

**Brand-Use Eligibility and Authorization Policy
for the EduCanada: A world of possibilities / Un monde de possibilités¹ Brand²**



EduCanada<sup>TM
MC</sup>
A world of possibilities
Un monde de possibilités

¹ For ease of reference, “EduCanada: A world of possibilities / Un monde de possibilités” will appear in the abridged form “EduCanada” throughout this policy.

² Global Affairs Canada (GAC) and the provinces and territories, through the Corporation of the Council of Ministers of Education, Canada (CCMEC), reserve the right to revise, amend, and interpret this document as required, with consideration given to relevant provincial/territorial policy and/or legislative changes that may come into effect.

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DEFINITIONS

1. **Brand:** The “brand” refers to the trademark reproduced in Attachment A of this policy.
2. **Brand-eligible institutions:** Institutions that provide assurance of high-quality education as established by the criteria outlined in the Brand-Use Eligibility and Authorization Policy and as determined by provincial/territorial governments. Brand-eligible institutions may attend federally sponsored events abroad within the Canadian pavilion at a multinational event or Canada-only events.
3. **Brand-authorized institutions/nongovernmental organizations (NGOs):** Institutions and education-sector NGOs that meet the criteria for brand eligibility and have applied and been authorized by the Corporation of the Council of Ministers of Education, Canada (CCMEC), to use the brand through a mandatory process that includes brand training and the signing of a brand sub-licence contract. Brand-authorized institutions/NGOs may, in addition to attending federally sponsored events abroad, use the brand logo on their own materials as well.
4. **Nongovernmental organizations:** For the purpose of this policy, an NGO is an association of educational institutions. It also includes non-profit cooperative associations established to promote the expertise in education and training of one or more provinces or territories.
5. **The Master Licence Agreement:** The main link between Global Affairs Canada (GAC) and CCMEC (on behalf of provinces and territories) for conducting the operational activities of the international education brand for Canada. The Master Licence Agreement facilitates, among other matters, the granting of sub-licence contracts to Canadian educational institutions and NGOs.
6. **The sub-licence contract:** The key operational link between CCMEC and Canadian brand-authorized institutions and NGOs. Given the need to protect the brand identity, all eligible institutions and NGOS must have written authorization in the form of the appropriate sub-licence in order to use the brand.
7. **Sub-licensee:** Any educational institution or nongovernmental organization that has been granted a sub-licence by CCMEC to use the trademark and/or to distribute materials that reproduce the trademark in accordance with the terms and conditions of a sub-licence contract.
8. **International Student Program (ISP):** On June 1, 2014, Immigration, Refugees, and Citizenship Canada (IRCC) implemented new federal regulations regarding study permits for international students. The overall objective of these regulations is to strengthen the integrity of Canada’s immigration program by explicitly requiring study-permit holders to actively pursue their studies, reducing the number of potentially spurious educational institutions with unreliable quality-assurance mechanisms hosting study-permit holders,

and facilitating the entry into Canada of those foreign nationals that sincerely wish to obtain a Canadian education.

9. **Third-party service provider:** A third-party service provider is an organization hired to provide services and logistical support for an event organized/supported by the federal, provincial, and/or territorial governments.

1. PURPOSE

1.1. Showcase excellence of education in Canada

1.1.1. Governments³ must exercise due diligence in order to reinforce the message of the excellence of education in Canada and to avoid any misuse or abuse that would tarnish Canada's reputation in the international education community.

1.1.2. While understanding that an education brand has maximum impact when it is used by a large number of institutions, the purpose of this policy is to ensure that only institutions that provide assurance of high-quality education, and the organizations that represent them, are eligible to apply for authorization to use the brand.

1.2. Partnership between the federal government and provincial and territorial governments

1.2.1. The revised 2018 Brand Use Eligibility and Authorization Policy is intended to give effect to the broad outline of the partnership between the federal government and provincial and territorial governments in respect of the brand, and is further to the exchange of letters between then-Chair of the Advisory Committee of Deputy Ministers of Education (ACDME), John Kershaw (May 9, 2008), and then-Deputy Minister of International Trade, Marie-Lucie Morin (August 22, 2008).

2. PRINCIPLES

2.1. High quality is integral

2.1.1. The high quality of the educational services offered by institutions in Canada is an integral part of the identity conveyed by the EduCanada brand. For the brand to be effective in terms of marketing, and to communicate the excellence of Canada's education sector internationally, the brand should provide assurance to other countries and prospective students that:

- a. the institutions using the brand consistently offer high-quality educational programs and are subject to any applicable quality-assurance mechanisms that monitor adherence to recognized provincial, territorial, pan-Canadian, and international standards of quality and practice, including the *Canadian Degree Qualifications Framework* (CMEC), the *Procedures and Standards for Assessing New Degree-Granting Institutions* (CMEC), the *Guidelines for Quality Provision in Cross-border Higher Education* (OECD/UNESCO), and those

³ "Governments" refers to the federal government, represented by GAC, and to provincial and territorial governments, represented by CCMEC. EduCanada is a protected trademark that supports the educational offerings of provinces and territories at the international level. This brand is the property of GAC and is the product of a partnership between GAC and the provinces and territories of the Council of Ministers of Education, Canada (CMEC). The brand is licensed to the provinces and territories through CCMEC by an official Master Licence Agreement. Any unauthorized reproduction is prohibited.

quality-assurance mechanisms recognized by provinces and territories;

- b. the institutions using the brand deal with international students in accordance with generally recognized norms of practice. Such norms can cover, for example, truthful advertising, ensuring a clear study path, offering quality student support and services, having a risk-management policy, having a clear tuition-refund policy, and communicating with students; and
- c. given the need to protect the integrity of the brand, only institutions that have obtained authorization from their respective provincial or territorial governments, completed the necessary brand training, and signed the sub-licence contract will be permitted to use the brand.

3. ELIGIBILITY OF GOVERNMENTS AND OF CMEC

Federal and provincial/territorial governments and their respective ministries, departments, and agencies, as well as CMEC, are authorized to use the brand. All governments must use the brand in a manner that reflects the EduCanada brand standards.

4. ELIGIBILITY OF EDUCATIONAL INSTITUTIONS

4.1. Use of the brand

The use of the brand by any institution or school, as defined below, is subject to provincial/territorial approval.

- a. Postsecondary institutions (public or private) that are designated by provinces and territories for the International Student Program (ISP) and thereby authorized to host international students, have been subject to a quality-assurance regime or other relevant legislation recognized or mandated by a provincial or territorial government, and provide assurance of consumer protection and a standard of practice in the treatment of students are brand-eligible;
- b. Private degree-granting postsecondary institutions specifically authorized to offer degrees under a provincial or territorial government-recognized process that includes quality assurance; where the authorization is specific to the degree program rather than to the institution in its entirety, eligibility to use the brand will also be specific to the program;
- c. Public school boards or districts funded by and accountable to provincial/territorial governments;
- d. Independent and/or private elementary and secondary schools-in Canada that are authorized and/or certified to deliver provincial/territorial curricula;

- e. For the purposes of this article, CMEC and certain provincial/territorial governments recognize the accreditation of Languages Canada. Any language-training institution that is accredited by that organization is eligible to apply for a sub-licence, provided that it has obtained approval from its provincial or territorial government. A province/territory may impose its own quality-assurance or consumer-protection mechanisms as a substitute for, or in addition to, the Languages Canada accreditation at any time.

5. AUTHORIZATION OF NONGOVERNMENTAL ORGANIZATIONS (NGOs)

For the purpose of interpreting this policy, the brand-authorization requirements for three types of organization—pan-Canadian NGOs, regional NGOs, and provincial/territorial NGOs—are defined here.

5.1. Three types of NGO

5.1.1. Pan-Canadian NGOs

A pan-Canadian NGO is an entity that includes educational institutions from two or more provinces and/or territories.

5.1.2. Regional NGOs

A regional NGO is an entity that includes educational institutions from two or more provinces or territories and is located in the same geographical area.

5.1.3. Provincial/territorial NGOs

A provincial or territorial NGO is an entity whose educational institutions are all from a single province or territory and whose headquarters are located in the province or territory granting eligibility.

5.2. Application requirements for NGOs

To apply for authorization to use the brand and therefore be able to participate in branded events, NGOs must:

- a. provide a list of voting members and demonstrate that all of its members are brand-eligible in the province/territory in which they reside;
- b. provide a legal charter of its operations and a calendar of its General Assembly;
- c. provide a document approved by the board of directors that demonstrates its intent to engage in promotional activities targeting international students;

- d. produce and distribute an annual report and audited financial statement; and
- e. submit a copy of its audited financial statements from the past two years.

5.3. Exception for NGOs

An NGO that does not fully meet the above criteria may submit an application for access to the brand. Such an application will be reviewed on an extraordinary, flexible-time basis by the Federal-Provincial Consultative Committee on Education-Related Activities (FPCCERIA), relying on the NGO's overall application materials.

5.4. Application submissions for NGOs

Applications from all NGOs must be sent to the CMEC Secretariat.

6. SUMMARY OF BRAND-ELIGIBILITY CATEGORIES

6.1. Institutions

6.1.1. Non-brand-eligible institutions

Institutions that do not meet the criteria for eligibility under the terms of this policy.

6.1.2. Brand-eligible but non-brand-authorized institutions

Institutions that meet the criteria for eligibility under the terms of the policy but are not authorized to access the brand. This may occur for any number of reasons, including:

- a. institution has not requested authorization to use the brand;
- b. institution does not yet meet the requirements for accessing the brand (such as mandatory training or signing a sub-licence contract);
- c. institution is precluded from authorization to use the brand by government decision (examples of this might include a province or territory excluding certain institutions from access, or the federal government removing institutional access due to inappropriate actions of the institution abroad);
- d. institution's brand authorization has been revoked for reasons such as a breach of the terms and conditions of the sub-licence contract.

6.1.3. Brand-eligible and brand-authorized institutions

Institutions that meet the criteria for eligibility under the terms of the policy and have applied and been authorized by CMEC to use the brand.

6.2. Authorization of nongovernmental organizations (NGOs)

Pan-Canadian and/or regional or provincial/territorial NGOs must apply to access the brand in accordance with the procedure outlined in this policy.

6.2.1. Brand-authorized NGOs

NGOs that meet the requirements and have been approved in accordance with this policy have to complete mandatory brand training and sign a sub-license contract to become brand-authorized by CMEC.

7. **PROCESSES AND CONDITIONS OF BRAND AUTHORIZATION BY GOVERNMENTS**

7.1. For educational institutions

7.1.1. An educational institution that meets the conditions outlined in section 4 is eligible to apply for authorization to use the brand by submitting a request to the CMEC Secretariat at educanada@cmecc.ca, with the name of the institution and a contact person or persons clearly identified.

7.1.2. Upon receipt of the application, the CMEC Secretariat will verify the eligibility of the institution against the relevant provincial/territorial list and ensure that the representative(s) of the applicant institution have undergone the required training on the brand's technical guidelines. If the institution is eligible, has one or more representatives trained in the use of the brand, and has signed the requisite sub-licence contract, the CMEC Secretariat will deem the institution authorized to use the EduCanada brand.

7.1.3. On January 1 of each year, each province/territory must submit to the CMEC Secretariat its list of eligible institutions that meet the requirements of both the Brand-Use Eligibility and Authorization Policy and its own policy related to brand eligibility. (In some cases, authorization from the relevant province or territory will also be required.)

The CMEC Secretariat will share the lists provided by provinces/territories with GAC and publish these on the EduCanada brand extranet at www.extranet-educanada.ca. Notwithstanding the yearly update process stipulated here, provincial and territorial governments are encouraged to update their respective brand-eligibility lists throughout the year in coordination with the CMEC Secretariat.

7.1.4. Only institutions identified on their respective provincial/territorial brand-eligibility lists may be authorized to use the brand.

7.1.5. Provinces and territories are encouraged to distribute information about brand-training sessions to eligible institutions, especially when these institutions become brand-eligible. The federal government is encouraged to distribute brand information to

institutions and NGOs participating in its promotional events.

7.1.6. Brand-eligible and brand-authorized institutions that engage in inappropriate actions (as outlined in the *Canadian Code of Advertising Standards*, the respective regulations and policies of the provinces and territories, and, for brand-authorized institutions, in the EduCanada sub-licence contract) that may tarnish the reputation of Canada abroad or that do not abide by the sub-licence conditions may be subject to revocation of their brand eligibility and/or their sub-licence at any time at the request of either the federal government representative, the CMEC Secretariat representative, or the provincial/territorial government representative. (The term of revocation will be at least one year, after which the institution may reapply to the relevant province/territory for brand eligibility.)

7.2. For education-sector NGOs

7.2.1. An education-sector pan-Canadian, regional, or provincial/territorial NGO that meets the requirements outlined in section 5.2 is eligible to apply for authorization to use the brand by submitting a request to the CMEC Secretariat at educanada@cmecc.ca, along with the names of the NGO and a contact person clearly identified.

7.2.2. Applications from an education-sector pan-Canadian or regional NGO are analyzed by the CMEC Secretariat on the basis of the supporting documentation supplied (see section 5.2. Application requirements for NGOs).

The CMEC Secretariat's analysis is then sent to members of FPCCERIA for decision. FPCCERIA may also set conditions of brand use for pan-Canadian or regional NGOs. The CMEC Secretariat is responsible for transmitting the decision to the pan-Canadian or regional NGO.

7.2.3. Applications from an education-sector provincial/territorial NGO are analyzed by the relevant province/territory on the basis of the supporting documentation supplied (see section 5.2. Application requirements for NGOs).

The province/territory is responsible for sharing its decision with FPCCERIA members, who may, if they wish, submit their comments to the relevant province/territory within 25 days. The province/territory may consider these comments. The province/territory is responsible for transmitting the decision to the CMEC Secretariat for operationalization and to the provincial/territorial NGO applicant.

7.2.4. Brand-authorized NGOs that engage in inappropriate actions that may endanger the reputation of Canada abroad or that do not abide by the sub-licence conditions may be subject to the revocation of their brand eligibility and/or their sub-licence at any time at the request of either the federal government representative, the CMEC Secretariat representative, or the provincial/territorial government representative. This revocation will be in place for one year.

7.3. Third parties

While brand-authorized institutions may choose to work with third parties such as agents and recruiters, the brand-authorized institutions are ultimately responsible for ensuring that those acting in their name or representing them abroad are in compliance with the brand principles and guidelines.

8. PARTICIPATION IN PROMOTIONAL EVENTS

8.1. Types of events

8.1.1. While there are many different types of events that may fall under this section (e.g., fairs, forums, expositions, conferences, trade shows, round tables), all broadly fall into two categories for the purposes of interpreting this policy: Canada-only events and multinational events.

a. Canada-only events

Canada-only events are events organized by GAC/missions abroad that showcase the brand, including education fairs where the logistics may be outsourced to a third-party service provider.

With respect to Canada-only events, the following applies:

Each Canada-only event must have a branded area (which includes signage indicating inclusion in the EduCanada brand) and, if applicable and feasible, an area in which elements of the brand are not present. Institutions, provincial/territorial governments and NGOs may request to participate outside of the Canada Pavilion.

b. Multinational events

Multinational events are events where numerous countries are represented, and Canada—either through the coordination of the federal government, or the collaboration of provinces and territories, or both—organizes a pavilion within the larger fair that showcases the brand. Examples of multinational events include the Association of International Educators (NAFSA) conference and the China Education Expo (CEE) recruitment fair.

With respect to multinational events, the policy applies only to institutions' eligibility to be located within the branded "Canada Pavilion." Institutions, provincial/territorial governments and NGOs may choose to participate outside of the Canada Pavilion.

8.2. Participation in branded events

8.2.1. Educational institutions that have been granted brand authorization may participate in both Canada-only events and in the branded Canada Pavilion at multinational events.

8.2.2. Non-brand-eligible institutions may not participate in Canada-only events or be located in the branded Canada Pavilion at multinational events unless there is clear and written consent from the province/territory in which the institution is located.

8.2.3. Brand-eligible but non-brand-authorized institutions that have not requested authorization to use the brand or have not met the requirements to access the brand (such as brand training) may participate in Canada-only events and be located in the branded Canada Pavilion at multinational events.

8.2.4. Institutions or NGOs whose brand access has been revoked for reasons such as a breach of the terms and conditions of the sub-licence contract may not participate in Canada-only events or be located in the branded Canada Pavilion at multinational events.

8.2.5. Private schools authorized to use the curriculum of a province/territory outside of Canada are eligible to participate in Canada-only events but will be located in a separate area.

These schools can participate in multinational events but cannot be located inside the branded Canada Pavilion at multinational events.

8.2.6. Companies offering services or goods that would promote, facilitate, and/or attract international students to an educational institution in Canada may participate in Canada-only events as sponsors but shall be located separately in a non-branded area. Preference will be given to Canadian companies.

8.2.7. An eligible institution or an authorized NGO that wishes to designate an education agent or consultant to participate on its behalf in Canada-only events and/or be located in the branded Canada Pavilion at multinational events must sign the *Terms and Conditions for the Participation of an Education Agent/Consultant in a Branded Event* provided by GAC. (Visit <https://www.extranet-educanada.ca/portals/public-en/#page/policy>.)

8.2.8. GAC, including missions abroad, must use the brand at all Canada-only events and in branded Canada Pavilions at multinational events and do so in accordance with the EduCanada Brand Standards. GAC, including missions abroad, must also ensure that all promotional materials—such as ads, portable banners, photos, presentation materials, etc.—used at these events or in other activities where Canada is promoted as

a study and research destination and partner are produced in accordance with the EduCanada brand standards.

All provincial and territorial governments, brand-authorized organizations, and brand-eligible institutions are encouraged to make full use of the brand in order to maximize its profile and visibility and thereby increase Canada's attractiveness as a study and research destination and partner.

8.2.9. These distinctions apply only to services provided in the context of the brand-eligibility policy and do not necessarily apply to other services provided by the Trade Commissioner Service. Institutions that are not eligible to take part in Canada-only events or to be located in the branded Canada Pavilion at multinational events organized by the Government of Canada may still be eligible to receive other services provided by GAC.

9. GOVERNMENTS' RIGHTS

9.1. Federal and provincial/territorial governments

Federal and provincial/territorial governments have the right to:

- a. refuse to authorize an eligible institution, NGO, or third party to use the brand;
- b. withdraw an institution from the eligibility list at any time due to inappropriate actions of the institution in Canada or abroad;
- c. withdraw authorization to use the brand from an eligible and previously authorized institution, NGO, or third party for reasons such as a breach of the terms and conditions of the sub-licence contract;
- d. place conditions of use upon an authorized institution, NGO, or third party;
- e. refuse to allow an eligible institution to participate in the kiosk of the province or territory within a Canada Pavilion as part of a Canada-only or multinational event.

Brand



Trademark as it appears in trademark application 1774481