

## FREQUENTLY ASKED QUESTIONS

### Regulation and Fee Amendment Information for Private Training Institutions

**Question: What changes were recently announced by the Ministry of Advanced Education and Skills Training and the Private Training Institutions Branch (PTIB)?**

- Amendments to the *Private Training Regulation* and the *Fees and Student Tuition Protection Fund Regulation*.
- The *Private Training Act* has not changed.

**Question: Why are some fees increasing?**

- By policy, PTIB is intended to be operating on a cost-recovery model. Changes to fees are required to bring the framework into cost recovery and fully resource the branch's regulatory oversight mandate.

**Question: Has there been a review of the operational processes at PTIB to improve efficiency rather than increase fees to cover costs?**

- Reviews of operations are ongoing and suggestions to improve efficiency without impacting regulatory requirements are welcome.

**Question: Where can institutions find a list of the regulatory changes?**

- PTIB has created a dedicated webpage to provide information and resources related to the changes at: <http://www.privatetraininginstitutions.gov.bc.ca/institutions/regulatory-amendments-2021>.

**Question: Where can I get a list of new fees?**

- The changes will be different for each institution. This may affect your institution's fees. Please see Chapter 7 of the Private Training Act Policy Manual – Annotated Amendments for details. The Manual is available on PTIB's [Regulatory Amendments 2021 page](#).

**Question: Will all institutions have a change in their current fees?**

- The amount of fees paid by an institution depends on a number of factors including revenue from approved programs, category assignment, the number of years certified and the class of institution. These factors are assessed annually at re-certification.
- New fee schedules can be found in the annotated Policy Manual which is available on PTIB's [Regulatory Amendments 2021 page](#).
- Because fee schedules are changing as are category assignment criteria, an institution will likely see a difference in the amount of fees they are charged when they next re-certify.



- Increases to certificate terms fees are partially offset by reductions in contributions to the Student Tuition Protection Fund.
- We have developed a tool to help you estimate the difference in fees for your institution. Please refer to the Change in Annual Fees Estimator which is available on PTIB's [Regulatory Amendments 2021 page](#).

**Question: Will the announced changes alleviate backlogs in PTIB systems i.e. program applications?**

- While there is no direct link between efficiencies and the fee changes, amendments will help with building more efficient systems at PTIB.
- The ultimate goal is to have a strong and proactive regulator to ensure sector integrity with a clear focus on the protection of students.

**Question: When do the amendments come into effect?**

- Most of the changes come into effect on September 1, 2021. Some changes will be effective on September 1, 2022. Please [see here](#) for helpful virtual sessions on the changes.

**Question: Do all of the amendments come into force on September 1, 2021?**

- Most amendments are effective on September 1, 2021; **however**, the following come into effect on **September 1, 2022**:
  - Financial Statement reporting requirements. Institutions with a fiscal year end of **April 30, 2022** will be the first institutions to comply with the new reporting requirements; and
  - The requirement to have provided an approved program at least once in the last two years.

**Question: Who can I contact if I have additional questions about my specific institution?**

- Please refer questions to [PTI.RegChanges2021@gov.bc.ca](mailto:PTI.RegChanges2021@gov.bc.ca)

**Question: Was there any consultation with the sector before making recommendations for change:**

- Institution and student surveys were conducted in the Fall of 2018.
- PTIB staff met with a number of career colleges and some language schools as well as the BC Career Colleges Association.
- Indigenous institutions were consulted as a group. Indigenous Adult and Higher Learning Association and the First Nations Education Steering Committee were included in the discussions.

**Question: Where can we get a sample of the new student contract?**

- PTIB is working on revising templates and will add to the website as soon as possible. Samples will be available soon.

**Question: Has the assessment criteria for Category Assignment changed?**

- Partially. Criteria for Change in Enrolment and Employment/Further Education have been removed and a new criterion for changes in control has been added. In addition, criteria for administrative penalties and compliance orders have been separated and adjustments to the criteria for StudentAid BC support.
- Please refer to Chapter 6 of the Private Training Act Policy Manual – Annotated Amendments for details. The Manual is available on PTIB's [Regulatory Amendments 2021 page](#).

**Question: Are contributions the Student Protection Fund changing?**

- Yes. In many cases contributions to the Fund are being reduced.
- Please refer to Chapter 7 of the Private Training Act Policy Manual – Annotated Amendments for details. The Manual is available on PTIB's [Regulatory Amendments 2021 page](#).

**Question: Are program application fees changing?**

- Yes. Effective September 1, 2021, an application for a new Class A program will be \$900.00. A Class B program application will be \$500.00. The fee for programs that do not require approval will be \$150.00.

**Question: What is the rationale for PTIB specifying requirements even for programs which do NOT require APPROVAL?**

- It is important to remember that certification is at the institution level so, although there are no content, instructor or reporting standards for programs that do not require approval, transparency is important as is protection for international students who pay significant amounts of tuition, have student permits refused and are not protected by the Fund. The amendments include new standards related to contracting and refund policies. In addition, the prohibition on false or misleading representations applies to all aspects of an institution's operations.

**Question: Have designation review fees increased?**

- The fixed fee base remains the same \$1500 plus \$1750 per inspector. An additional fee of \$750 per inspector for additional days will also be charged where necessary.

**Question: Am I still able to advertise a program before it is approved?**

- Yes, as long as you have submitted an application to PTIB for the program.

**Question: Are there any changes to financial statement reporting requirements?**

- Yes, requirements for financial statements will be changing effective September 1, **2022**. Please refer to section 5.5 of the Private Training Act Policy Manual – Annotated Amendments for details. The Manual is available on PTIB's [Regulatory Amendments 2021 page](#).

**Question: Will there be a revised template for student data reporting that includes the new requirement to report the job title for graduates of Class A programs? If so, when will it become available? My student data report will be due in September 2021.**

- An updated reporting tool is currently being developed and will be available prior to these new requirements coming into effect. We understand that for some institutions, you will only be reporting on job titles for specific students and not for others. This will be dependant on the individual student's completion date. For any student from which you are collecting graduate follow-up information after September 1, 2021, their job title (if they have obtained employment) will need to be reported. This will not impact your ability to submit your Student Data Report by the deadline.

**Question: We have four programs which require PTIB approval. Do we need to list the admissions requirements and tuition on each program page of our website? Or can that information be housed where it currently is, under Admissions & Aid?**

- The new regulations require this information to be included on the institution's website; however, there are no requirements specifying the location where it is posted.

**Question: I understand that the new student contract will take effect on September 1, 2022. Do the existing students' contracts need to be appended or reissued?**

- Institutions must comply with the regulations in force at the time a contract is signed. For students who have signed contracts prior to September 1, 2021, you will not be required to amend or re-issue their student enrolment contracts. If a student withdraws or is dismissed after September 1, 2021 the regulations in force at the time of withdrawal/dismissal apply, regardless of the contract template used at the time of enrolment.

**Question: When do we actually start using the new contract? (e.g.: Students apply for the program starting on September 1, 2021 and we issue the contract in August or even before.)**

- The new requirements come into force on September 1, 2021. Any contract signed on or after this date will need to comply with the new regulations. You may start using the new contract template for students planning to enrol on or after September 1 as soon as it becomes available.

**Question: If a student visa is refused after a student has studied 30% of their program, do institutions refund 100% of ALL tuition fees, or 100% of all UNUSED tuition fees? For programs with per-week tuition rates, a student who has studied 30% of a program would receive refund worth 70% of total tuition paid, or 100% of all unused/remaining tuition?**

- An institution must refund all of the tuition and all related fees, other than application fees, paid to the institution. Students should not begin studies until they know they are able to obtain a study permit.

**Question: For language programs, will the mandate continue to be limited to students with Study Permits or fees over \$4K?**

- There have been no amendments made to the thresholds for language programs at this time. The *Private Training Act* and associated regulations will continue to apply to students in approved language programs for which tuition is equal to or greater than \$4000, or the period of instruction is longer than 6 months.

**Question: Our programs are only offered online. If our institution is scheduled for an inspection will students attending online sessions need to be aware that an inspector may join an online class?**

- Interviews conducted virtually as part of a compliance inspection will be held using teleconference or videoconferencing technology. Time will be allocated for student and instructor interviews; however, generally inspectors will not join online classes.

**Question: The institution must provide the reasons for the determination and the reconsideration (if any) to the student within 30 days after the date on which the student made the complaint. a) Does 30 days refer to calendar day or business day? b) Does 30 days apply to each level of resolution or all levels of resolution should be concluded within 30 days?**

- 30 days refers to calendar days and all levels of resolution are to be concluded within 30 days.

**Question: The dispute resolution process must include a maximum of 2 steps and provide the name, title and email of the individual responsible for making the initial determination and, if applicable, the name, title and email of the individual responsible for the reconsideration. It should also include the name, title and email of the individual(s) making a determination if that person is absent or named in the complaint. If the institution has multiple locations, is it still required in our policy to provide name and email of the individuals responsible?**

- If the names/titles/emails of the individuals making the determination are different for each location, then the institution should provide students with location-specific policies.

**Question: With the student Statement of Rights, it states, to put in a prominent place. Would our website be sufficient?**

- To clarify, the requirement states the Student Statement of Rights must be posted in a prominent place at each location the institution operates; however, posting it on your website will satisfy the requirement.

**Question: Will the amendments effect students who enrolled before the effect date? For instance, will the new refund policy affect students who have already signed contracts before September 1, 2021?**

- The amendments come into effect on September 1, 2021. If a student withdraws or is dismissed after this date, regardless of when an enrolment contract was signed, refunds must be calculated based on the new regulations.

**Question: I have a question about an Approved Program Refund amount from Page 37 of the PTA Policy Manual. I'm thinking of a scenario where an international student could apply for a study permit and while waiting for the study permit approval would elect to commence their program fully online for the first Term, and if after starting the program was issued a Study Permit denial letter some time later. Would this mean that schools would not be permitted to retain any tuition or related fees even though a student had attended the program online for several months?**

- For any program where an in-class or work experience component is required, institutions should not be allowing students to begin programs until a study permit has been issued. In cases where an institution has permitted a student to start without the required study permit and that permit is denied, a full refund is due.

**Question: The PTA Policy Manual now states, "Institutions are required to sign a written contract with each student they enrol, on or before the program start date." My question is, if a student is late registering, so has a delayed start, are we permitted to reflect the student's delayed start date as their program start date on their contract, so the institution's signing date is in line with the policy manual requirement? Or is this policy now in place to deny students starting a program after it has started?**

- Students may join a program after the start date, within reason. The institution must ensure that any delay will not impact the student's ability to meet the learning objectives of the program. If a student must join a program after the start date, the day the student begins (not the start date of the program) should be used in the student contract. If the student either withdraws or is dismissed, the refund will be calculated based on the date the student started the program (not the start date of the program).