

Private Training Act Information Sessions 2016 - Questions and Answers" document is a compilation of questions and answers asked by institutions attending the Private Training Act information sessions held by the Ministry of Advanced Education and the Private Career Training Institutions Agency from June through August, 2016.

Private Training Act FAQ's

Thank you for your questions. The questions were compiled and sorted into categories. You may not see the exact wording of your question, as there was some duplication. Institutions may also receive specific responses to their questions if contact information was provided.

Programs and Program Approvals

How will the Private Training Act and Regulations reduce the regulatory burden on private career training institutions?

The legislation will create higher quality standards for the sector, broaden enforcement mechanisms, enhance consumer protection, and streamline approval processes. It will also introduce a category-based approach that protects the public interest while reducing the regulatory requirements for private institutions offering quality programs with a history of strong compliance. High performing institutions will be recognized; this allows government to focus its resources on those institutions that need additional support to meet expectations.

My institution is currently registered and/or accredited by PCTIA. Will that change once the new legislation comes into effect?

Institutions registered under the former Act are automatically certified under the *PTA*. Certificates will expire seven months after the institution's fiscal year end in which the *PTA* comes into force and institutions will be required to apply for re-certification. For more information, [see Chapter 5 of the manual](#).

Each institution will receive an email explaining how the new regulatory regime will affect them specifically, including details such as deadlines, schedules and fee requirements, along with links to the latest information on the transition process.

With the recent announcement of a September 1, 2016 implementation for the Private Training Act, what do institutions need to do to prepare?

Each registered institution will receive an email by the end of June, 2016 which explains how the new regulatory regime will affect them specifically. The email will include details such as deadlines, schedules and links to the latest information on the transition process. The deadlines will be based on the institution's fiscal year, and each institution will have several months to complete the transition. Note: if you have not received an email for your institution by the end of June, 2016 please email info@pctia.bc.ca.

There is a requirement that a subject matter expert report is required for a new program approval. Should this person be listed on the PCTIA website? How would you decide if a person is a subject matter expert?

The preference will be to select someone who is on the Ministry's website. The individual's area of expertise will be noted on the website.

The Ministry will also consider other individual's qualifications for those who are not on the website. So, for instance, if there is no SME available the PTIB will consider SMEs submitted by institutions.

Whether the person is a subject-matter expert is determined by if the individual has expertise in the career occupation(s) that are relevant to the program of instruction and is not a related party and receives no benefit other than being paid for the SME evaluation (*Private Training Regulation*, s. 13(2)(a)). Related party means a person related to the institution in that the institution could have direct or indirect control or influence over the person, or the person could have direct or indirect control or influence over the institution.

The SME can also advise new program development and be the SME for the institution for program approval.

Employer-funded programs are usually one-off and temporary. Do they need to be listed as programs not requiring approval? There will be dozens each year, which will be meaningless to future students.

Yes. All programs, even those not requiring approval, need to have an outline provided to the registrar (see *Private Training Regulation*, s. 12).

Is there a set fee for SME evaluations using the PTA list?

No, there is no specific fee set for SME evaluations.

We were told that marketing for approved programs of instruction can begin when the program is submitted to PTIB for approval. If PTIB does not approve the program, will the marketing have to be pulled?

Institutions are allowed to advertise a program before it is approved by the registrar, but the advertising must not be misleading to students or prospective students. Further, the institution may advertise but cannot enter into a contract with a student to provide a program until the program has been approved. If the program does not get approved, and is a program that requires approval (see s. 10 of the *Private Training Regulation*), then the advertising would have to be pulled.

What if an institution disagrees with the SME assessment? I would assume that SMEs provide feedback and we determine what we will do with it. If we disagree, will that hold the approval up?

If an institution disagrees with the SME assessment it may provide a submission to the registrar providing evidence as to why the SME's assessment is not accurate. Otherwise, yes, it is possible that a negative assessment may delay program approval. Keep in mind, it is the registrar - not the SME - that approves programs (see s. 14 of the *Private Training Regulation*).

When students graduate from an employer-funded program, can the institution issue the same type of credential as the one issued to students enrolled in approved program that are not employer-funded programs?

Yes.

Re: work experience component. We did have students hired during or before the work experience placement provided by the college. How do we deal with this instance, as students expect to be granted a certificate or diploma?

It should be made clear to students that to complete their program of instruction, they are also required to complete the work experience component. If they choose to take a job and do not finish the work experience component, they will not be granted a credential.

Does a course report qualify as a credential?

It is likely - a credential is understood to be a certificate, diploma, record or other material that indicates completion of a program. If a course report indicates completion of a program, then it would be an acceptable credential.

Does an institution need to have a program that doesn't require approval listed on the online directory before they can enroll students?

No. However, the registrar will have to inform the institution that the program does not require approval before the institution can enroll students in the program of instruction. PTIB's intent is that there will be a fast response to institutions.

All of our practicums are paid. Can we change the status of a practicum to co-operative to maximize the percentage of hours of paid work?

Yes, but be sure to report the change. A change to the number of hours for a work experience component is a change that requires notification and consent, so your institution must have consent before the change is made (*Private Training Regulation*, s. 57(e)(iv)).

Our company (which holds accreditation/designation) offers personal development workshops that are not career-related and do not have a curriculum. Do these have to be reported?

On transition, if your institution continues to maintain its certificate, you will be required to submit all of the information in the *Private Training Transitional Regulation*, s. 4.

On recertification, it will depend on whether your institution can and chooses to maintain its certificate. Your institution is required to have at least one approved program of instruction.

Certification

If a student attended more than one institution, and received student loans for attending more than one institution, is the last institution the student attended responsible for all of the student loan debt when the repayment rates are calculated?

It is not the case that “the last institution is responsible for 100% of the student’s debt. In repayment rate calculation, loan dollars are allocated proportionally to each institution attended by a borrower.

Is an Ontario-incorporated company allowed to be registered with PTIB?

Yes, an Ontario-incorporated company is allowed to register and would likely be considered an extraprovincial company under the Private Training Regulation, s. 5(1)(b).

Changes and Notification/Consent

For minor curriculum changes, institutions can currently do non-substantive changes. Under the new Act and regulations, would a minor change to the curriculum for a course be considered a “notice” or a “notice and consent”?

The requirement to notify the registrar or notify and obtain consent will no longer be tied to the percentage of the curriculum being changed.

There are certain types of changes that require notification (see *Private Training Regulation*, s. 56(2)) and certain types of changes that require notification and consent (see *Private Training Regulation*, s. 57). Note that the answers below are summarized and you should check the regulation for exact wording.

Changes requiring notification

The types of changes that require notification are all for approved programs and they are:

- Change in tuition or related fees.
- Change in a credential that is given to students when they finish.
- Change in “full time” to “part time” (or vice versa).
- A change required by a regulator (e.g. Transport Canada or a health professions regulator) that the institution reasonably expects could have an adverse effect on students.
- Change in how and when students are admitted to the program or the number of students in each intake.
- A change in the list of host organizations for a work experience component.
- A change in the maximum number of students the institution admits to a program.
- A change in the language of instruction of a program.

There are also some changes that are for how institutions work and they are:

- Change in the institution’s fiscal year.
- If an institution stops offering any program.

- Changing the institute’s address for service that is on file with PTIB.
- Changes to an institution’s business structure:
 - shareholders that own more than 50% of voting shares in a company, extra provincial company or corporation; or
 - members of a partnership.
- Changing the name of the institution.
- A change in the senior educational administrator.

The registrar has to have notice of all changes requiring notice at least 14 days before implementing the change, unless it is a change of fiscal year (90 days) or a change of control (7 days and \$1,500).

Changes requiring notification and consent

The registrar has to consent to certain types of changes. These changes are listed below and are in relation to approved programs:

- Changing the hours of instruction.
- Changing the method of delivery (e.g., from distance education to in-class instruction).
- Changing the admission requirements.
- Changing the location where an institution provides the approved program.
- Changing certain things in the program outline:
 - Program title,
 - Learning objectives of the program,
 - Number of hours of instruction for each course in the program,
 - Number of hours for a work experience component of the program,
 - The career occupation for which the student is training.

Note that these changes (the ones requiring consent) also carry a fee (see *Fees and Student Tuition Protection Fund Regulation*, s. 12). Except for change of control, it costs \$100 for an institution with a registration certificate and \$200 for an institution with a designation certificate, unless it is a change in location, which is \$500 or a change to the program outline element, which is always \$200. The change cannot be made until consent is provided.

How often do we need to submit changes to host organizations?

A change notification is required in each instance where there is a change to the list of host organizations (*Private Training Regulation*, s. 56(2)(i)) and must be provided to the PTIB 14 days in advance of implementing the change (*Private Training Regulation*, s. 58(a)). A change means that a host organization is added to or deleted from the list.

Will there be a site visit or inspection that follows a "notification with consent" (formerly a substantive program change)?

It is possible. The registrar has authority to conduct an inspection at any time to determine compliance with the Act or regulations at any time (*PTA*, s. 29(b)).

Course Materials

What do we do if students aren't required to buy textbooks from the school, but the curriculum is designed by the institution, the institution holds the copyright and the institution is the only place to purchase the textbook or course materials?

The *Private Training Regulation*, s. 18(4) says:

18 (1) In addition to the other general compliance standards prescribed under this Division, the general compliance standards set out in this section are prescribed for a certified institution in relation to approved programs of instruction.

[...]

(4) A certified institution must not compel a student to purchase required course materials from a specific source.

An institution will meet this standard if the information given to the student indicates that other avenues to access the required material may be available, such as: purchasing from a previous student, purchasing from an alternative source (if possible), or accessing the original source material for a course pack.

It is clear that institutions must not compel a student to purchase required course materials from a specific source – but can an institution compel students to show proof that they have procured the required course materials?

Yes, that is acceptable.

Student Enrolment Contracts

Can institutions add details on the fee paid to PCTIA/PTA to the student enrolment contract?

Yes. The institution can put additional information on the student enrollment contracts (so long as it is not misleading or misrepresents the program). The standards provide the minimum requirements that an institution must comply with.

Please confirm that the host organization for a work experience component need to be provided on the student enrolment contract.

To clarify, an institution is not required to provide the name of the host organization on the student enrolment contract. The following information is the only information that must be on the student enrolment contract (see *Private Training Regulation*, s. 24(4)(i):

- The requirements for participation in the work experience component (e.g., a criminal record check).
- An estimate of the costs, if any, for the student to complete the work experience component.
- The geographic area or region of the Province where the work experience component will be provided.
- The date or dates on which the institution plans to provide the work experience component.
- The number of hours of instruction of the work experience component.

If a program is more than one year in duration, does it require a contract for the second year?

It depends on the length of the program. Student enrolment contracts can only be for a maximum term of 18 months (see *Private Training Regulation*, s. 24(2)(b)).

Are we required to have students sign student contracts for programs that do not meet 40 hours and \$4,000?

Yes. If an institution has a registration, interim designation or designation certificate, but the program does not require approval, there must be a student enrolment contract for the program (*Private Training Regulation*, s. 23(2)). It must include a statement that the program of instruction does not require approval under the *Private Training Act*, and that the student may not file a claim against the fund with the trustee in respect of a program of instruction (*Private Training Regulation*, s. 25(3)).

On cases that students go to interviews multiple times and fail to get co-op, or when they decline the offer, what should we do?

Without completing the co-operative term, the student has not completed the program and cannot be granted the credential. The institution's student dismissal policy should address this issue (see *Private Training Regulation*, s. 47).

Can institutions start making applications for new programs under the new regulations using new forms?

Yes. This is strongly encouraged for programs that start after September 1, 2016, because these will be the requirements in force after that date.

The student enrolment contract requires a permanent address. Many new students don't have a long-term local mailing address. The Student Data Report asks for a local mailing address. If the local address is not on the contract, how are we expected to enter it on the report?

The student enrolment contract (*Private Training Regulation*, s. 24(3)(c)) and the student data report require the student's mailing address (*Private Training Regulation*, s. 53(a)). If the address is not on the contract, ask the student for their mailing address at a later date to complete the record.

Do we need to put in "gender"? What about gender neutrality?

Yes, this is a requirement for students to get provincial Personal Education Numbers.

For a degree program, must there be a statement on the enrolment agreement that the program is not approved and the students may not file claims against the fund?

Yes. If the institution holds a certificate, the institution must comply with the Act and Regulations. For programs that do not require approval, the institution must enter into a written student enrolment contract (*Private Training Regulation, s. 23(2)*), the contract must set out accurate information about the program (*Private Training Regulation, s. 23(4)*), and the contract must include two statements:

- That the program does not require approval under the *Private Training Act* and
- That a student may not file a claim against the fund with the trustee (*Private Training Regulation, s. 25(3)*).

However, the institution may wish to also indicate to students the protections that are available to them under the *Degree Authorization Act*.

Are international students required to receive a copy of the student enrolment contract and the dispute resolution policy prior to coming to Canada?

All students must receive a copy of the dispute resolution policy (along with other student policies) before the start date of the program (*Private Training Regulation, s. 18(2)(g)*).

A certified institution must provide a copy of the student enrolment contract as soon as practicable to the student (*Private Training Regulation, s. 24(8)*).

Note as well that the tuition refund policy must be posted on the institution's website or provided to the student before the institution can accept any tuition for any program of instruction (*Private Training Regulation, s. 30(2)*).

Transition and Future PTIB Policy

Will we have a consistent inspection officer?

The registrar will usually appoint employees of the PTIB staff as inspectors; however, institutions should not expect the same person will always be appointed.

What are the timelines for visits/inspections based on each category? Is there a fee for this?

There will be an inspection for institutions that receive a designation certificate in the first year after receiving the certificate (see *Fees and Student Tuition Protection Fund Regulation, s. 11(3)*). A

subsequent inspection for those institutions will then take place within 7 years. Those inspections will be \$1,500 plus \$1,750 per inspector.

Other inspections will also take place, depending on the institution's category assessment, and any complaints the Ministry may have received. If a follow-up inspection is required after the initial inspection, there are also fees of \$100-300 per hour per inspector (see *Fees and Student Tuition Protection Fund Regulations*, s. 11(2)).

If our advertising material still has the PCTIA logo on it, do we have to destroy all our material when the PTA regulations come into effect?

Institutions are expected to replace the logo on their digital material, including website, as of September 1.

Institutions should make every effort to replace hard copy marketing materials as soon as possible.

Is there no enrolment report required for November 2016?

That is correct, there is no enrolment report for November 2016. Institutions will now be required to submit a student data report 90 days before the expiry of their certificate (*Private Training Regulation*, ss. 53 and 54).

Please let us know what will be required for the new "desk audit"?

Inspections will be on a case-by-case basis and your institution will be informed of the requirements for the inspection at the time an inspection is undertaken.

In the past, we would conduct our visits exclusively by going to the institution. By conducting desk audits where the officers review some items submitted by the institution without going to the institution, it reduces the branch costs and the regulatory burden to the institutions. These desk audits will be conducted as part of the recertification process.

Student Data Reporting

For the annual enrollment report, our programs are under 6 months. No students who are from other countries require a study permit. Do we list these visitor visa holders as “international students” ?

Yes, international students with visitor visas are also “international students” under the *Private Training Act* and regulations. International students are students who “are not a Canadian citizens or a permanent resident of Canada” (see *Fees and Student Tuition Protection Fund Regulation*, s. 1). The type of visa the student holds is not a relevant consideration.

How is an institution expected to verify whether an international student has returned to their country of citizenship?

An institution is required to make its “best effort” to verify this information (*Private Training Regulation*, s. 54(4)). As a baseline, the Ministry would generally expect that telephone and emailing efforts were made to make contact with the student to confirm this information.

When do we start collecting student data? For example, if an application for certification is due July 2017, for which period do institutions need to report on?

All student data is based on the institution’s previous fiscal year, so in this example it will be for your institution’s 2015-2016 fiscal year (see *Private Training Regulation*, s. 54)). This time period may go back further than September 1, 2016

In regards to the student data report and all of the data collected by the ministry, who has access to the aggregate data? When?

We anticipate that aggregate data will continue to be made publicly available – there will be no indication of personal information or institution’s information. We are not yet certain of the timing.

Do we need to enter data for students who were registered in an approved program during the fiscal year, even if this program doesn’t need to be approved under PTA?

When we talk about “approved” programs, we are talking about programs that are approved under the *Private Training Act*. So, information for students who were in approved programs needs to be reported, and information for further employment needs to be reported for interim designated and designated institutions for Class A and Class B programs that they offer.

Information was posted incorrectly in the enrolment summary and needs to be corrected. This change affects one of our categories. How do we correct this?

If an institution can provide evidence of a data reporting or recording error, an appropriate adjustment can be made. Contact PCTIA at info@pctia.bc.ca to explain the circumstances in further detail.

Tuition Refunds

Aside from international students who relocate to take classes locally, what about students who are located in: a) another province, and b) internationally, who take classes through an online classroom. Do the out-of-province and international students who are online students have access to PTA resources/remedies? Are institutions who are providing instruction to these students required to treat and report tuition the same as they would for on-campus students?

All online students are covered by the Student Tuition Protection Fund, no matter what jurisdiction they are studying in and all institutions are expected to comply with the *PTA*.

Will the institution be required to give a refund to a student if the student fails to meet the requirements to enter a work experience component within the time period outlined in the student enrolment contract? For example, if a student fails to complete a course that is a prerequisite for work placement?

No refund may be issued if an institution offers a work experience component and a student does not attend. If a student fails to meet the criteria to complete the work experience program (e.g., by failing a class), the student enrolment contract could be extended or the student may be dismissed from the program.

Fees and Financials

My institution only has one program that is over 40 hours and over \$4,000. Is that the only program that I need to pay fees on? Do I need to submit my financials for that?

For fees, it depends on the other programs your institution offers. This program described above is a Class A program and requires approval. If you have other programs that require approval, depending on the certificate you hold, those programs will also require approval. Your fees will be based on the tuition revenue of these approved programs of instruction.

Your financial statements will include all sources of revenue (see *Private Training Regulation*, s. 51(3)(d)).

Am I still able to issue T2202A for programs not requiring approval?

Please direct tax-related questions to:

Certification of Educational Institutions Learning Branch

Employment and Social Development Canada

Toll Free: 1-866-517-5650

Fax: 819-654-8489

Email (scanned documents): CDU-UAD@hrsdc-rhdcc.gc.ca

Our annual financial statements for the financial year April 1, 2015 to March 31, 2016 were due for submission to PCTIA by September 30, 2016. They are currently being prepared by our accountants based on current PCTIA bylaws. Do the current bylaws or the new regulations apply to our submission?

Your institution's financial statements will be due on September 30, 2016, as you stated in your question (*Private Training Transitional Regulation*, s. 5). The requirements under the *Private Training Regulation*, s. 52 will apply to your institution's financial statements.

Can book costs be included in tuition, by showing a breakdown in the student enrolment contract?

No. Fees for textbooks and other course materials are not included in tuition (see *PTA*, s. 1, "tuition"). The tuition that must be reported in the financial statements is tuition earned from approved programs. Revenue from textbooks, materials and other program related fees must be excluded and reported separately in the financial statements.

Have the trust requirements changed? Is a separate bank account required? What can the money be held in (e.g., GICs, money market mutual fund, stocks/bonds, fixed assets)? Does the money have to go directly into a trust account first? Or can funds be set aside and monitored on a monthly basis to see if funds are sufficient? Can money be used once students start their program? What has to be put into trust? (e.g. tuition, homestay, insurance)?

There is no requirement to have a trust account.

Can institutions separate out the PCTIA/STCF fees in a student contract? If so, does the institution need to include this amount when calculating tuition revenue from approved programs?

This practice is not permitted. Tuition includes fees that will be paid to PTIB and STPF.

Instructors

What is a relevant post-secondary degree for English for Academic Program instructors?

The applicable requirements are set out in the section dealing with requirements for instructors of language programs (*Private Training Regulation*, s. 21(2)(c)). The instructor may have:

- A post-secondary degree in language instruction;
- A post-secondary degree and a certificate or diploma in language instruction;
- 10 years of work experience teaching a language;
- A certificate or diploma in language instruction and a post-secondary degree.

Reconsiderations and Appeals

Can an institution appeal the expiry of a certificate due to missing the 90 day deadline for reapplications?

No. No appeal is available because the certificate expires automatically. Reconsiderations are only available from a decision of the registrar (see *Private Training Act*, s. 47). In this instance, no decision was made.

Can student complaints be appealed?

No.

Technology

On the BCeID application site, there is no category for PTA (or PCTIA, or student data, or other relevant-seeming category). What should we choose?

As part of the Business BCeID registration process, when asked to select an Online Service, before the list of Online Services select the link “Register without specifying an Online Service”.

If the institution is under parent legal entity, and the parent legal entity has the BCeID account, does it need a separate BCeID account?

Yes, because they are separate legal entities. The legal entity represented as the institution's legal business name is required to have its own BCeID account.

Can you import a file for student reporting if we track on a student management system? (Rather than re-enter information)

Student data will be reported through the Institution Portal and it will not be possible to import an external file to the portal directly. The Ministry plans to eventually include this component.

How and where should certificates be posted on the webpage?

Institutions should post their certificate type on their website, in a conspicuous location, with the text hyperlinked to a pdf of their certificate(s).

Can we input student data on a continuous basis or just as part of the recertification process?

The intent is to develop a tool that allows for data to be inputted at any time. Further information will be provided after transition.

Specific Scenarios

We have to also be re-accredited by CMTBC soon to hand over the CCMTA Canadian Council of Massage Therapy Accreditation. Will the accreditation be conducted together at the same time? Our letter from you states to apply for re-certification August 31, 2017, but our CMTBC accreditation expires before that.

After September 1, 2016, where an inspection is required, the PTIB will make best efforts to align with regulator inspections or accreditation. However, no guarantees can be made. Our recommendation is that you consult with PTIB staff as you proceed toward your CCMTA accreditation and we will do our best.

We plan to offer small one-time weekend workshops. Do we still need to submit program outlines? If we offer this at another location, (e.g., rent a room at Vancouver Community College), do we need to apply for a business licence, additional location, etc. as new?

At the point of transition, you will be required to provide program outlines for all of your programs (see *Private Training Transitional Regulation*, s. 4(2)(iv)) along with some additional information.

If the program is a program that requires approval (which you will want to check), you will have to submit notification and get consent if the program is being provided in a different location than what was originally approved by PCTIA (see *Private Training Regulation*, s. 57(d)). This would not be required if it is a program that does not require approval under the *Private Training Regulation*.

In pure number of enrolments, we have more than 50% of our students in a program 36 hours and under \$1,000. How does this affect the 50% requirement for designation of students in approved programs?

This requirement will only apply if your institution is applying for a designation certificate. If so, the *Private Training Regulation*, s. 7(3)(e) provides that the institution must have students enrolled in at least 50% of its approved programs or have had students enrolled in at least 50% of its approved programs at one point in the past year.

A program that is 36 hours and under \$1,000 is a program that does not require approval (see *Private Training Regulation*, s. 10). So, if your institution is applying for a designation certificate, the students in this program will not be included in determining if there are students in 50% of your approved programs of instruction.

The federal government provides block funding and qualifies the student for the program of instruction, then pays the institution directly. Is the funding reported?

Yes. If all the students in the program are funded by the federal government, it is considered an “employer provided program” (*Fee and Student Tuition Protection Fund Regulation*, s. 1). If there are no international students in the program who require study permits, then the program does not need to be approved (*Private Training Regulation*, s. 10). Therefore, the funds would not be considered “tuition” and would not be included in the reporting of tuition; however, other revenue is also reported in the financial statements separate from tuition revenue (*Private Training Regulation*, s. 51(3)(iii)).

Language Institution Specific Questions

Languages Canada can order a school to take students from closed schools without payment. How does that fit with the PTA “comparable program” provisions?

In the event of an institution’s closure and the use of the comparable program provision in s. 18 of the *PTA*, the trustee has authority to pay from the fund all or a portion of the tuition paid by the claimant to the institution that is providing the comparable program (see *PTA*, s. 25(1)(a)(i)).

How is the six months measured for Class C programs of instruction? For example, if a student signs a two-month contract, then signs a four-month contract, is that a program that requires approval?

For Class C programs, the contract the student signs must be for more than six months if it is to be a Class C program. If a student signs contracts as provided in the example above, it would not be a program requiring approval because the student never signed a contract for a program that is more than six months.

Institutions can have two versions of the same program, i.e. one that is over six months and requires approval, and one that is under six months, if students want to attend for shorter contracts.

What are the qualifications for the Senior Educational Administrator for language institutions? For example, what credentials are accepted in adult education?

SEA requirements are the same regardless of the type of instruction. SEA must have a degree, diploma, certificate, or comparable education or work experience, in adult education.

We run two institutions – career training and a language institution. Would it matter to offer language programs within “career college” or career training within “language schools”?

This will be a business decision for your institution. Some factors that you will want to consider:

- The fee rates for institutions in the “language institution class” and the fee rates for institutions not in any class;
- Your fees for operating two institutions (legal, accounting, administrative); and
- The type of certificate your institution holds and what type you intend to hold in the future (e.g., if you have a registration certificate, you do not have to have Class B and C programs approved).

- Student loan repayment rates at your institutions, if any.

Are there guidelines for the new requirement that students must not be required to pay tuition in one sum?

The *Private Training Regulation*, s. 28(1) requires that if the term of a student enrolment contract of an approved program of instruction is longer than six months, then the institution must not require the student to pay tuition in one instalment. Rather, a minimum of two equal instalments is required.

Is it a requirement that student records for a language program be archived?

No, that is not a requirement (see *Private Training Regulation*, s. 39(2)).

How should our language programs be listed on the PCTIA/PTIB website?

All programs offered by a certified institution, even those that do not require approval, will be listed on the PTIB directory. Approved programs must be advertised using the title approved by the registrar. Programs not requiring approval must be advertised using the title submitted to the registrar. The Agency/Ministry will work with institutions during the transition to ensure compliance.

Class C programs require approval. A Class C program is defined under the Fees and Student Tuition Protection Fund Regulation as a program offered at designated and interim designated institutions that has as its learning objective that students gain or improve proficiency in a language and for which the tuition is equal to or greater than \$4,000 or the length of the program is longer than 6 months.

If you submit a program that has varying cost and length, the registrar may determine you are submitting two programs: a Class C program requiring approval and a program not requiring approval. Both programs will be listed on the PTIB directory; one program listed as approved, one program listed as not requiring approval. For example, an institution that offers an “Academic ESL” program with variable durations and costs will be listed on our online directory as:

- i. Academic ESL – Approved (i.e. Class C program)
- ii. Academic ESL – Approval not required

If a student enrolls in an Academic ESL- approved program you must use the enrolment contract template for programs requiring approval. If a student enrolls in Academic ESL- approval not required, you must use the enrolment contract template for programs not requiring approval -the requirements

for these contracts are minimal. Sample contracts are available online (<http://www.pctia.bc.ca/pta-forms-and-templates>).

Individual courses known as “electives” will only require separate approval if the student can take only the elective and earn a credential. Otherwise, “electives” are considered courses in a program.

What if a student who enrolled in a language program that does not require approval wants to extend their contract such that they are attending your institution in a language program for over 6 months or have paid \$4000 or more?

The determination of the type of program the student a student is enrolling in is made at the time the student enrolls. For example, if a student enrolls in the Academic ESL program for 2 months at a cost of \$1,500, the student will enrol in the program not requiring approval. If, after two months, the student enrolls for an additional period of 5 months at a cost of \$3,500, the student will enroll in another program not requiring approval. However, if the student, at any time, enrolls in a program for a period that is over 6 months or for which tuition is \$4,000 or over, the student will be enrolling in a Class C program and must sign a contract that is compliant for programs requiring approval. If a student, at the completion of their contract, simply keeps extending their contract, and each extension is below the Class C thresholds, that student must, each time, enrol a program that does not require approval and sign the appropriate contract.

Each time a student, after completing their original contract, wants to enrol for an additional period, a new enrolment contract must be signed.

Policy

Why must there be notice for changing a work experience host organization?

This policy decision was to ensure that students are attending a work experience related to their program and has a direct link to assuring the quality of the program for the student.

When a program with a work experience component gets approved, one of the considerations by the registrar in approving the program is the host organizations (*Private Training Regulation*, ss. 13(1)(k)(ii), 14(e) and 14(h)). The registrar must determine if the host organizations are sufficient to allow the student to meet the learning objectives of the program. So, if the host organizations change from the original information submitted to the registrar at the time of program approval, the registrar needs to be made aware in case it affects the quality of the program provided to the student. See also the standard set out in the *Private Training Regulation*, s. 41(6)(a).

Can you give a bit more of an explanation about why the percentage of international students is included as a criterion for institution category?

There is an international student criterion because changes in the international market for students can affect the viability of an institution. For instance, if a majority of the institution's international students come from a particular country, and that country recommends that students should no longer attend Canadian institutions, that recommendation could have a serious impact on the institution's operations. The criterion measures the percentage of international students with citizenship from one country (*Fees and Student Tuition Protection Fund Regulation*, s. 44). If 70% or more of the students at the institution are from one country, the institution would receive a Category 3 assignment for that criterion. An institution would have to have 7 or more Category 3 criteria to be assigned a Category 3 overall (*Fees and Student Tuition Protection Fund Regulation*, s. 42(5)(b)).

Do we need to be concerned with privacy issues for disclosing student information now that it includes the name, email, etc? Do we need to let students know that reporting is now student specific?

The *Private Training Act* provides authority for the registrar to collect, use and disclose personal information to carry out the registrar's responsibilities (*Private Training Act*, s. 61(1)). Students will be informed of this authority by way of their student enrolment contracts, which must include the following statement:

Please be advised that under section 61 of the Private Training Act, the Registrar is authorized to collect, use and disclose personal information in accordance with the Registrar's regulatory duties under that Act. Accordingly, this institution is authorized to disclose your personal information to the Registrar for regulatory purposes (see *Private Training Regulation*, s. 24(6)).