

MINISTRY OF TRAINING, COLLEGES AND UNIVERSITIES



Private Career Colleges Act, 2005

FACT SHEET #5

**Training Completion Assurance
Fund (TCAF)**

**Information for Students:
Private Career College Closure**

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DEFINITIONS

In this document:

- Refund – means a refund of fees owing to a student for a discontinued vocational program (could be full or partial refund)
- Training Completion - means training provided to allow students enrolled in a vocational program to complete their training in the event of a closure of a registered private career college
- Training Completion Provider– means an institution, organization or person that will be providing a training completion to students as part of a training completion agreement with the Superintendent
- Unearned fee - means a pre-paid fee in respect of a vocational program that is unearned by the private career college because the program or a paid portion of the program has not yet been provided
- Vocational program – means a program that was approved by the Superintendent under the *Private Career Colleges Act, 2005*.

MY PRIVATE CAREER COLLEGE HAS CLOSED. WHAT DO I DO NOW?

If you are eligible, you will be given the opportunity to either complete your training or receive a refund. When a private career college closes suddenly while students are enrolled in vocational programs, the Ministry of Training, Colleges and Universities will ensure that either training completions or refunds are provided to students. Training completions and/or refunds are paid for through the Training Completion Assurance Fund (TCAF).

Am I Eligible for a Training Completion/ Refund?

Only fee-paying students who signed a contract and are enrolled in approved programs at registered private career colleges are eligible to receive training completions or refunds through TCAF. Students who were enrolled in programs that are not approved under the *Private Career Colleges Act, 2005* (PCCA) and students who were funded completely by a third-party (e.g. WSIB) are not eligible for refunds or training completions.

For a complete list of registered private career colleges and approved programs offered by private career colleges in Ontario please visit the Ministry of Training, Colleges and Universities website at: <http://www.edu.gov.on.ca/eng/general/searchpcc.html> and click on *Next* to search for a PCC.

How do I find out more information regarding options upon a school closure?

If you are a student of a registered private career college at the time of the school closure, please fill out a [Student Information Form](#) and submit it to the Ministry of Training, College and University as soon as possible.



The ministry will contact the students of a closed private career college using the information collected from the Student Information forms. The ministry may contact students by any appropriate method. Generally, email communication or an in-person meeting are good ways to provide students with information and adequately address their questions.

At the time of the initial contact, it is unlikely that a training completion provider will have been identified. Ministry staff will explain the general process for arranging training completions and the rules around refunds. As a resource, students will be given this document, Fact Sheet # 5: Information for Students – PCC Closure. If you have additional questions, contact the ministry at PIB@ontario.ca.

PART 1 - TRAINING COMPLETIONS

How Long Will it Take Before I Know what my Training Completion Options Are?

The ministry is responsible for finding potential training completion providers. When arranging a training completion, the ideal scenario is to find an arrangement that will have minimal disruption for students.

Because arranging a training completion is a complicated process that depends on many factors, the amount of time it takes to arrange a potential training completion will vary greatly. Every effort will be made to facilitate a training completion as soon as possible.

In order to find potential training completion providers, the ministry will rely heavily on the advice of the two major sector associations, the Ontario Association of Career Colleges (OACC) and the



Association of Private Colleges (AOPC), as well as the advice of members of the TCAF Advisory Board.

The selection of training completion providers will be based on the training completion proposals that are submitted to the Superintendent. The ministry will evaluate the proposals to identify the best possible training completion options. The proposals will allow the Superintendent to evaluate a provider's ability to deliver the training completion effectively.

The training completion provider does not necessarily have to be a registered private career college. Section 40 (3) of O. Reg. 414/06 enables the Superintendent to approve another person or organization to provide a training completion, even if that person/organization is not approved to offer the program under the *Private Career Colleges Act, 2005*. For example, Colleges of Applied Arts and Technology (CAATs) may be eligible to deliver a training completion to students affected by a closure. However, the Superintendent of Private Career Colleges must be satisfied that this person, private career college or organization meets specific criteria.

How do I Accept a Training Completion?

Once all possible training completion providers have been identified, ministry staff will contact students to advise them of the options. Students will be informed of the available training completion opportunities and reminded of the rules governing refunds. Students will be given the [Student Claim Form](#), along with instructions on how to complete the form and return it to the Superintendent of Private Career Colleges.

Students must advise the Superintendent of their choice of training completion(s) by way of the [Student Claim Form](#). The form **must be returned to the ministry within 14 days** of being advised of the



training completion option(s), pursuant to section 40(5) of O. Reg. 414/06. Students who do not return the form within 14 days will not be eligible for a training completion and will only be eligible to claim a refund for the unearned fees paid for the vocational program.

The [Student Claim Form](#) must be accompanied by supporting documentation. Students must provide a copy of the signed student contract and copies of all receipts for fees paid to the private career college. The student must also provide documentation of her/his progress in the program to date (i.e. logs, course calendar, etc...).

Once a student confirms her/his decision on the training completion in writing to the Superintendent, she/he is no longer eligible to claim a refund of unearned fees (the paid portion of the program that has not yet been provided).

Am I Still Eligible for a Training Completion if I Cannot Demonstrate that I Have Paid All Fees for the Program?

Yes. However, students will be required to pay any outstanding fees owing to the training completion provider. The ministry will assess student information in order to determine whether any outstanding payments are due. If so, the training completion agreement between the training completion provider and the ministry will specify the amount of fees that can be charged to a particular student. If the training completion provider is permitted to charge any fees to students, a student contract must be signed.

What if I Will Incur Additional Travel and Dependant Care Expenses as a Result of Attending a Training Completion?

The Superintendent may approve the reimbursement of reasonable travel and dependant care costs associated with a training completion. TCAF will only cover costs that are *above and beyond* what a student would have paid if she/he had been able to complete



the original vocational program. For example, if the student spent \$20 a week in public transportation to get to their former (original) program and it costs the student \$30 to attend the training completion site, the student would be eligible to claim \$10/week in transportation costs.

Travel Expenses

Travel costs are those costs that may be incurred for incremental daily commuting expenses to and from the site of the training completion. Travel costs could include the cost of transit passes or may be paid on a per kilometre basis. The maximum per kilometre is currently 40 cents/km in Southern Ontario and 41 cents/km in Northern Ontario.

Dependant Care Expenses

Any approval for dependant care expenses will take into account how the dependant was cared for prior to the training completion.

Definition of Dependant

A dependant must:

- Reside with the student and be under their care;
- Be either wholly or substantially dependent on the student for support; and
- Be either mentally or physically disabled or be a child under 14 years of age.

Dependant Care Provided by Family members:

In general, approval will not be granted for dependant care provided by family members. The exception is where a paid arrangement was previously in place and additional hours of service will be required to accommodate the training completion (for example, a student enrolled in a part-time program will partake in a full-time



training completion). In this scenario, TCAF would only cover the costs of the extended hours of service. One example of acceptable proof of the prior existence of such an arrangement would be an income tax return with receipts for dependant care expenses filed by the student or the student's spouse/common-law partner.

Where there is sufficient rationale to support the approval of dependant care provided by a family member, the student must submit receipts to substantiate the cost.

How Do I Know if My Travel and Dependant Care Expenses Will Be Approved?

Pre-approval of expenses

Along with the [Student Claim Form](#), students that intend to submit claims for travel and dependant care expenses must submit an estimate of those expenses using the [Travel and Dependant Care Pre-Approval Form](#).

Any approval of expenses will take into account how the student travelled to the former private career college and how dependants were cared for when the student attended the program at the closed PCC.

Travel and childcare expense items that are not pre-approved by the Superintendent will not be reimbursed.

When Will I Be Reimbursed for Approved Travel and Dependant Care Expenses?

In order to obtain a reimbursement of approved expenses, students must submit the [Travel and Dependant Care – Request for Reimbursement](#) form. The claim for a reimbursement must be accompanied by evidence that the expenses were pre-approved by



the Superintendent and that the expenses were actually incurred by the student (e.g. official receipts).

Claims for re-imbusement must be filed within 90 days of completing a training completion (subsection 42(6) of O. Reg. 414/06). Expenses cannot be paid until the expiry of the time period for making such claims (it may take anywhere from six to twenty-four months). Ministry staff need to review all claims and all documents to support the claims.

Do I need to Sign a Contract With My Training Completion Provider?

Because the Superintendent is entering into an agreement with the training completion provider on behalf of students and the students are generally not paying fees directly to the training completion provider, students are not required to sign individual contracts with the training completion provider.

There is one exception. Subsection 41(2) of O. Reg. 414/06 allows a training completion provider to charge a fee to a student if: 1) the student owed all or part of his or her fees to the former private career college; and 2) the training completion agreement between the Superintendent and the training completion provider allows for the recovery of such unpaid fees.

If the training completion provider is permitted to charge any fees to students, a student contract must be signed. Please see the [Enrolment Contract between Training Completion Provider and Student.](#)



PART TWO - REFUNDS

What If no Training Completion is Available?

Where no training completion can be arranged, a student is entitled to a full refund of all fees that she/he paid to the private career college in respect of a vocational program. All refunds will be paid by cheque in Canadian dollars.

In order to obtain a full refund where no training completion is available, the student must submit a completed [Student Claim Form](#) within 6 months of the Superintendent declaring the security forfeit. Financial security is declared forfeit on the day the ministry receives the first student claim.

For example: A registered PCC closes on January 15, 2009. The first student claim from a former student of that school is received by the ministry on January 30, 2009. The other former students affected by the closure have until July 30, 2009 to submit their claims.

You are encouraged to contact the ministry at PIB@ontario.ca if you are unsure when you must submit your claim.

Along with the completed [Student Claim Form](#), the student must submit receipts for any fees paid to the PCC and a signed copy of the student enrolment contract. The amount of the refund will depend on the amount of fees that the student can demonstrate s/he paid to the PCC.

What If a Training Completion is Available but I do not want to Attend?

Students always reserve the right to refuse a training completion. Students who do not want to participate in a training completion (or



those who did not accept a training completion within the allotted 14 day period) may file a claim for a refund of unearned fees paid for the vocational program (the paid portion of the program that has not yet been provided). Refunds will be paid by cheque in Canadian dollars.

In exceptional circumstances, students who refuse a training completion may be granted a full refund *if and only if* attending the training completion would cause the student undue hardship. It must be noted that the criteria for determining undue hardship are very stringent. It is unlikely that students who refuse a training completion will obtain a full refund.

Students who feel a training completion would cause undue hardship must submit, along with the [Student Claim Form](#), a request for a full refund in writing to the Superintendent, explaining the facts of their situation. When determining whether the training completion would cause undue hardship, the Superintendent may consider such things as:

- whether the language of instruction for the training completion is different than the language of instruction of the discontinued vocational program;
- whether the timing of the training completion extends far beyond what the student had originally planned and the student has a written confirmation of an employment start date; or
- whether other extenuating circumstances, such as a death in the immediate family, make the training completion infeasible

How do I submit a Claim for a refund?

Claims for refunds must be filed using the [Student Claim Form](#) within six months from the day the Superintendent declares the



institution's financial security forfeit. If you require a student claim form, please email the Ministry at PIB@ontario.ca.

Along with the completed student claim form, the student must submit receipts for any fees paid to the PCC and a signed copy of the student enrolment contract. The amount of the refund will depend on the amount of fees that the student can demonstrate s/he paid to the PCC, and the amount of fees that were earned by the private career college.

Submitting a Claim for a Refund

If the student does not choose to take one of the available training completion options, if the student does not submit the required [Student Claim Form](#) within 14 days of being advised that a training completion is available, or if she/he has not been offered a training completion because a suitable training completion was not available, the student may submit a claim for a refund.

Claims for refunds must be submitted within six months of the day the Superintendent declares the financial security forfeit. Financial security is declared forfeit on the day the ministry receives the first student claim.

For example: A registered PCC closes on January 15, 2009. The first student claim from a former student of that school is received by the ministry on January 30, 2009. The other former students affected by the closure have until July 30, 2009 to submit their claims.

You are encouraged to contact the ministry at PIB@ontario.ca if you are unsure by what date you must submit your claim.

Students must submit supporting documentation along with their claim, including a copy of the signed enrolment contract, all receipts for fees paid to the PCC and evidence of the student's progress in a



vocational program (e.g. record of marks, graded tests, course outline).

What happens if I Can't Submit Supporting Documentation?

The amount of the refund will depend on the amount of fees that the student can demonstrate s/he paid to the PCC, and the amount of fees that were earned by the private career college. Students will only be entitled to a refund of those fees she/he can demonstrate were actually paid to the private career college. Students who cannot produce receipts for fees paid will not be eligible for a refund of those fees.

When Will I get My Refund?

Students have six months from the time of the first claim to file their claim for a refund. In general, refunds will not be paid until the six month period has elapsed. The ministry will need to review all claims and supporting documents. This can take anywhere from 6 – 24 months.

If I Receive OSAP, When do I Need to Start Repaying my Loan?

You are required to begin repaying your student loans six months after you cease full-time studies. You should contact the National Student Loans Service Centre at 1-888-815-4515 (within North America) or 1-800-225-2501 plus appropriate country code (outside North America) to confirm the dates your student loan payments are scheduled to start. Programs are available to assist you with repayment. For further information on repayment obligations, please visit the OSAP website at http://accesswindow.osap.gov.on.ca/aw/ENG/not_secure/osap1016.htm.



This document is provided for your information and convenience only. It is not a legal document. For further information and the exact wording please refer to the *Private Career Colleges Act, 2005* and regulations.

Need More Information?

If you have questions about the *Private Career Colleges Act, 2005* contact the Ministry of Training, Colleges and Universities at:

Ministry of Training, Colleges and Universities
9th Floor Mowat Block
900 Bay Street
Toronto, ON M7A1L2

Telephone: (416) 314-0500 or 1-866-330-3395
Fax: (416) 314-0499

OR

Visit our website at: www.edu.gov.on.ca/eng/general/private.html

The full text of the act and regulations can also be downloaded from the Ontario government E-Laws website at:

www.e-laws.gov.on.ca