

Regulating Private Career Colleges in Ontario – Protections for International Students and the Shift to Enforcement



Presentation to the ACISI

May 5, 2010

Overview of the PCCA, 2005

- Proclaimed September 18, 2006
 - The Act outlined strengthened requirements for Private Career Colleges (PCCs) in the areas of registration, program approvals, fee collection, tuition fee refunds, student contracts, financial security, instructional staff, advertising and compliance measures.
 - Currently there are two regulations made under the Act, a General Regulation (O. Reg.415/06) and a Training Completion Assurance Fund Regulation (O. Reg.414/06).



International Students

- **Who is an “international student?”**
 - "international student" means a student at a private career college who applied for or received a temporary resident visa as a member of the student class under the Immigration and Refugee Protection Act (Canada); ("étudiant étranger")
 - “prospective international student” means a person who is required to apply for and receive a temporary resident visa as a member of the student class under the Immigration and Refugee Protection Act (Canada) in order to enrol at a private career college. (“étudiant étranger éventuel”)



International Students

- ❑ **Collecting Fees Before Contract is Signed**
 - ❑ PCCs may collect 20% of the total fees for the vocational program, to a maximum of \$500, for application processing, admissions testing or applicant assessment before entering into a contract with a student for the provision of a vocational program.

- ❑ **International Student Fees**
 - ❑ A new category of “International Student Fees” has been established. Any fees that are specific to international students will be included here.
 - ❑ PCCs may only collect up to 25% of the total fees for a vocational program from an international student (after a contract is signed) before the student starts the program.

International Students

□ Fee Refunds for International Students

- As with domestic students, international students can cancel a contract or withdraw from a program for any reason and any written notice of cancellation or withdrawal delivered to the PCC is acceptable.
- In addition, if a PCC receives notice that an international student has been denied a study visa before 50% of a program has been delivered, these students are entitled to a full refund of fees paid minus 20% of the total fees for the program to a maximum of \$500. All refunds to international students must be paid in Canadian dollars.



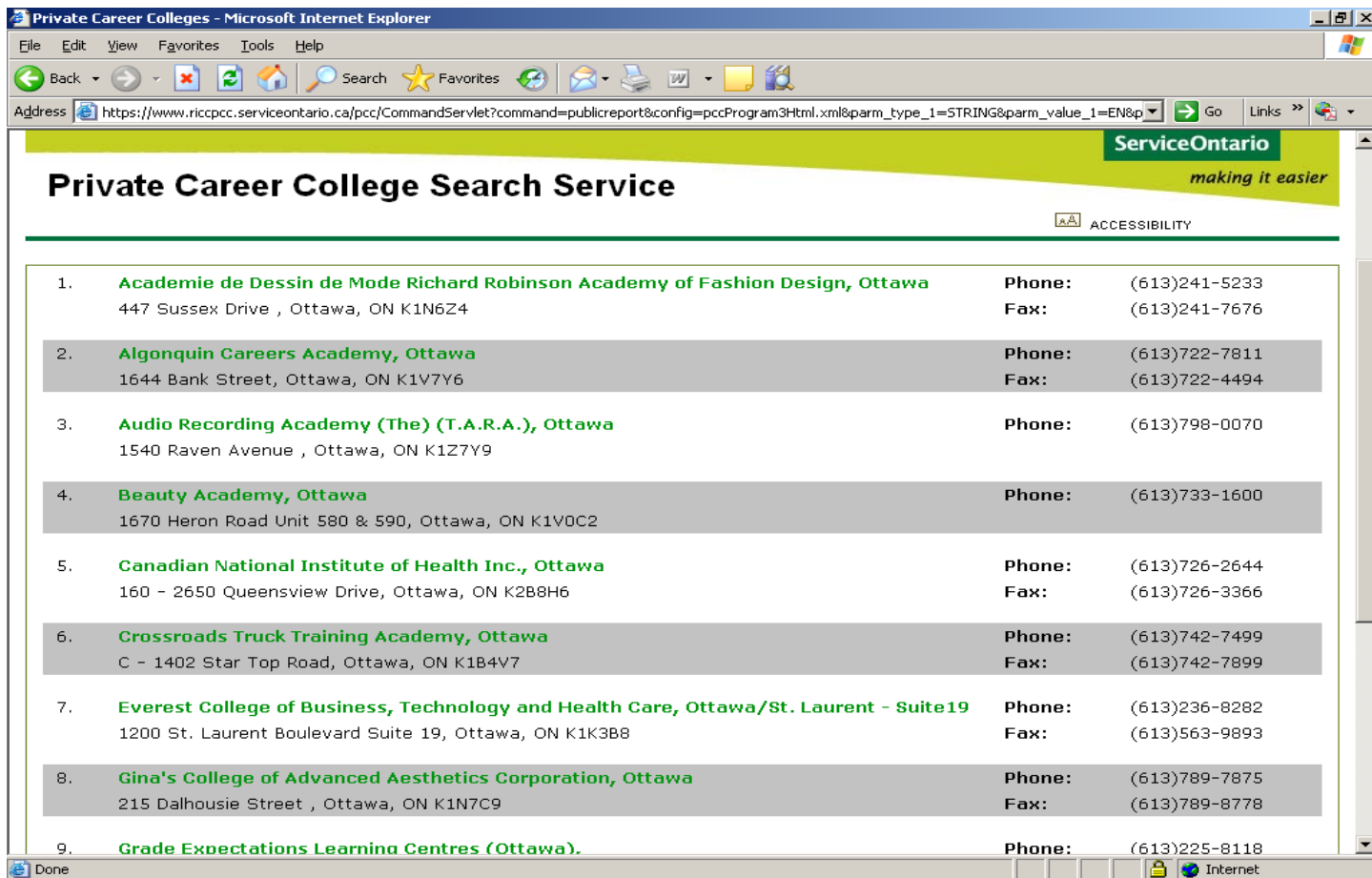
International Students

□ **Trust Accounts**

- Trust account to hold fees paid by international students is mandatory if:
 - A PCC applying for renewal of registration had more than 50% percent international students in the previous year
 - The Superintendent determines that a PCC applying for registration is likely to have more than 50% international students in its first year of operation
 - At any time, a PCC has been advised by the Superintendent that he/she has reasonable grounds to believe that international students at the PCC would be at risk of not receiving required refunds.

Service Ontario

- MTCU maintains a real-time, online registry of registered PCCs and their approved programs at www.ontario.ca/pcc



Private Career Colleges - Microsoft Internet Explorer

Address: https://www.ricccpcc.serviceontario.ca/pcc/CommandServlet?command=publicreport&config=pccProgram3Html.xml&parm_type_1=STRING&parm_value_1=EN&parm_value_2=EN&parm_value_3=EN&parm_value_4=EN&parm_value_5=EN&parm_value_6=EN&parm_value_7=EN&parm_value_8=EN&parm_value_9=EN&parm_value_10=EN&parm_value_11=EN&parm_value_12=EN&parm_value_13=EN&parm_value_14=EN&parm_value_15=EN&parm_value_16=EN&parm_value_17=EN&parm_value_18=EN&parm_value_19=EN&parm_value_20=EN&parm_value_21=EN&parm_value_22=EN&parm_value_23=EN&parm_value_24=EN&parm_value_25=EN&parm_value_26=EN&parm_value_27=EN&parm_value_28=EN&parm_value_29=EN&parm_value_30=EN&parm_value_31=EN&parm_value_32=EN&parm_value_33=EN&parm_value_34=EN&parm_value_35=EN&parm_value_36=EN&parm_value_37=EN&parm_value_38=EN&parm_value_39=EN&parm_value_40=EN&parm_value_41=EN&parm_value_42=EN&parm_value_43=EN&parm_value_44=EN&parm_value_45=EN&parm_value_46=EN&parm_value_47=EN&parm_value_48=EN&parm_value_49=EN&parm_value_50=EN&parm_value_51=EN&parm_value_52=EN&parm_value_53=EN&parm_value_54=EN&parm_value_55=EN&parm_value_56=EN&parm_value_57=EN&parm_value_58=EN&parm_value_59=EN&parm_value_60=EN&parm_value_61=EN&parm_value_62=EN&parm_value_63=EN&parm_value_64=EN&parm_value_65=EN&parm_value_66=EN&parm_value_67=EN&parm_value_68=EN&parm_value_69=EN&parm_value_70=EN&parm_value_71=EN&parm_value_72=EN&parm_value_73=EN&parm_value_74=EN&parm_value_75=EN&parm_value_76=EN&parm_value_77=EN&parm_value_78=EN&parm_value_79=EN&parm_value_80=EN&parm_value_81=EN&parm_value_82=EN&parm_value_83=EN&parm_value_84=EN&parm_value_85=EN&parm_value_86=EN&parm_value_87=EN&parm_value_88=EN&parm_value_89=EN&parm_value_90=EN&parm_value_91=EN&parm_value_92=EN&parm_value_93=EN&parm_value_94=EN&parm_value_95=EN&parm_value_96=EN&parm_value_97=EN&parm_value_98=EN&parm_value_99=EN&parm_value_100=EN

ServiceOntario
making it easier

Private Career College Search Service

ACCESSIBILITY

1.	Academie de Dessin de Mode Richard Robinson Academy of Fashion Design, Ottawa 447 Sussex Drive , Ottawa, ON K1N6Z4	Phone: (613)241-5233 Fax: (613)241-7676
2.	Algonquin Careers Academy, Ottawa 1644 Bank Street, Ottawa, ON K1V7Y6	Phone: (613)722-7811 Fax: (613)722-4494
3.	Audio Recording Academy (The) (T.A.R.A.), Ottawa 1540 Raven Avenue , Ottawa, ON K1Z7Y9	Phone: (613)798-0070
4.	Beauty Academy, Ottawa 1670 Heron Road Unit 580 & 590, Ottawa, ON K1V0C2	Phone: (613)733-1600
5.	Canadian National Institute of Health Inc., Ottawa 160 - 2650 Queensview Drive, Ottawa, ON K2B8H6	Phone: (613)726-2644 Fax: (613)726-3366
6.	Crossroads Truck Training Academy, Ottawa C - 1402 Star Top Road, Ottawa, ON K1B4V7	Phone: (613)742-7499 Fax: (613)742-7899
7.	Everest College of Business, Technology and Health Care, Ottawa/St. Laurent - Suite 19 1200 St. Laurent Boulevard Suite 19, Ottawa, ON K1K3B8	Phone: (613)236-8282 Fax: (613)563-9893
8.	Gina's College of Advanced Aesthetics Corporation, Ottawa 215 Dalhousie Street , Ottawa, ON K1N7C9	Phone: (613)789-7875 Fax: (613)789-8778
9.	Grade Expectations Learning Centres (Ottawa).	Phone: (613)225-8118

Service Ontario

Private Career Colleges - Microsoft Internet Explorer

Address: https://www.ricccpcc.serviceontario.ca/pcc/CommandServlet?command=publicreport&config=pccProgram4Html.xml&parm_type_1=STRING&parm_value_1=EN&p

ServiceOntario
making it easier

Private Career College Search Service

AA ACCESSIBILITY

Results Page

1. **Algonquin Careers Academy, Ottawa**
1644 Bank Street, Ottawa, ON K1V7Y6

Phone: (613)722-7811
Fax: (613)722-4494

Program	Weeks	Hours	Tuition	Books (estimated)	Other Fees	International Fees	*Effective Date
Accounting and Payroll Administrator	33	750	\$7,345	\$950	\$0	\$0	
Early Child Care Assistant	28	780	\$5,495	\$500	\$0	\$0	
Fitness and Health Promotion	43	1005	\$9,800	\$900	\$0	\$0	
Hotel/Resort Management	22	515	\$5,440	\$560	\$0	\$0	
Medical Office Assistant	30	705	\$7,190	\$550	\$60	\$0	
Paralegal	44	1150	\$12,100	\$850	\$0	\$0	
Personal Support Worker	24	640	\$4,845	\$245	\$110	\$0	
Pharmacy Assistant	25	665	\$7,100	\$400	\$30	\$0	
Pharmacy Technician	40	1086	\$12,500	\$420	\$30	\$0	
Travel Counsellor	28	660	\$6,500	\$300	\$0	\$0	
Travel Counsellor - Online	52	585	\$4,850	\$300	\$0	\$0	

*Effective Date: If a private career college has reported a future fee increase, the effective date will indicate when the fee increase will occur. If the field is blank, the private career college has not reported any future fee increases to the ministry.

Done Internet

Agents of Change

- Toronto Star Investigative Reports
- Ombudsman's Report - "Too Cool for School"

Ombudsman's Recommendations

1. Issue a public warnings campaign.
2. Ensure enforcement information on the ministry website is current and posted expeditiously.
3. Rigorously enforce the PCCA, 2005 to the full extent of its powers.
4. Introduce administrative monetary penalties.
5. Designate inspectors as provincial offences officers.
6. Continue to establish partnerships with professional and regulatory bodies.
7. Conduct organizational review of ministry's private career colleges operations.
8. Address delays in processing registrations and program approvals.
9. Verify employment references of individuals applying for a job with the Ministry.
10. Provide quarterly progress reports to the Ombudsman's Office.



Compliance and Enforcement Unit

- New Approach to Illegal PCCs
- Expanded Use of Enforcement Tools
- Targeted Investigation Projects

Enforcement “By the Numbers”

- Issued since December 2009:
 - 1 - Notice of Immediate Suspension
 - 1 - Notice of Immediate Suspension and Proposal to Revoke
 - 2 - Refusals to Register
 - 1 - Refusal to Renew Registration
 - 46- Restraining and Compliance Order
 - 59 – Notices of Contravention

- 90% of restraining orders were issued to illegal PCCs.
- The ministry website lists all published orders and financial penalties.
- <http://www.edu.gov.on.ca/eng/general/notices.html>

Financial Penalties

- Also known as administrative monetary penalties, these were introduced on October 28, 2009.
- Penalties are levied on PCCs that are operating in contravention of the *Private Career Colleges Act, 2005 (PCCA, 2005)* or its Regulations.
- Financial penalties are not fines. They are intended to encourage compliance and remove any economic benefit that is realized from non-compliance with the Act.

Financial Penalties Work

- To date over 50 Notices of Contravention have been issued for hundreds of violations totalling \$190,000+.
 - 95% were issued to illegal PCCs
 - 50% of AMPs have achieved compliance either same or next day
- Penalties range from \$250 to \$1,000 for a first occurrence.
- The penalties can be imposed daily, and escalate with repeat contraventions.
- Multiple penalties can be imposed on a PCC at one time, and can accumulate to a total of \$250,000.
- A PCC may request a review of a penalty within **15 days** of the penalty's issue date.

Provincial Offences Officers

- 15 members of the PCC Branch were designated as Provincial Offences Officers for the purpose of all or any class of offences under the:
 - *Private Career Colleges Act, 2005,*
 - *Post-secondary Education Choice and Excellence Act, 2000,*
and
 - *Ministry of Training, Colleges and Universities Act, 1990.*
- PCC Branch provincial offences officers now have the authority to issue summons to offenders.

Questions?

Bradley Fauteux
Manager, PCC Compliance and Enforcement

bradley.fauteux@ontario.ca

Ph: 416-212-2292