note of members who have resigned or who have joined since the last annual update;
- c. List of members of the Examinations Board for the reporting period, making note of members who have resigned or who have joined since the last annual update;
- d. List of teachers employed and deployed;
- e. Student numbers (broken down by local and foreign (on student passes) students);
- f. Audited financial figures (profit or loss, and net assets or liabilities); and
- g. Any other information as directed by the regulatory authority.

Records to Be Kept

The required records to be kept includes, but not limited to, the following:

1. Details of all current courses
 - a. Duration
 - b. Start Date
 - c. End Date
 - d. Fees
 - e. Payment scheme
 - f. Learning outcomes
 - g. Syllabus
 - h. Time-table
 - i. Attendance records

2. Details of all teachers deployed, full- or part-time, within the past 24 months regardless of period of employment
 - a. Photocopy of NRIC / Passport
 - b. Copies of academic certificates and transcripts
 - c. Copies of academic certificates and transcripts
 - d. Resume
 - e. Employment contract and/or payment records for teachers.

3. Details of all current and past Managers
 - a. Photocopy of NRIC / Passports
 - b. Resume
 - c. Records of business ownerships
 - d. Copies of Manager Declaration forms

4. Details of all current and past members of academic board and examinations board
 - a. Photocopy of NRIC / Passports
 - b. Copies of academic certificates and transcripts
 - c. Resume

5. Documents relating to the setting, reviewing, and implementing of the policies and procedures for courses and examinations endorsed by the academic, and examinations Board
 - a. Minutes of meetings
 - b. Policy papers
 - c. Standard Operation Procedures and workflows

6. Contracts with students
 - a. All contracts with current students
 - b. All contracts with past students, graduated in the last 24 months

7. Copies of all advertising and publicity material used by the PEIs in the past 24 months
 - a. Records of banners and posters larger than A3 size can be kept in the form of photographs

8. Details of student results
 - a. All current and past students' results
 - b. Assignment and examination scripts for all current students
 - c. Assignment and examination scripts for all past students graduated in the last 24 months.

Restricted Words and Phrases in Names of PEIs

1. Singapore
2. National
3. University
4. Polytechnic
5. Primary school
6. Secondary school
7. Junior college
8. Conservatory
9. Institute of Technical Education
10. Any word or phrase containing, or designed to mimic the appearance or import, any number of any of the above
11. Such other words as may be prescribed from time to time

Definition of Course Level/Type

Principle

1. A course should:
 - a. be accurate as to its character and purpose;
 - b. reflect differing ability types at each level; and
 - c. have different entry requirements, which includes clear specifications of language, academic and/or working experience.

Tuition or Preparatory courses

2. A tuition or preparatory course is one which provides support to students who are currently studying for a particular course, or prepares students for a specified external examination.

Foundation course

3. A foundation course is one which provides students with basic knowledge and skills for a post-secondary level course of specialised studies, either at certificate, diploma or degree level. This next course of study should be specified.

Certificate course

4. A post-secondary level course which awards a qualification at the certificate level should teach students to:-
 - a. know basic skills and knowledge and apply them under direct supervision; and
 - b. work with a basic level of competence in jobs directly related to the subject.

Diploma or Specialist Diploma

5. A post-secondary level course which awards a qualification at the Diploma level should teach students:
 - a. A range of knowledge, skills and understanding as well as the ability to conduct self-directed learning and application of lesson to everyday situation; and
 - b. Knowledge and skills suitable for jobs requiring a level of supervision and training of colleagues or for progression to a higher level of studies.

Higher Diploma or Advanced Diploma

6. A post-secondary level course which awards a qualification at the Higher or Advanced Diploma level should teach students:
 - a. Specialised knowledge and skills and enable them to perform detailed analysis of information in their jobs or for further studies; and
 - b. Specialised knowledge and skills in order to manage and train their colleagues in specialised professions relating to the subject.

Graduate / Post-Graduate Diploma or Certificate

7. A post-secondary level course which awards a qualification at the Graduate / Post-Graduate Diploma or Certificate course should teach students:
 - a. Specialised knowledge and skills which will enable them to develop theories and apply research to their own theories on the subject area
 - b. Specialised knowledge and skills that will enable people working at management levels to develop strategies to address complex issues at work.