



**Private Training
Institutions Branch**

Private Training Act Policy Manual



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Introduction

The Private Training Act (2016) (the PTA) sets out a new approach to regulating private training institutions in British Columbia. The legislation, supported by regulations and policy:

- Replaces the *Private Career Training Institutions Act (2003)* (the PCTI Act)
- Transfers the authorities and functions of the Private Career Training Institutions Agency (PCTIA) to the Private Training Institutions Branch (PTIB) of the Ministry of Advanced Education
- Sets higher quality standards
- Strengthens consumer protection
- Streamlines administrative processes
- Reduces the regulatory burden for registered institutions

The changes are designed to strengthen the sector and enhance the reputation of the sector both at home and internationally. They are also consistent with the recommendations put forward by the Ombudsperson in a 2015 report on effective oversight of private career training.

About this Manual

This manual is designed to help private training institutions understand and comply with the PTA and regulations – the Private Training Regulation, the Fees and Student Tuition Protection Fund Regulation and the Private Training Transitional Regulation. It also serves to inform students and the general public about the regulatory requirements for private training in British Columbia.

[Glossary of Terms](#) is included at the end of this manual.

This manual is not a replacement for the PTA and regulations, which will prevail in the case of any discrepancy. For the full text of the PTA and regulations, go to www.privatetraininginstitutions.gov.bc.ca.

The Ministry of Advanced Education may amend this manual from time to time. For the most current version, go to www.privatetraininginstitutions.gov.bc.ca.

Chapter 1: Certification

This chapter of the manual supports:

- Sections 2, 3, 4, 5, 6, 7, 8 and 9 of the PTA
- Sections 3, 4, 5, 6, 7, and 8 of the Private Training Regulation, and
- Section 3 and 4 of the Fees and Student Tuition Protection Fund Regulation.

The PTA takes a new approach to regulating private training in British Columbia. The process is now called certification, and institutions can choose from one of two distinct pathways to achieve it: registration or designation.

The process for regulating private training in B.C. is now called **certification.**

The following chapter offers information on:

- Who must be certified
- The types of certificates granted
- Requirements for certification
- The application process, step-by-step

1.1 Who requires a certificate?

Private training institutions in British Columbia require a certificate if they provide, or offer to provide, at least one career-related program with:

- 40 hours or more of instructional time, and
- Tuition of at least \$4,000.

These are called **Class A** programs.

The PTA does not apply to:

- Elementary, middle and secondary schools
- British Columbia public post-secondary degree-granting institutions
- Private post-secondary degree-granting institutions that only offer degree programs
- Professional organizations providing career-related programs to their members

For a complete list of excluded institutions, see [Appendix 1](#).

1.2 Types of certification

Institutions can choose from one of two distinct pathways to certification: registration or designation.

Registration is the minimum requirement for private training institutions offering **Class A** programs (defined in [Section 1.1](#), above).

Designation is associated with a higher level of quality. Only designated institutions can:

- Apply for the B.C. Education Quality Assurance (EQA) designation and, once EQA is achieved, enrol international students on study permits, and
- Apply for StudentAidBC (SABC).

Interim designation may be issued when an institution applies for, but does not meet, all the requirements for designation.

For more on EQA and SABC see [Section 1.6](#).

Voluntary designation

Institutions not offering Class A programs may apply for **designation** if they offer a **Class B** or **Class C** program. They may not apply for registration. See [Section 2.1](#) for a complete description of the classes of programs.

1.3 Requirements for a certificate

As noted in [Section 1.2](#), private training institutions may apply for a registration or a designation certificate, and institutions that do not meet the requirements for designation may be issued an interim designation certificate. The following table outlines the requirements for each type of certificate.

| |
|--|
| Part One: Requirements for first time applicants for a certificate |
| Attend an orientation session. |
| Part Two: Requirements for all certificates |
| Have a valid Business BCeID (British Columbia Electronic Identification) account. A Business BCeID is required to access the Private Training Institutions Portal. To get a Business BCeID, go to https://www.bceid.ca/ . |
| Submit an application for certification. |
| Have general liability insurance. |
| Demonstrate sufficient financial resources to meet contractual obligations to students. |
| Offer at least one program that requires approval by the registrar. |
| Provide financial security, if required by the registrar. |
| Pay the certification fee and any outstanding fees, fines or payments. |
| Part Three: Requirements for designation – in addition to the requirements for all certificates listed in Part Two |
| Have a Senior Educational Administrator who holds a degree, diploma, certificate or comparable education or work experience in adult education. The SEA is responsible for: <ul style="list-style-type: none"> • Ensuring that, for each approved program, the course outline(s), curriculum and program outline are relevant to the learning objectives of the program, and • Overseeing a performance evaluation process for instructors. |

| |
|---|
| <p>Have been continuously registered under the PCTI Act, or certified under the PTA, for the past year.</p> |
| <p>*Have students enrolled in at least 50% of their approved programs – either currently or at some point in the past year.</p> |
| <p>*Institutions continuously certified or registered under the PCTI Act for the past three years must have granted a credential to students in at least 50% of their approved programs in the past three years.</p> |
| <p>*Institutions designated for StudentAidBC must have one of the following:</p> <ul style="list-style-type: none"> - A student loan repayment rate of 70% or more for two of the last three years, or - Annual total principal in delinquency of less than \$100,000 in each of the last three years. <p>These requirements do not apply if:</p> <ul style="list-style-type: none"> - The institution has fewer than 10 students in a cohort, or - The Canada Student Loans Program has insufficient data to determine the student loan repayment rate or the annual total principal in delinquency for the institution. |
| <p>* The requirements in blue do not come into effect for institutions transitioning from PCTIA until the second time they apply for re-certification (beginning February 2018).</p> |
| <p>Part Four: Requirements for interim designation – in addition to the requirements for all certificates listed in Part Two</p> |
| <p>Have a Senior Educational Administrator (see above for the requirements for Senior Educational Administrators)</p> |

1.4 Applying for a certificate (first time applicants only)

This section of the manual applies to:

- Institutions applying for a certificate for the first time, or
- Certified institutions applying for a different type of certificate.

Institutions registered under the PCTI Act are automatically certified under the PTA. Certificates will expire seven months after the end of the fiscal year established by the institution. Prior to that time, institutions will be required to apply for re-certification.

For information on re-certification, see [Chapter 5](#).

1.4.1 Application Process

Step 1:

Attend an orientation session.

Someone legally authorized to act on behalf of the institution, or the Senior Educational Administrator for the institution, must complete an orientation session. Where space allows, more than one person may attend. For more information or to sign up for a session, go to www.privatetraininginstitutions.gov.bc.ca.

Step 2:

Have a valid Business BCeID account, providing secure online access to the Private Training Institutions Branch (PTIB) Portal and other government services. Once you have created a Business BCeID account, you will need to provide the full name, email address and BCeID User ID of the BCeID account holder for your institution by emailing this information to PTI@gov.bc.ca. This email must be sent from the email account associated with your BCeID account.

PTIB Portal

To further streamline administrative processes, a **Private Training Institutions Branch (PTIB) Portal** has been added to the PTIB website. The PTIB Portal is the primary link between the PTIB and institutions. Current features include:

- [BCeID](#), a secure method for accessing government services online.
- A dashboard displaying key information such as operating name, institution number, and fiscal year end, along with certificate type, status, and expiry date.
- The ability for administrators to manage Portal user access, to submit and complete applications and to submit payment. Basic users are able to complete applications and submit payments, however applications must be submitted by an individual in the administrator role.
- An invoices tab which displays an institution's outstanding invoices and allows an institution to pay an invoice by credit card.

Step 3:

Submit an application for certification, using the Institution Application Form available in the Form Library at www.privatetraininginstitutions.gov.bc.ca and choose:

- Application for Registration, or
- Application for Designation.

For a complete list of the information and records required with the application, see [Appendix 2](#).

Step 4:

Submit basic program information via the Institution Application Form available in the Form Library at www.privatetraininginstitutions.gov.bc.ca for all programs offered.

If program approval is required, submit a Program Approval Application via the Institution Application Form available in the Form Library at www.privatetraininginstitutions.gov.bc.ca. To be certified, institutions must offer at least one program that requires approval by the registrar. For more information, see [Chapter 2](#).

Step 5:

Pay the applicable application fees.

- A process to apply for re-certification and online reporting of student data.

In time, the PTIB Portal will also provide for:

- Functions on the Online Forms Portal to manage institution profiles, contacts, program and location information and submit other applications online.
- A dashboard to include application status, key reporting dates, and requirements.
- Integration of Student Financial Assistance (SFA) and Education Quality Assurance (EQA) designation processes.

| Fee | Amount | Notes |
|------------------------------|-------------------------------|--|
| Registration Application Fee | \$2,450 | |
| Designation Application Fee | \$2,600 | |
| Additional Location Fee | \$1,000 | Required for each additional location where an institution operates. |
| New Program Application Fee | See Chapter 2 | |

Business Planning

Institutions applying for certification for the first time must submit a business plan that includes the following elements:

- Industry/market analysis
- Marketing plan
- Financial plan

For more on business planning requirements, see [Appendix 3](#).

1.4.2 Application assessment process

Site inspection

For first time applicants, the registrar will typically inspect the locations from which the institution will offer programs. The cost of the inspection is included in the application fee. For more information on inspections, see [Chapter 4](#).

Decisions by the registrar

The registrar will assess the application and determine:

- Whether the institution meets the requirements for a certificate and, if so, what type of certificate, and
- Whether financial security is required and, if so, the amount of financial security.

Most first time applicants for certification will be required to post financial security of at least \$25,000. For more on security, see [Chapter 8](#).

Once an application has been assessed, the registrar will notify the institution of the decisions.

Institutions must pay the certification fee and provide security, if required, before the certificate can be issued. The certification fee for institutions applying for the first time is \$83.

1.5 Receiving a certificate, invoice and designation mark

Certificate

Once an institution has met the requirements and paid the certification fee, the registrar will issue a certificate for each location of the institution. The certificates must be:

- Printed and prominently displayed at each location, and
- Posted on the website of the institution.

Certificates must remain posted until they expire, or are surrendered or cancelled.

Invoice

Along with their certificate(s), each institution will receive an invoice, setting out the fees and payments required during the certificate term. These will include:

- Flat rate fees
- Graduated fees, and
- Payments to the Student Tuition Protection Fund (the Fund).

For more on fees and payments to the Fund, see [Chapter 7](#).

Designation marks

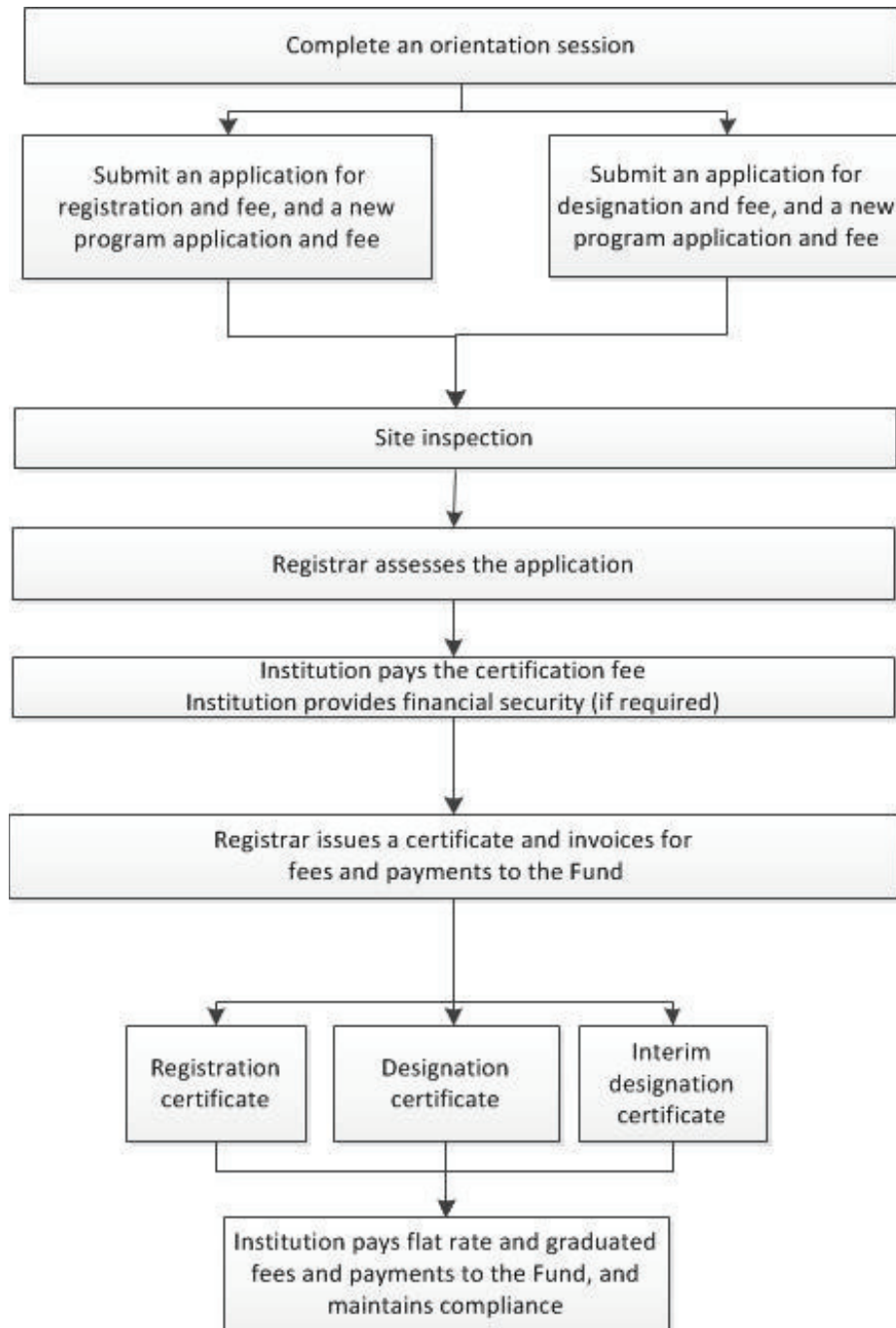
The B.C. Private Training Institutions Branch Designation Certification Mark (“the Marks”) is available to designated institutions. Only designated institutions may use the Marks; there is no corresponding mark for registered or interim designated institutions. The PTIB will legally enforce proper use of the Marks.

Please note when using the Mark, the institution must provide “Notice of Licence” (Section 8 of the Designation Certification Mark Terms of Use Agreement). This means the Marks must be accompanied by the following statement: *“DESIGNATED B.C. PRIVATE TRAINING INSTITUTIONS BRANCH & Shield Design mark is a certification mark owned by the Government of British Columbia and used under licence.”*

Designated institutions that wish to use the Marks must sign and return the Designation Certification Mark Terms of Use Agreement, included in this manual as [Appendix 24](#) and available in the Form Library at www.privatetraininginstitutions.gov.bc.ca. Completed Terms of Use Agreements should be sent to PTI@gov.bc.ca. The PTIB will then email the Marks files to the institution.

The Marks may not be used before the signed Terms of Use Agreement is in place.

Application and Assessment for a Certificate (first time applicants only) – Process Overview



1.6 EQA and StudentAid BC designations

Institutions designated under the PTA can also apply for Education Quality Assurance (EQA) and StudentAid BC (SABC) designations at no extra cost. Institutions must meet additional requirements for EQA and SABC designations and applications will be assessed by EQA and SABC program staff.

- **EQA** is the British Columbia brand for quality post-secondary education. It is also a requirement for inclusion on the federal list of Designated Learning Institutions to host international students on study permits. For more on EQA, go to www.aved.gov.BritishColumbia.ca/education_quality_assurance/welcome.htm. For more on the federal Designated Learning Institutions list, go to www.cic.gc.ca/english/study/study-institutions-list.asp
- **SABC** designation allows institutions to enrol students who wish to apply for financial assistance through StudentAidBC. For more information, go to www.studentaidBC.ca/institution-officials

Planning to enrol international students?

International students who wish to enrol in a program longer than six months require study permits from the federal government under the International Student Program. For more information on study permits, go to www.cic.gc.ca/english/study/study.asp.

Note: Only designated institutions that also hold EQA designation may enrol international students on study permits.

1.7 Institutions refused a certificate

If the registrar refuses to issue a certificate because the requirements have not been met, the registrar will provide reasons. The institution may not apply for a certificate for 12 months following receipt of the decision (assuming no interim designation certificate was issued).

The institution may request a reconsideration of the decision. For details see [Chapter 10](#).

Chapter 2: Program approval

This chapter of the manual supports:

- Sections 11 and 12 of the Private Training Act
- Sections 10-14 of the Private Training Regulation, and
- Section 5 of the Fees and Student Tuition Protection Fund Regulation.

All programs approved under the PCTI Act and requiring approval under the PTA are considered approved. The following chapter is primarily of interest to institutions:

- Applying for certification for the first time, or
- Seeking approval from the registrar for new programs.

2.1 Programs that require approval

Programs requiring approval from the registrar fall into three categories:

- Class A:** Career-related programs with 40 or more hours of instruction, for which tuition is at least \$4,000
- Class B:** Career-related programs at designated/interim designated institutions, other than Class A programs, for which tuition is at least \$1,000
- Class C:** Language programs at designated/interim designated institutions that are longer than six months or for which tuition is at least \$4,000. A language program is defined as a program that has as its learning objective that students gain or improve proficiency in a language.

2.2 Excluded occupations

Programs leading to the following career occupations described in the current edition of the National Occupational Classification do not require approval:

- i. 4154 (professional occupations in religion)
- ii. 4217 (other religious occupations)
- iii. 5232 (other performers)
- iv. 6564 (other personal service occupations), other than feng shui practitioner, massager, masseur/masseuse, and Reiki master

Also exempt from requiring approval is training for the following career occupations:

- Driving motor vehicles with a class 1,2, 3 or 4 driver's licence

- Operating a vehicle equipped with air brakes under the *Motor Vehicle Act*, and
- Driver training instruction as defined in the Motor Vehicle Act Regulations, BC Reg. 26/58.

Programs in which all students enrolled are funded by one employer or one third party (“employer provided programs”) do not require approval unless they are offered to international students on study permits.

2.3 Applying for program approval

Step 1:

Provide basic information for all programs – including programs that do not require approval – via the Institution Application Form available in the Form Library at www.privatetraininginstitutions.gov.bc.ca.

The registrar will assess whether each program requires approval and, if so, the class it is in. For details on the information and records required, see [Appendix 4](#).

If the registrar determines the program does not require approval, no further action is required.

Step 2:

If approval is required, submit the necessary information via the Institution Application Form available in the Form Library at www.privatetraininginstitutions.gov.bc.ca. For details, see [Appendix 5](#).

Pay any applicable fees for programs requiring approval. See [Section 2.5](#) for more information.

Prior to program approval

A certified institution may advertise a program that requires approval before the program has been approved, but **MUST NOT**:

- Enrol students
- Accept tuition, or
- Sign student contracts.

SME Evaluations

Applications for **Class A** programs at designated/interim designated institutions must include an evaluation by a Subject Matter Expert (SME). The institution has to pay for the evaluation. The registrar may also request an SME evaluation for **Class A** programs at registered institutions or **Class B** or **Class C** program applications.

Institutions may select an SME from the list provided at www.privatetraininginstitutions.gov.bc.ca. If the list does not include an appropriate SME, the institution should contact the PTIB for assistance.

The SME must conduct the evaluation using the guide provided at www.privatetraininginstitutions.gov.bc.ca. For more information, see [Appendix 6](#).

2.4 Application review and decision

Review

The registrar must take into account the following considerations when deciding whether to approve a program:

- a) Whether the title of the program is consistent with the learning objectives of the program
- b) Whether the program leads to a credential
- c) Whether the following are appropriate to enable students to meet the learning objectives of the program:
 - (i) the admission requirements
 - (ii) the number of hours of instruction
 - (iii) the maximum number of students that may be admitted in the program
 - (iv) the method of delivery
 - (v) the order in which courses are provided
 - (vi) the equipment and facilities the institution uses to provide the program, and
 - (vii) the student intake model.
 - (viii) the course outline
 - The learning objectives of the course
 - A list of required course materials
 - A description of the method of evaluation used to assess student performance in the course
 - the requirements that a student must meet to complete the course, and
 - the teaching methods used in the course.
 - (ix) the program outline
 - The title of the program
 - The learning objectives of the program
 - A description of the method of evaluation used to assess a student if there is an evaluation in addition to the one included in a course outline for a course that is part of the program
 - The requirements that a student must meet to complete the program
 - A list of the titles of the courses that are part of the program

For the **title of the program** to be considered consistent with the learning objectives of the program, it must:

- Accurately reflect the **subject matter** of the program,
- Accurately reflect the **scope** of the program, and
- **Not be misleading.**

An **intake model** is either:

- **Continuous intake**, where students are continuously admitted throughout the program, or
- **Intermittent intake**, where students are admitted into a program at specific times.

For example, a nursing program may require the following **equipment to enable students to meet the learning objectives** of the program:

- Hospital beds and
- Mannequins

An example of facilities for a nursing program would include practical work areas.

- The number of hours of instruction for each work experience component of the program, and
 - In respect of career-related programs of instruction, the career occupation for which the program prepares a student.
- d) Whether the course materials are relevant to the program and in the language in which the program is provided or in a language appropriate for the program
- e) If the program includes work experience, whether the institution has a work experience policy that meets the standards
- f) whether the institution contracted with another entity to provide a portion of the program
- g) *For Class A programs at designated/interim designated*, the SME evaluation, and
- h) Any other information or records required by the registrar.

Course materials

include textbooks, equipment and uniforms.

Institutions must have **ownership** or **usage rights** for the **curriculum** for as long as the program is delivered.

Institutions must directly deliver **at least 50%** of the **hours of instruction** of the program, not including work experience.

Decision

- If the registrar approves the program, the institution will be notified and the program will be added to the Online Directory. For more on the Online Directory, see [Section 9.1](#).
- If approval is denied, the registrar will provide reasons. The institution may submit a new application at any time.

Admission requirements – What is acceptable?

Admission requirements are those requirements necessary for students to be admitted into a program. These may differ from requirements for a work experience program.

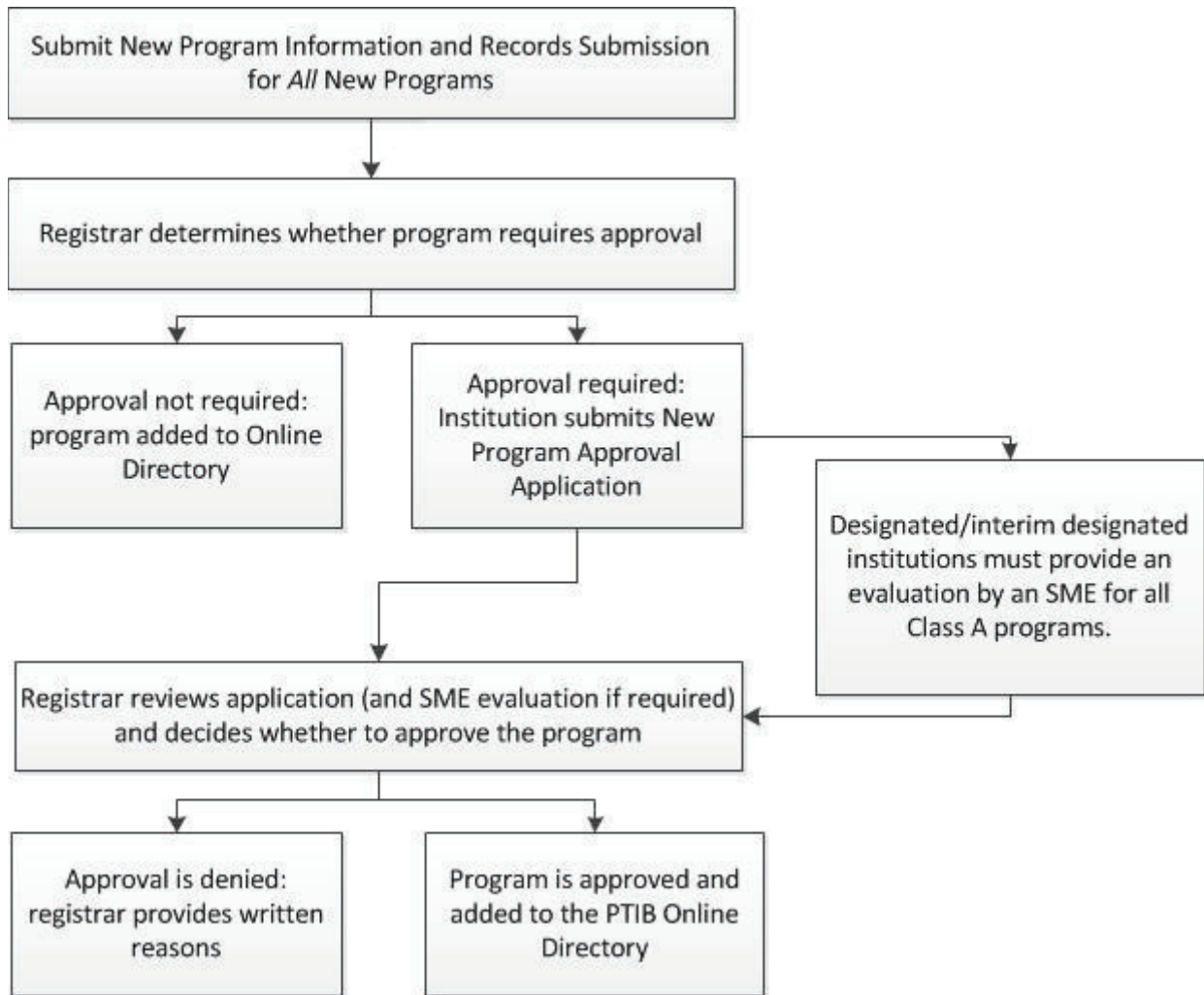
Examples of acceptable admission requirements include:

- Language proficiency to a specified standard
- Prior education for example relevant work or volunteer experience
- Current registration, certification or licensure in a field such as a private pilot or registered counsellor
- Assessment through an interview, portfolio review or audition, to a specified standard

The following are not admission requirements:

- Completion of an application form
- Payment of an application fee
- Parental signature for minors
- Access to or ownership of specialized equipment

Program Approval - Application Process Overview



2.5 New program application fees

Institutions must pay the following fees when applying for program approval.

| Program class | New program application fee |
|---------------|-----------------------------|
| Class A | \$500 |
| Class B | \$200 |
| Class C | \$500 |

2.6 Eligibility for StudentAid BC

As part of the program approval process, designated institutions can also apply for eligibility with StudentAidBC (SABC) for that program.

This process replaces the Program Eligibility Declaration (PED) form for private training institutions.

Information about approved programs will be forwarded directly to SABC for review. No separate application is required and there is no additional fee. However, SABC may request additional information. For more on SABC, go to www.studentaidbc.ca/institution-officials.

Chapter 3: Maintaining certification

This section of the manual supports:

- Sections 13-15 of the Private Training Act and
- Sections 15-48 and 56-60 of the Private Training Regulation.

The following section outlines the process and requirements for notification and consent, followed by the details of applicable compliance standards. For information on applying for re-certification, see [Chapter 5](#).

Certified institutions must, on a continuous basis:

- Meet all the requirements for their certificates, including any condition attached
- Maintain the financial security, if any, required by the registrar (See [Chapter 8](#))
- Comply with all relevant compliance standards (see [Section 3.2](#))
- Offer at least one approved program of instruction (see [Chapter 2](#))
- Fulfill all reporting requirements (see [Chapter 6](#))
- Notify the registrar before making certain changes
- Notify the registrar and receive consent before making certain changes
- Maintain compliance with all applicable local, provincial and federal enactments related to operation or administration of the institution, and
- Pay the applicable fees and payments to the Fund (see [Section 7.2](#))

3.1 Making changes

There are three types of changes:

- changes requiring notification that an institution may not implement prior to notifying the registrar;
- changes requiring notification and consent by the registrar that an institution may not implement prior to obtaining consent by the registrar; and
- changes to report as soon as practicable following the change.

3.1.1 Changes requiring notification

The registrar must be notified in writing at least 90 days before changes to:

- the fiscal year established by an institution

Changing fiscal year

Certificate expiry and deadlines for reporting are tied to the fiscal year established by an institution. A change in fiscal year will, therefore, have a significant impact. It also requires prior approval from the Canada Revenue Agency. For more information go to www.cra-arc.gc.ca/

Institutions considering a change in fiscal year are required to notify the registrar at least 90 days in advance. They are also encouraged to contact the registrar ahead of time to discuss implications.

The registrar must be notified in writing at least 14 days before changes to:

- tuition or related fees of an approved program
- the credential to be granted on completion of an approved program
- an approved program from full time to part time, or part time to full time
- the list of programs offered (program deletions only)
- if the approved program has intermittent student intakes, the maximum number of students admitted per intake or an increase in the number of student intakes
- an approved program that leads to a regulated occupation, where the change is required by a regulator
- the student intake model for an approved program
- the maximum number of students the institution admits to an approved program
- the language of instruction of an approved program
- information about the institution, including:
 - legal or operating name
 - address for service
 - senior educational administrator (designated/interim designated institutions only)
- the list of host organizations for approved programs including work experience

Full and part time

In relation to an approved program:

- **Full time means:**
 - Instructional time of 20 hours or more per week, or
 - If the program leads to employment in a career occupation regulated by Transport Canada, the federal regulator, instructional time of 15 hours or more per week.
- **Part time means:**
 - Instructional time of less than 20 hours per week, or
 - If the program leads to employment in a career occupation regulated by Transport Canada, the federal regulator, instructional time of less than 15 hours per week.

The registrar must be notified at least seven days in advance of any change of control of an institution.

For a company, extraprovincial company or corporation, a change of control means a change in the major shareholder (a shareholder holding more than 50% of the voting shares). For a partnership, a change of control means a change or alteration in the membership of the firm.

3.1.2 Changes requiring notification and consent

The registrar must provide written consent before the institution can make changes to any of the following in relation to an approved program:

- Hours of instruction
- Method of delivery (e.g. in-class, distance, or a combination of both)
- Admission requirements
- The location where, or from which, the program is provided
- A program outline in relation to any of the following:
 - the title of the program
 - the learning objectives
 - the number of hours of instruction for each course that is part of the program
 - the number of hours of instruction for each work experience component
 - in respect of career-related programs, the career occupation for which the program prepares a student.

3.1.3 Changes to report

The registrar must be notified as soon as practicable of the following changes. Institutions may implement the following changes prior to notifying the registrar.

- directors
- senior officers or
- shareholders (other than the major shareholder) holding 10% or more of the shares of the company.

For reporting changes in directors, senior officers and/or shareholders, different criteria apply to different corporate structures:

| If the institution is: | It must report a change in: |
|--|---|
| A company | <ul style="list-style-type: none"> • directors and senior officers, as defined in section 1(1) of the <i>Business Corporations Act</i>, and • shareholders, as defined in section 1(1) of the <i>Business Corporation Act</i>, holding more than 10% of shares that carry the right to vote at general meetings, other than a change in major shareholder. |
| An extraprovincial company | <ul style="list-style-type: none"> • directors as defined in section 374 of the <i>Business Corporations Act</i>, and • shareholders, as defined in section 374 of the <i>Business Corporations Act</i>, holding more than 10% of the shares that carry the right to vote at general meetings, other than a change in major shareholder. |
| A corporation, other than a company or society | <ul style="list-style-type: none"> • directors and senior officers, as defined in section 1(1) of the <i>Business Corporations Act</i>, and • shareholders, as defined in section 1(1) of the <i>Business Corporations Act</i>, holding more than 10% of shares that carry the right to vote at general meetings, other than a change in major shareholder. |
| a society or extraprovincial society | <ul style="list-style-type: none"> • directors as defined in section 1 of the <i>Society Act</i>. |

3.1.4 Fees for changes

There is no fee for changes requiring notification only, except change of control. Fees for changes requiring consent are detailed in [Section 7.1](#)

3.1.5 Notification process

All change notifications must be completed through the Institution Application Form available in the Form Library at www.privatetraininginstitutions.gov.bc.ca. On the Institution Application Form, select the option for the appropriate change:

- Change Requiring Notification or
- Change Requiring Notification and Consent.

Institutions will be asked to provide information and describe, for each change planned:

- Any anticipated adverse effects on students, and
- Steps the institution will take to address these effects.

The registrar may request further information.

If no consent is required, the registrar will update the Online Directory, if necessary.

Where consent is required, the registrar will:

- Notify the institution whether consent has been granted, and if necessary
- Update the Online Directory.

It will take approximately 12 weeks to process changes requiring consent. The registrar will provide reasons if consent is denied.

3.1.6 Ceasing operations at one or more locations

Any institution ceasing operations at one or more certified locations must notify the registrar at least 14 days before surrendering the certificate.

If the institution ceases operations at all certified locations, it must transfer records for all students enrolled in approved programs to the registrar within 48 hours.

3.1.7 Change of ownership

There are two types of change of ownership: asset purchase and share purchase.

Asset purchase

Certificates are not transferrable or assignable (see s. 7(7) of the *Private Training Act*). Following an asset purchase, a certified institution would be required to surrender its certificate(s) and the new owner would need to submit a new application for registration or designation.

Share purchase

The registrar must be notified at least seven days in advance of any change of control of an institution.

For a company, extraprovincial company or corporation, a change of control means a change in the major shareholder (a shareholder holding more than 50% of the voting shares). For a partnership, a change of control means a change or alteration in the membership of the firm.

Institutions considering a change in fiscal year are required to notify the registrar at least 90 days in advance. They are also encouraged to contact the registrar ahead of time to discuss implications.

3.2 Compliance standards

This section of the manual supports Sections 15-48 of the Private Training Regulation.

3.2.1 Mandatory policies

All certified institutions must have written policies that meet the standards specified in Sections 3.2.3 – 3.3.1:

- Student attendance policy ([Section 3.2.4](#))
- Tuition refund policy ([Section 3.2.8](#))
- Work experience policy ([Section 3.2.9](#))
- Student dismissal policy ([Section 3.2.11](#))
- Student grade appeal policy ([Section 3.2.14](#))
- Dispute resolution policy ([Section 3.2.15](#))
- Respectful and fair treatment of students policy ([Section 3.2.16](#))

3.2.2 General compliance standards

All certified institutions must:

- Have a current organizational chart, and
- Maintain a valid Business BCeID account.

If an institution has a website, it must also provide a link to the Private Training Institutions Branch website at www.privatetraininginstitutions.gov.bc.ca.

3.2.3 Program compliance standards

These standards apply to **all approved programs** of instruction effective September 1, 2016, subject to noted exceptions.

Certified institutions must do all of the following in relation to approved programs:

- Deliver programs as approved by the registrar
- Follow the steps outlined in [Section 3.1 Making changes](#) to report and/or obtain consent for any changes to approved programs
- Apply admission requirements consistently to all applicants

- Maintain course outlines, a curriculum and a program outline that enable students to meet the learning objectives of the program
- Ensure the institution has ownership or usage rights of curriculum for the duration of the program
- Ensure that the following enable students to meet the learning objectives for the program:
 - the number of hours of instruction
 - the number of students enrolled
 - the method of delivery
 - the order in which courses are provided
 - the equipment and facilities the institution uses to provide the program

Curriculum means a plan that sets out **learning activities** and how learning activities must be designed in order to meet the **learning objectives** of a program.

For example, a **nursing** program may require the following **equipment to enable students to meet the learning objectives** of the program:

- Hospital beds and
- Mannequins

An example of **facilities** for a nursing program would include practical work areas.

- the student intake model (intermittent intakes or continuous admission)
- teaching methods
- Ensure that students are provided with a copy of the course outline on the first day of a course
- Ensure that the course materials provided to students are relevant.
- The institution must not compel a student to purchase required course materials from a specific source.

An institution will meet the standard above if the information provided 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.

- For **Class A** and **Class B** programs, ensure that course materials are in the language in which the program is provided
- For **Class C** programs, ensure that the course materials are in a language appropriate to the program
- If the program has 40 or more hours of instruction, ensure that students receive written evaluations regularly, and at least once before 30% of the hours of instruction have been provided
- Apply, and ensure that prior to the start date of the program, students are provided with copies of the following policies established by the institution:
 - student attendance policy;
 - student dismissal policy;
 - student grade appeal policy;
 - work experience policy; and
 - student dispute resolution policy.
- Ensure the institution directly provides over 50% of the hours of instruction of the program except as they relate to work experience.
Note: this standard does not apply if the program has a start date before September 1, 2016.
- For **Class A** and **Class B** programs leading to employment in regulated fields such as health care and transportation, maintain evidence that the requirements of the regulator are met.

3.2.4 Attendance compliance standards

Institutions must establish a written student attendance policy that includes:

- Minimum attendance requirements for students,
- Consequences if a student does not meet the minimum requirements, and
- A process for a student to report an absence.

3.2.5 Instructor and staff compliance standards

Institutions must have adequate staffing and an adequate number of qualified instructors to provide approved programs. Each position title must accurately reflect the main job duties.

Institutions must keep a record for each instructor that includes evidence the instructor meets the required qualifications. At designated/interim designated institutions, the instructor record must also include a copy of each performance evaluation. The institution must keep instructor records for two years after an instructor leaves the institution.

An instructor of a vocational or practical course must have:

- A certificate, diploma or post-secondary degree relevant to the subject matter and two years of full time work experience in a career occupation relevant to the subject matter of the course, or
- 10 years of full time work experience in a career occupation relevant to the subject matter of the course.

An instructor of a language course, other than an Aboriginal language course must have:

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

The instructor of an academic course, other than a language course or an Aboriginal culture course, must have a relevant post-secondary degree in the subject area.

Institutions may use substitute instructors who do not meet the instructor standards – as long as they provide no more than 10% of the instruction hours for the program.

For programs leading to employment in a regulated career, where the regulator stipulates minimum instructor qualifications, the PTA instructor standards do not apply. Instead, instructors – including substitute instructors – must meet the standards set by the regulator.

Instructor performance evaluations

All instructors of approved programs at **designated/interim designated institutions** must have a written performance evaluation at least once every two years, conducted by the Senior Educational Administrator or an appropriately qualified delegate.

3.2.6 Student enrolment contract compliance standards

Certified institutions are required to sign a written contract with each student they enrol, unless the program is employer provided (meaning all students enrolled are funded by a single employer or third party). This applies to approved programs and programs not requiring approval.

The student enrolment contract must set out accurate information about the program. The institution must give the student a copy of the signed contract as soon as practicable, either at the time of signing, or by e-mail or registered mail.

What about contracts signed before the PTA came into force?

The PTA student enrolment contract standards do not apply to contracts for programs with a start date prior to September 1, 2016. For more information on the transition process, see Appendix 22.

Contracts for approved programs must:

- Be written in a clear and comprehensible manner in not less than 10 point type
- Be for a term no longer than 18 months
- Include all required information (see [Appendix 7](#)).

The contract must be dated and signed by:

- The student or, if the student is under the age of 19, by a parent or legal guardian, and
- An individual who has legal authority to act on behalf of the institution.

Contracts for programs that do not require approval must include:

- A statement that the program of instruction does not require approval under the PTA; and
- A statement that a student may not file a claim against the Fund with the trustee in respect of the program of instruction.

3.2.7 Student record compliance standards

Certified institutions must keep an accurate and current record for each student enrolled in an approved program. The student record must include all the required information listed in [Appendix 8](#). A copy must be provided to the student, when requested, at a reasonable cost.

For **Class A** programs, institutions must retain a student record for at least eight years from the following date, whichever is applicable:

- The date the student completes the program
- The date the institution delivers to the student a notice of dismissal
- The date the institution receives a notice of withdrawal

Designated/interim designated institutions must retain student records for **Class B** and **Class C** programs for at least three years from the following date, whichever is applicable:

- The date the student completes the program;
- The date the institution delivers to the student a notice of dismissal;
- The date the institution receives a notice of withdrawal.

3.2.7.1 Record storage standards**Student records kept electronically must be**

- In a format so that copies of the student record can be made
- Backed up at least once a month
- Stored in a secure manner
- In a format that is not proprietary software
- Accessible, on request, by the registrar.

Paper records must be stored securely in a location that is accessible, on request, by the registrar.

3.2.7.2 Archiving Student Records Standards

Certified institutions offering class A programs other than programs of instruction that lead to employment in a career occupation regulated by Transport Canada, the federal regulator, must:

Enter an agreement with a third party, approved by the Minister of Advanced Education, which stipulates that:

- Student records must be archived in a secure manner for 25 years from the date the record is provided to the third party, and
- The registrar will have access to the records on request.

Provide the archived student record to the third party within 60 days of:

- The end date of the student enrolment contract; or
- The date the institution receives a notice of withdrawal; or
- The date the institution delivers to the student a notice of dismissal.

The archived record must be labeled by student name and personal education number, and must include:

- A copy of the signed student enrolment contract;
- Any transcripts issued to the student by the institution; and
- A copy of any credential granted to the student by the institution.

Institutions should not archive information containing sensitive personal information such as unmasked credit card numbers (including the 3 to 4 digit security code typically found on the back of a credit card), Social Insurance Numbers, bank account numbers, Driver's Licence Numbers, Permanent Resident Card Numbers, immigration status, disability status, aboriginal status, or whether receiving provincial income assistance. Please do not archive scanned images showing a cheque or any ID documentation.

3.2.8 Fee and tuition compliance standards for approved programs

Application and assessment fees

Certified institutions may not charge more than:

- \$250 for a domestic student application fee
- \$1,000 for an international student application fee
- \$250 for a student assessment fee.

Certified institutions may not charge for an initial letter of acceptance. For any additional letters of acceptance, an institution may charge no more than a one-time fee of \$250.

Tuition

Designated/interim designated institutions must provide information about the tuition and related fees for each approved program in their publications and on their website.

For contracts longer than six months, the institution must not require the student to pay tuition in fewer than two equal instalments. Where two or more instalments are to be provided:

- The instalment dates must be set as evenly as possible in relation to the term of the student enrolment contract, and
- The amounts of tuition must be apportioned equally to each instalment date.

Tuition and fee refunds

Institutions must establish a written tuition refund policy, and may not accept any tuition until they have either:

- Provided a copy of the policy to the student, or
- Posted the policy on their website.

Note: this does not apply to programs with a start date before September 1, 2016.

When a refund is due, an institution must provide it within 30 days of:

- Receiving a notice of withdrawal from a student
- Receiving a copy of refusal of a study permit
- Providing a student with a notice of dismissal

What are administrative fees?

Administrative fees may include:

- Non-sufficient funds (NSF) fees
- Copy of transcript or student record fees

Administrative fees may **not** include:

- Co-op fees
- Payment to the Fund (per student)

- Receiving notice from the registrar to issue a refund because the institution did not provide a work experience to a student or a student was admitted in an approved program without meeting the admission requirements

If a refund is due and the student has paid for but not received textbooks or other course materials, including equipment or uniforms, the institution must also refund the fees charged for these items.

The table below shows the circumstances in which tuition must be refunded. Note: The effective contract date for a student enrolment contract is the later of:

- The date the student or representative of the student signed, or
- The date the institution signed.

| Circumstance | Tuition Refund Entitlement |
|--|---|
| <ul style="list-style-type: none"> • A student is enrolled in an approved program: <ul style="list-style-type: none"> ○ Without having met the admission requirements, and ○ Without having misrepresented his/her knowledge or skills when applying | 100% tuition refund and a 100% refund of all fees |
| <ul style="list-style-type: none"> • A student (other than a distance education student) does not attend the first 30% of the program | Institution may retain up to 50% of the tuition |
| <ul style="list-style-type: none"> • The institution does not provide all the work experience hours of a program within 30 days of the contract end date, <u>and</u> • The student does not attend the work experience. | 100% tuition refund |

Work experience-related refunds

No refund needs to be issued if an institution offers a work experience component and a student does not attend or if a student fails to meet the criteria to complete the work experience program (e.g. by failing a class).

| Circumstance | Tuition Refund Entitlement |
|---|--|
| Institution receives a notice of withdrawal from a student, or an international student delivers a refusal of study permit: | |
| <ul style="list-style-type: none"> No later than seven days after the effective contract date, and Before the program start date. | 100% tuition refund |
| <ul style="list-style-type: none"> Between the date the contract was signed and the start date of the program, where that period is less than seven days | 100% tuition refund |
| <ul style="list-style-type: none"> More than seven days after the effective contract date, and at least 30 days before the program start date | Institution may retain up to 10% of tuition, to a maximum of \$1,000 |
| <ul style="list-style-type: none"> More than seven days after the effective contract date, and less than 30 days before the program start date | Institution may retain up to 20% of tuition, to a maximum of \$1,300 |
| <ul style="list-style-type: none"> After the program starts, but before 11% of instruction hours have been provided | Institution may retain up to 30% of tuition |
| <ul style="list-style-type: none"> After the program starts, and after 10% but before 30% of instruction hours have been provided | Institution may retain up to 50% of tuition |
| Institution delivers a notice of dismissal to a student: | |
| <ul style="list-style-type: none"> Before 11% of the instruction hours have been provided | Institution may retain up to 30% of tuition |
| <ul style="list-style-type: none"> After 10% but before 30% of the instruction hours have been provided | Institution may retain up to 50% of tuition |
| Student withdraws or is dismissed from a distance-education-only program: | |
| <ul style="list-style-type: none"> When the student has received an evaluation for completing up to 30% of the program | Institution may retain up to 30% of the tuition |
| <ul style="list-style-type: none"> When the student has received an evaluation for completing 30% to 50% of the program | Institution may retain up to 50% of the tuition |

3.2.9 Work experience compliance standards

Institutions offering work experience as part of a **Class A** or **Class B** program must:

- Have a **written work experience policy** that includes:
 - The process by which a student is placed in work experience
 - The process by which the student is evaluated
 - The intervals at which the work experience will be monitored
 - The requirements for participation in work experience
 - The number of hours of instruction of the work experience
 - Identification of the work experience as a clinical placement, cooperative placement, practicum or preceptorship; institutions may only offer work experience of these types
- Provide a copy of the work experience policy to the student before the start date of the program.
- Sign an agreement with the host organization and the student that describes:
 - The respective responsibilities of the host organization, the institution and the student
 - The work experience activities the student will undertake.
- Provide a copy of the agreement to the student before the work experience starts.
- Ensure that the work experience:
 - Is supervised by someone qualified in a relevant career occupation and employed or retained by the host organization
 - Includes activities directly related to the learning objectives of the program or meets the requirements of a regulatory body for that career occupation
 - Consists of no more than the hours of instruction for a clinical placement, cooperative placement, practicum or preceptorship, as applicable – except where a higher number of hours is required by a regulatory body for that career occupation, such as Transport Canada
 - Includes at least one written evaluation of the student, and
 - Is provided before the program ends.
- Monitor the student during the work experience placement. Monitoring consists of reviewing whether the student is attending and meeting the learning objectives of the program.

Examples of work experience requirements

- Minimum academic achievement level
- Criminal record check
- Medical testing

Defining different types of work experience

As noted above, institutions may only offer work experience of a type specified below.

Clinical placement:

- Leads to employment in a health-related career;
- Has no more than 12 students supervised by one instructor, and
- Consists of no more than 50% of the total hours of instruction.

Cooperative placement:

- Consists of no more than 50% of the total hours of instruction, and
- For which a student is paid.

Preceptorship:

- In which one student is supervised by one preceptor (an individual qualified to practice in the health field), and
- Consists of no more than 10% of the total hours of instruction.

Practicum:

- Consists of no more than 20% of the hours of instruction, and
- For which a student is not paid.

These limits on hours of instruction may be exceeded if more work experience is required by a regulator of a career occupation, or the program started before the PTA came into force.

Work experience

Institutions providing a work experience placement as part of an approved program are required to comply with the following:

- **Any fee charged to a student in relation to a work experience component – including a placement fee – is tuition and must be listed in the student enrolment contract as tuition.**
- **Institutions are responsible for finding and securing work experience placements for students.** A work experience is a required element of a program and while a student may be encouraged to find their own placement, institutions are ultimately responsible for ensuring an adequate availability of placements.
- **Institutions must provide PTIB with a list of all of the host organizations** that will provide work experience to students. **A change in this list is a change requiring notice 14 days prior to implementing the change.** This means that if a student finds their own placement at a host organization that is not on the list provided to PTIB, the institution must update their list and notify PTIB.
- Institutions are not expected to accommodate a student who refuses, **for no valid reason**, a work experience placement that meets PTIB's work experience standards.
- Institutions **must fairly and consistently apply the requirements** for participation in a work experience placement.

3.2.10 Student withdrawal compliance standards

Students can withdraw from a program if they provide a notice of withdrawal or a copy of a refusal of a study permit by e-mail, by registered mail, or in person.

3.2.11 Student dismissal compliance standards

Institutions must establish a **written student dismissal policy** that:

- Sets out what constitutes reasonable grounds to dismiss a student,
- Includes the process by which a student may be dismissed, and
- Is provided to the student before the start date of the program.

3.2.12 Prior learning assessment standards

Prior learning assessment is a process to determine if prior education or experience is equivalent to part of a program of instruction. Institutions that have such a process must ensure it is applied consistently to all students.

Prior learning must not be assessed as equivalent to more than 50% of the hours of instruction of a program unless:

- It is related to a program leading to an occupation that is regulated, or
- In the case of an institution closure, where another institution is appointed by the registrar to provide a comparable program of instruction.

3.2.13 Credentials compliance standards

As soon as practicable after a student meets the requirements of an approved program, an institution must grant:

- For a **Class A** program, a certificate or diploma that confirms the completion of a career training program
- For a **Class B** or **Class C** program, a credential other than a career training credential.

3.2.14 Grade appeal compliance standards

Institutions must establish a **written student grade appeal policy** that allows a student to appeal a grade received in a course. The policy must include the process a student has to follow to ask for a grade appeal.

The institution must provide a copy of the grade appeal policy to each student before the start date of the program.

3.2.15 Dispute resolution compliance standards

Institutions must establish a **written dispute resolution policy** that:

- Requires a student complaint to be made in writing
- Identifies, by title:
 - The individual responsible for making a determination in respect of a student complaint, or
 - In case the individual identified above is absent or named in the complaint, the individual responsible for making a determination in respect of the student complaint
- Describes how a student complaint is to be handled
- Authorizes a student who makes a complaint to be represented by an agent or a lawyer
- Requires written reasons for the decision be given to a student as soon as possible and no later than 45 days of making a complaint, and
- Is provided to the student before the start date of the program.

An institution may not charge a fee for using the dispute resolution policy it has established.

An institution must retain a single file of all complaints made by students and decisions issued under the dispute resolution policy for five years. These records must be accessible, on request, by the registrar.

3.2.16 Respectful and fair treatment of students

Institutions must establish a written policy that:

- Promotes the respectful and fair treatment of students.

3.2.17 Sexual misconduct policy compliance standards

As of May 17, 2017, institutions that operate one or more student residences must establish a written sexual misconduct policy that:

- Addresses sexual misconduct, including sexual misconduct prevention and responses to sexual misconduct, and
- Sets out procedures for the following:
 - making a complaint of sexual misconduct involving a student
 - making a report of sexual misconduct involving a student
 - responding to a complaint of sexual misconduct involving a student
 - responding to a report of sexual misconduct involving a student.

The policy must be posted on the institution's website if the institution has a website or, if the institution does not have a website, made otherwise publicly available.

Sexual misconduct includes the following:

- sexual assault;
- sexual exploitation;
- sexual harassment;
- stalking;
- indecent exposure;
- voyeurism;
- the distribution of a sexually explicit photograph or video of a person to one or more persons other than the person in the photograph or video without the consent of the person in the photograph or video and with the intent to distress the person in the photograph or video;
- the attempt to commit an act of sexual misconduct;
- the threat to commit an act of sexual misconduct.

3.3 Additional standards for designated/interim designated institutions

Designated and interim designated institutions must also meet the standards described below.

3.3.1 Student support services standards

Designated/interim designated institutions must make one or more individuals responsible for ensuring students have access to information about:

- The student enrolment contract
- The outline for each approved program of instruction
- Housing and transportation services for students
- Medical insurance, the Pharmacare program and similar government health care programs for students
- Child care services available to students
- Community and cultural services available to students, such as family support, addiction treatment and services for immigrants
- Available academic support, such as tutoring services, literacy support and library services
- Employment resources for students, including resources in relation to preparing a resume.

3.3.2 Senior Educational Administrator (SEA)

Designated/interim designated institutions must have a SEA who holds a degree, diploma, certificate or comparable education or work experience in adult education.

The SEA is responsible for:

- Ensuring that the course outline(s), curriculum and program outline of an approved program are relevant to the learning objectives of the program, and
- Overseeing a performance evaluation process for instructors.

3.3.3 Program Advisory Committee (PAC)

Designated/interim designated institutions must establish PACs to ensure **Class A** programs reflect current practice in the relevant career occupation(s). These PACs, which can be established for a single program or a group of programs, must consist of individuals who:

- Have experience working in relevant career occupations, and
- Are not related to the institution. This means the institution cannot directly or indirectly control or influence the person, and the person cannot control or influence the institution.

Each PAC must also include an institution staff member who serves as secretary.

PACs must meet on a regular basis – at least once every two years – and the institution must keep written records of PAC meetings for at least four years.

Note: This standard does not apply to programs leading to employment in a career occupation regulated by Transport Canada.

3.3.4 Statement of purpose

Designated/interim designated institutions must have statements of purpose posted at each location where they operate, and on their websites.

Chapter 4: Inspections and enforcement

This chapter of the manual supports:

- Sections 28-46 of the PTA
- Section 63 of the Private Training Regulation, and
- Section 11 of the Fees and Student Tuition Protection Fund Regulation.

4.1 Appointment of inspectors

The PTA allows inspections of all private training institutions, regardless of whether they are certified. Inspectors appointed by the registrar are authorized to inspect business premises during business hours without a warrant. On request, they must present evidence of appointment.

Inspectors have the authority to:

- Observe the delivery of programs to students
- Interview students and staff
- Make a record of the business premises or any person or thing on the premises
- Question or request information from staff responsible for records or other information
- Examine records, remove them from the premises to make copies, or keep them as evidence. Receipts will be issued for anything removed from the premises.

4.2 Types of inspections

Inspections will be conducted for the following purposes:

- Assessing applications for registration or designation certificates
- Conducting Reviews of Designation
- Determining compliance with the PTA and regulations, or with SABC or EQA requirements, including determining whether the certificate held by the institution should be suspended or cancelled.

The table below provides further information on the types of inspections and fees for each.

| 1. Certificate application | Description and fees |
|---|--|
| <p>All institutions certified for the first time will have a compliance inspection during the first year of certification.</p> | <ul style="list-style-type: none"> • Conducted by ministry staff and/or subject matter experts (SMEs) appointed as inspectors by the registrar • Fees are included in the application fee |
| 2. Review of Designation | |
| <p>Initial Review of Designation is conducted within one year of the registrar granting an institution a designation certificate for the first time</p> | <ul style="list-style-type: none"> • Conducted by ministry staff and/or SMEs appointed as inspectors by the registrar • Fees: <ul style="list-style-type: none"> ○ \$1,500 per inspection, plus ○ \$1,750 per inspector |
| <p>Subsequent Reviews of Designation are conducted at least every seven years</p> | |
| 3. Compliance | |
| <p>May be conducted at any time, usually for one or more of the following reasons:</p> <ul style="list-style-type: none"> • The institution has a category 3 assignment (see Chapter 6 for details) • The registrar has identified a possible compliance issue concerning the PTA, the regulations or SABC or EQA requirements • A follow-up visit is required to assess whether a compliance issue has been resolved • The institution is not certified and may be offering Class A programs. | <ul style="list-style-type: none"> • Conducted by ministry staff and/or SMEs appointed as inspectors by the registrar • Fees are charged for follow-up visits only • Per person rates for each type of inspector are: <ul style="list-style-type: none"> • \$100/hour for ministry staff • \$200/hour for SMEs • \$300/hour for a consultant with expertise in accounting |

4.3 Process for inspections

4.3.1 Certificate application inspections

Institutions applying for certification for the first time are typically inspected as part of the application process. Once an application is complete, the registrar will notify the institution of the date and time for the inspection. Copies of the report template used by inspectors are available at www.privatetraininginstitutions.gov.bc.ca.

The institution will receive a copy of the inspection report and will be given an opportunity to respond.

4.3.2 Review of Designation

The registrar will conduct a Review of Designation of each designated institution:

- Within one year of initial designation, and
- Within seven years of the most recent Review of Designation.

Prior to the inspection, institutions will be required to submit a Review of Designation Package.

The registrar will provide an estimate of fees for the inspection, based on the number and types of programs the institution offers. A date and time for the inspection will then be scheduled.

The institution will receive a copy of the inspection report and will be given an opportunity to respond.

4.3.3 Compliance inspections

Typically the registrar provides notice for compliance inspections. However, the PTA provides authority to inspect an institution at any time, without advance notice.

The institution will receive a copy of the inspection report and will be given an opportunity to respond.

Fees may be charged for certain compliance inspections. See [Section 7.1](#) for more information.

4.4 Compliance tools

One of the key principles behind the PTA is progressive compliance – providing for a range of enforcement tools when institutions contravene the PTA or regulations.

Typically, institutions are notified when the registrar identifies a possible contravention, and PTIB staff work with the institution to address any compliance issues.

If compliance issues persist, the registrar may use one or more of the following enforcement tools. As shown in the table below, each of these tools has progressively more serious implications for institutions.

| Tool | Implications for Institutions |
|--------------------------|--|
| Compliance order | <ul style="list-style-type: none"> • The institution must address any contraventions of the PTA or regulations identified in the compliance order by the specified deadline. • Compliance orders may be published in the Online Directory. |
| Administrative penalty | <ul style="list-style-type: none"> • The institution must pay a specific amount for having contravened the PTA or regulations. For more information, see Appendix 9. • Where contraventions persist, additional penalty amounts may apply. • Administrative penalties will be published in the Online Directory for at least two years. |
| Certificate suspension | <ul style="list-style-type: none"> • The institution must not advertise, contract with or enrol new students at any location for which a certificate is suspended until the suspension is lifted. Current students may continue their studies. • The institution is automatically assigned to Category 3 which may increase fees and payments to the Fund. • Suspension information will be published in the Online Directory for at least two years. |
| Certificate cancellation | <ul style="list-style-type: none"> • The institution must immediately stop providing or offering to provide any career-related programs at the location for which the certificate has been cancelled. • The institution may not apply for a certificate for at least one year. • Cancellation information will be published in the Online Directory for at least two years. |

Chapter 5: Re-certification

This chapter of the manual supports:

- Sections 4-10 of the PTA
- Sections 4, 5, 6, 7, 8, and 9 of the Private Training Regulation, and
- Section 4 of the Fees and Student Tuition Protection Fund Regulation.

Institutions must apply for re-certification annually at least 90 days before their certificate expires. The process is synchronized with the fiscal year established by each institution.

At re-certification the registrar will:

- Assess whether the institution is meeting the requirements of the certificate it holds
- Assign the institution to a category
- Determine whether security is required
- Determine the amount of payments to the Fund and fees payable
- Determine financial reporting requirements, and
- Determine whether inspections will be required in the upcoming certificate term.

Institutions will receive a notice well in advance of their certificate expiry date, reminding them of the re-certification deadline and requirements. These are detailed in the sections that follow.

5.1 Certificate expiry

Certificates expire seven months after the end of the previous institution fiscal year. Institutions must apply for re-certification at least 90 days before their certificates expire.

For example, for a fiscal year ending December 31, 2016:

- The certificate will expire on July 31, 2017
- The application for re-certification is due by April 30, 2017.

For a more detailed example certificate and reporting timeline, see [Appendix 10: PTA Certificate and Reporting 2-Year Timeline](#).

Re-certification is not automatic

Institutions **must apply** for **re-certification**. Otherwise, their current certificate will expire.

5.2 Applying for Re-certification

5.2.1 Application process

Application – 90 days before the current certificate expires

Submit an application for re-certification using the Institution Forms Portal available on the Private Training Institutions Branch Portal for institutions.

From the Online Application, apply for re-certification by reviewing information related to your Institution Profile and Contacts. If any information displayed on the form is incorrect, make the appropriate changes on the form. Note some changes require supporting documents. After making the changes, proceed to submit the application.

Using the Documents Upload function from the PTIB Portal, provide evidence of general liability insurance and records related to your institution's business type. For a complete list of the information and records required with the application, see [Appendix 11](#).

From the application submission page, select re-certification as the application type. Confirm the following:

- The signatory has the legal authority to act on behalf of the institution.
- All of the information contained in the application and any attachment is true, accurate and complete.
- The individual submitting the application is authorized to submit personal information about any others that is necessary to complete the form.

Provide an electronic signature on the form and submit the application.

Pay any outstanding fees or payments to the Fund.

Student data reporting – 90 days before the current certificate expiry date

Log on to the PTIB Portal to report required information for each student who was enrolled or completed an approved program during the previous fiscal year. The information required is listed in [Appendix 12](#). Refer to PTIB's Reference Guide for Student Data Report to review steps on how to complete the report under the [Form Library](#).

Financial reporting – five months after the institution fiscal year end

Submit financial statements for the previous fiscal year by uploading the document via the Portal. Click on the Document Upload tab of the Portal and under Document Type, select Financial Statements. Under File to Upload, click on Choose File and Submit. See [Section 5.4](#) below for details regarding reporting requirements for financial statements.

5.2.2 Application assessment process

Decisions by the registrar

The registrar will assess the application and determine:

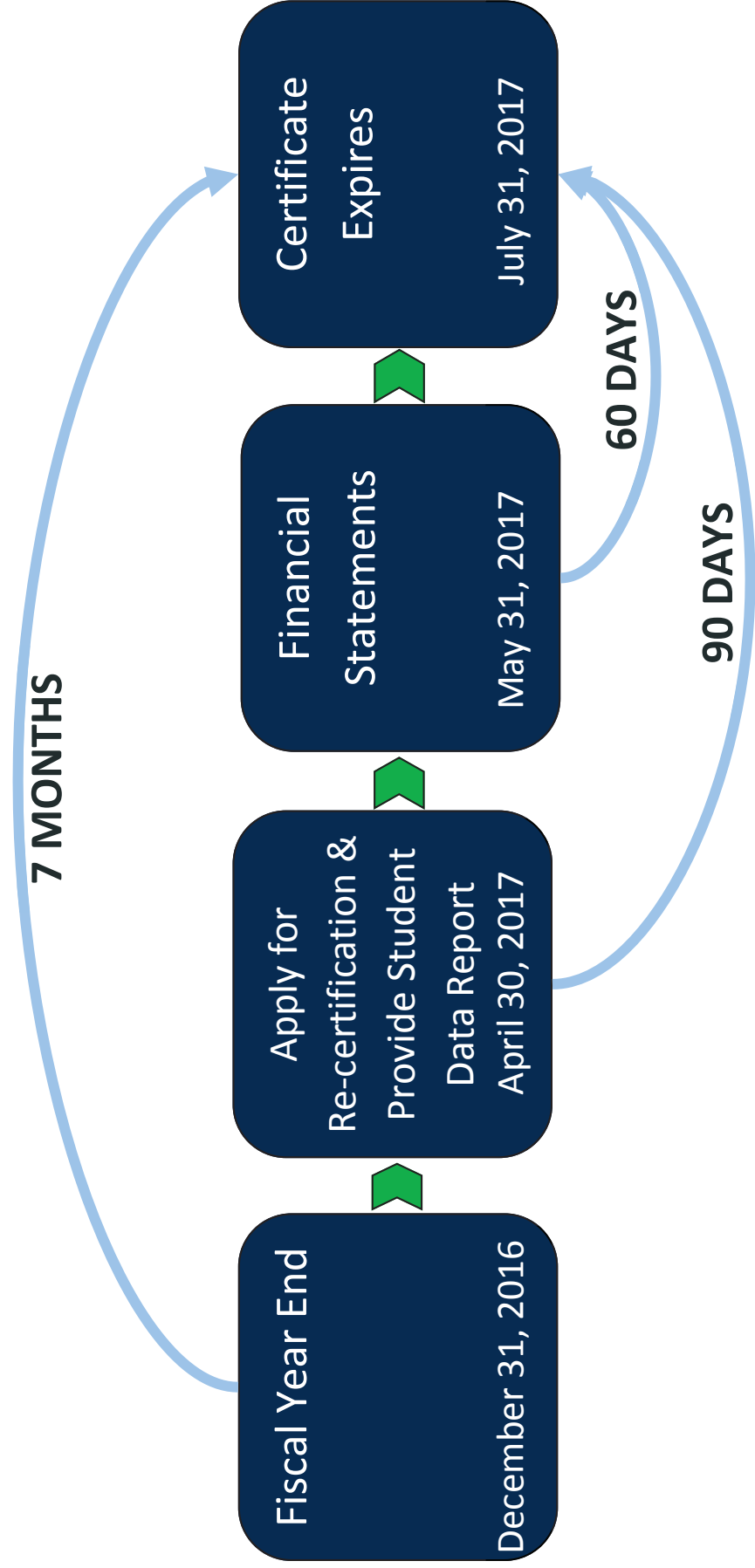
- Whether the institution meets the requirements for a certificate, and if so, what type of certificate
- Whether financial security is required, and if so, the amount.

If the institution has been certified or registered under the PCTI Act for two or more years, the registrar will also assign it to a category, which is a factor in determining:

- Graduated fees
- Payments to the Fund
- Frequency of compliance inspections
- Type of financial reporting required, and
- Whether security is required.

When an application for re-certification has been assessed, the registrar will notify the institution of the decision.

Example Re-certification Timeline



5.3 Receiving a certificate and invoice

Certificate

Once an institution has met the requirements and paid the certification fee, the registrar will issue a certificate for each institution location. The certificates must be:

- Printed and prominently displayed at each location, and
- Posted on the institution website.

Certificates must remain posted until they expire, or are surrendered or cancelled.

Invoice

Along with their certificate(s), each institution will receive an invoice, setting out the fees and payments required during the certificate term. These will include:

- Flat rate fees
- Graduated fees, and
- Payments to the Fund.

For more on fees and payments to the Fund, see [Chapter 7](#).

5.4 Reporting requirements – financial statements

Each institution is advised of the financial reporting requirements that apply to that institution when a certificate is issued to the institution. Financial statements for the previous fiscal year are due no later than five months after fiscal year end.

As shown in the table below, reporting requirements are based on tuition from approved programs in the previous fiscal year and the category assigned to the institution by the registrar. For more on reporting requirements, see [Appendix 13](#).

The types of financial reporting are:

- Audited Financial Statement
- Audit on Financial Information
- Review Engagement Report
- Review Engagement Report on Tuition
- Notice to Reader
- Notice to Reader AND Review Engagement on Tuition

See [Appendices 14-18](#) for examples.

Preparation of financial statements

All financial statements must be prepared by a **Chartered Professional Accountant** in good standing, with the appropriate licence in BC.

Reporting Requirements by Tuition and Category Assignment

| Tuition revenue from approved programs for the previous fiscal year | Category 1 | Category 2 | Category 3 |
|---|---|---|---|
| \$25,000 or less | Notice to Reader ¹ | Notice to Reader ¹ | Notice to Reader ¹ |
| Greater than \$25,000 and no more than \$500,000 | Notice to Reader ¹ | Notice to Reader ¹ | Notice to Reader ¹ and a Review Engagement on annual tuition revenue |
| Greater than \$500,000 and no more than \$1,000,000 | Review Engagement | Review Engagement | Review Engagement and an audit on financial information |
| Over \$1,000,000 | Review Engagement and an audit on financial information | Review Engagement and an audit on financial information | Audited financial statements |

¹ Cash Flow Statements and Notes are required with all Notice to Reader statements.

5.5 Delays due to missing information

If an institution submits an application for re-certification 90 days before the certificate expires, but does not provide student data and financial statements by the required due date:

- The registrar may extend the existing certificate, and
- Fees and payments to the Fund for the new certificate, once issued, will only be payable as a lump sum. The institution will not have the option of monthly payments.

5.6 Failure to apply for re-certification by deadline

If an institution does not apply for re-certification at least 90 days before the certificate it holds expires, the registrar has no authority to extend the existing certificate.

An institution may still apply. However, it may not be possible to process the application before the current certificate expires, in which case the certificate will expire and a new application for certification will be required.

Chapter 6: Category assignment

This chapter of the manual supports Sections 30-45 of the Fees and Student Tuition Protection Fund Regulation.

All certified institutions are assigned to a category – 1, 2 or 3 – which is a factor in determining:

- Graduated fees
- Payments to the Fund
- Frequency of compliance inspections
- Type of financial reporting requirements, and
- Whether security is required.

As described below, category assignment may be automatic or may involve assessment against a list of criteria.

6.1 Automatic category assignment

Some institutions, including those seeking certification for the first time, will be assigned automatically to a category, as shown in the table below.

| Description of institution | Automatic category assignment |
|---|-------------------------------|
| The institution has continuously held a certificate under the PTA or was registered under the PCTI Act for less than two years | Category 3 |
| The registrar has suspended any of the certificates issued to the institution, or the registration of the institution under the PCTI Act, within the past two years | Category 3 |
| The institution is in the Aboriginal institution class (operated by a first nation and/or Aboriginal societies/corporations) | Category 1 |

6.2 Category assessment

For institutions not automatically assigned to a category, the registrar will conduct two assessments:

| When | Why | Assessment Criteria |
|---|--|--|
| First category assessment | | |
| After the institution submits an application for re-certification | A factor in determining whether financial security is required | <p>Criteria 1-9 in Section 6.2.1 below will be used for institutions applying for a registration certificate.</p> <p>Criteria 1-12 in Section 6.2.1 below will be used for institutions applying for a designation certificate.</p> |
| Second category assessment | | |
| After the registrar issues a certificate | A factor in determining graduated fees, payments to the Fund, frequency of compliance inspections and type of reporting requirements | <p>Criteria 1-9 in Section 6.2.1 below will be used for institutions issued a registration or interim designation certificate.</p> <p>Criteria 1-12 in Section 6.2.1 below will be used for institutions issued a designation certificate.</p> |

6.2.1 Assessment criteria

Category ratings are based on the criteria shown in the table below. For the calculations for each criterion, see [Appendix 19](#).

| Assessment Criteria | Category 1 | Category 2 | Category 3 |
|--|----------------|--------------|----------------|
| Criteria for all institutions: | | | |
| 1. Change in student enrolment ¹ | More than -10% | -10% to -30% | Less than -30% |
| 2. Student withdrawal ¹ | Less than 3% | 3% to 13% | More than 13% |
| 3. Compliance orders and administrative penalties | 0 | 1 to 3 | More than 3 |
| 4. Claims against the Fund | 0 | 2% or less | More than 2% |
| 5. Current ratio ² | More than 1.5 | 1 to 1.4 | Less than 1 |
| 6. Months of working capital ² | More than 1.5 | 1.25 to 1.5 | Less than 1.25 |
| 7. Change in revenue ² | More than -10% | -10% to -30% | Less than -30% |
| 8. Profit margin ² | More than 1% | 0% to 1% | Less than 0% |
| 9. True trust ² | More than 0 | 0 | Less than 0 |
| Additional criteria for institutions applying for or holding a designation certificate: | | | |
| 10. StudentAid BC support ³ | 50% or less | 51% to 70% | More than 70% |
| 11. International student enrolment ¹ | Less than 70% | n/a | More than 70% |
| 12. Employment or further education ¹ | More than 80% | 60% to 80% | Less than 60% |

¹ Data for this criterion will be taken from the most recent student data report provided by the institution.

² Financial information for this criterion will be taken from the most recent financial statement provided by the institution.

³ Data for this criterion will be taken from Ministry of Advanced Education data sources.

6.2.2 Determining category assignment

The tables below show how the assessment criteria are used to determine the category assignment for an institution.

| For institutions: | |
|--|---------------------|
| <ul style="list-style-type: none"> • applying for a registration certificate, or • holding a registration or interim designation certificate | |
| Assessment criteria | Category assignment |
| If the institution has five or more Category 1 criteria ratings | Category 1 |
| If the institution does not fall under Category 1 or 3 | Category 2 |
| If the institution has five or more Category 3 criteria ratings | Category 3 |

| Institutions holding or applying for a designation certificate | |
|--|---------------------|
| Assessment criteria | Category assignment |
| If the institution has seven or more Category 1 criteria ratings | Category 1 |
| If the institution does not fall under Category 1 or 3 | Category 2 |
| If the institution has seven or more Category 3 criteria ratings | Category 3 |

Chapter 7: Fees and payments to the Fund

This chapter of the manual supports:

- Sections 6, 7, 12, 13, 14, 21, 22, 47, 50, 54 and 64 of the PTA, and
- Sections 3-13 and 15-26 of the Fees and Student Tuition Protection Fund Regulation.

All certified institutions pay two types of fees:

- **Transaction fees**, which are charged on a per-service basis, and
- **Certificate term fees**, which are charged in relation to the certificate held by an institution.

Fee amounts are based on a cost-recovery model.

All certified institutions also make payments to the Fund for each certificate term, providing a measure of consumer protection for students.

As described in the sections below, fees and payments to the Fund are based on factors such as annual tuition revenue, certification status, years certified and category assignment.

Definition: Annual tuition revenue

Annual tuition revenue is defined as the total tuition earned in respect of approved programs during the previous fiscal year. First time applicants will estimate their tuition revenue for the current fiscal year, and that figure will be used in fee calculations.

7.1 Transaction fees

| Transaction | Fee based on type of certification held by the institution | |
|--|--|--------------------------------------|
| | Registered | Designated/ Interim Designated |
| Application for a certificate – first time applicants only (for more on applications, see Chapter 1) | | |
| Registration | \$2,450 | N/A |
| Designation | N/A | \$2,600 |
| Additional Location | \$1,000 | |
| Program approval (for more on program approval, see Chapter 2) | | |
| Class A | \$500 | |
| Class B | N/A | \$200 |
| Class C | N/A | \$500 |
| Changes to approved programs requiring consent from the registrar (for more on changes, see Section 3.1) | | |
| Change in the hours of instruction | \$100 | \$200 |
| Change in the method of delivery | \$100 | \$200 |
| Change in admission requirements | \$100 | \$200 |
| Change of location (includes adding a location) | \$500 | |
| Changes to program outline: <ul style="list-style-type: none"> • title of the program • learning objectives • number of hours for each course • number of hours work experience instruction • career occupation for which a program prepares a student (career-related programs only) | \$200 | |
| Changes requiring the institution to notify the registrar | | |
| Change of control | \$1,500 | |
| Inspections (for more on inspections, see Chapter 4) | | |
| Follow-up compliance inspection | \$100 per hour for ministry staff \$200 per hour for subject matter experts \$300 per hour for consultant with expertise in accounting (ministry staff, SMEs and consultants appointed as inspectors) | |
| Review of Designation | N/A | \$1,500 and \$1,750 per inspector |
| Request for reconsideration, appeal or review | | |
| Request for reconsideration or appeal of decision by the registrar or review of administrative penalty (for more information, see Chapter 10) | \$100 | |

7.2 Certificate term fees

Certificate term fees consist of:

- A certification fee
- Flat rate fees
- Graduated fees
- Payments to the Fund

7.2.1 Certification fee and flat rate fees

Institutions applying for the first time will pay a **certification fee** of \$83 and a flat rate fee of \$76.42 per month for the term of their certificate.

Otherwise, the **certification fee** is based on annual tuition revenue, as shown the Certification Fee and Flat Rate Fees table below. It must be paid before the registrar issues any certificate.

Flat rate fees are based on annual tuition revenue, as shown in the table below. Institutions are invoiced for this fee when the registrar issues their certificate. For certificates with a term of more or less than 12 months, flat rate fees are pro-rated.

Certification Fee and Flat Rate Fees

| Annual Tuition Revenue | Certification Fee (per certificate term) | Flat Rate Fees (per month of the certificate term) |
|-----------------------------|--|--|
| \$0 | \$83 | \$30.58 |
| \$1 to 24 999 | \$33 | \$30.58 |
| \$25 000 to \$49 999 | \$83 | \$76.42 |
| \$50 000 to \$99 999 | \$132 | \$122.25 |
| \$100 000 to \$349 999 | \$199 | \$183.33 |
| \$350 000 to \$699 999 | \$315 | \$290.33 |
| \$700 000 to \$999 999 | \$420 | \$385.33 |
| \$1 000 000 to \$2 499 999 | \$639 | \$588.33 |
| \$2 500 000 to \$4 999 999 | \$855 | \$787.08 |
| \$5 000 000 to \$7 499 999 | \$1 071 | \$985.75 |
| \$7 500 000 to \$10 000 000 | \$1 295 | \$1 192.08 |
| Greater than \$10 000 000 | \$1 577 | \$1 451.92 |

7.2.2 Graduated fees and payments to the Fund

Graduated fees and payments to the Fund are structured to account for the following factors:

- The category assigned to the institution
- Number of years certified (or registered under the PCTI Act)
- Type of certificate
- Annual tuition revenue, and
- Class of institution, if applicable.

For certificates with a term of more or less than 12 months, fees and payments to the Fund are pro-rated.

Classes of institutions

As set out above, institutions may be assigned to one of four classes:

- **Regulatory body institution class:** institutions at which the only approved programs the institution provides or intends to provide are approved programs leading to careers regulated by Transport Canada or provincial health regulatory bodies.
- **Language institution class:** institutions at which the only approved programs the institution provides or intends to provide are:
 - Language programs assessed by, and meeting the standards of, a language assessment body independent of the institution,
 - **Class A** or **Class B** programs that lead to employment in language instruction.
- **Aboriginal institution class:** institutions operated by a First Nation and/or Aboriginal society/corporation.
- **Post-program payment institution class:** interim designated and designated institutions at which the only approved programs the institution provides or intends to provide are employer provided programs (all students enrolled are funded by a single employer or third party) to international students with study permits, and the institutions receive tuition payments only after students have completed their programs.

In order to be assigned to a class, an institution must provide evidence that they meet the requirements for the class. For example, a language institution must provide a copy of the assessment of standards conducted by an independent body.

Graduated Fees and Payments to the Fund – Other than Aboriginal institution class and post-program payment institution class

| Institution Description | Number of Certificate or Registration Years | Category Assignment | Percentage of annual tuition revenue payable to | |
|---|---|------------------------|---|--------|
| | | | Graduated Fees | Fund |
| All institutions, except those in the regulatory body institution class or language institution class | less than 2 years | Category 3 (automatic) | 1.04% | 1% |
| | 2 years or more | Category 3 | 1.04% | 1% |
| Registered institutions, except those in the regulatory body institution class or language institution class | 2 or more years but fewer than 5 years | Category 1 or 2 | 0.546% | 0.75% |
| | 5 or more years but fewer than 11 years | Category 1 or 2 | 0.45% | 0.5% |
| | 11 or more years | Category 1 or 2 | 0.40% | 0.475% |
| Designated/interim designated institutions, except those in the regulatory body institution class or language institution class | 2 or more years but fewer than 5 years | Category 1 or 2 | 0.296% | 0.45% |
| | 5 or more years but fewer than 11 years | Category 1 or 2 | 0.25% | 0.4% |
| | 11 or more years | Category 1 or 2 | 0.2% | 0.35% |
| Institutions in the regulatory body institution class or language institution class | less than 2 years | Category 3 (automatic) | 0.2% | 0.35% |
| | 2 years or more | Category 1 or 2 | 0.2% | 0.35% |
| | 2 years or more | Category 3 | 1.04% | 1% |

Graduated Fees and Payments to the Fund – Aboriginal institution class and post-program payment institution class

| Institution Class | Number of Certificate or Registration Years | Category Assignment | Graduated Fees (% of annual tuition revenue) | Payments to the Fund |
|--|---|------------------------|--|----------------------|
| Aboriginal institution class | n/a | Category 1 (automatic) | 0.2% | \$10.00 |
| Post-program payment institution class | less than 2 years | Category 3 (automatic) | 1.04% | \$10.00 |
| | 2 or more years | Category 3 | 1.04% | \$10.00 |
| | 2 or more years but fewer than 5 years | Category 1 or 2 | 0.296% (designated/interim designated) | \$10.00 |
| | 5 or more years but fewer than 11 years | Category 1 or 2 | 0.25% (designated/interim designated) | \$10.00 |
| | 11 or more years | Category 1 or 2 | 0.2% (designated/interim designated) | \$10.00 |

7.2.3 Reduced payments to the Fund

Debt ratio and current ratio are key measures of financial stability, so institutions with ratios below certain levels make lower payments to the Fund, as shown in the table below.

These discounts are not cumulative and do not apply to institutions assigned to Category 3, or institutions in the Aboriginal institution or the post-program payment institution classes.

| Thresholds | Discount on the payment due to the Fund |
|---|---|
| Debt ratio less than 0.2 | 2.5% |
| Debt ratio less than 0.2, and Three-year average current ratio of 1.2 or more | 5% |

7.3 When and how to submit fees and payments

| Type of payment | Form | When | How |
|---|--|---|--|
| Certification fee | Single payment | Before a certificate is issued | |
| Flat rate fees Graduated fees Payments to the Fund | For a certificate with a term of less than six months, <u>or</u> a certificate the expiry date of which has been extended, payment must be in a lump sum. Otherwise, institutions may choose between a lump sum and monthly payments. | Lump sum is payable within 30 days of receiving notice from the registrar. Monthly payments over the term of the certificate.* | Cheque, payable to the Minister of Finance Credit card via the PTIB Portal, or Electronic funds transfer |
| Transaction fees | Single payment | Varies by transaction | |
| *Note: Monthly payments may only be made by pre-authorized debit. | | | |

Payment Information

Payment can be made through the following methods:

1. Cheque

Make cheque payable to the Minister of Finance. Mail your payment to the mailing address in the contact section below.

2. Electronic Funds Transfer (EFT)

EFT can be done through your banking institution. Account details for transferring funds to are as follows:

- Bank: 003
- Transit: 00010
- Account: 1295377

With each EFT payment we also require notification of payment sent to PTI.Finance@gov.bc.ca which includes the following information:

- Institution ID No.
- Invoice No.
- Invoice Amount
- Payment Date

3. Credit Card

Institutions can make credit card payments (Visa, MasterCard and American Express) via the PTIB Portal.

4. Pre Authorized Payment (PAD)

Only institutions who meet the requirements stated in the table above will have the option of paying their flat rate fees, graduated fees and payments to the Fund by Pre-Authorized Debit (PAD). Institutions that meet the requirements and wish to pay by PAD must complete the Pre-Authorized Debit Application available in the Form Library at www.privateinstitutions.gov.bc.ca and mail the original with a copy of a void cheque to the address noted below under Contract and Inquiries.

Contact and Inquiries

You may forward inquiries to:

Email: PTI.Finance@gov.bc.ca

Telephone: Local: 604-569-0033
 Toll-free: + 1 800-661-7441
 Fax: + 1 778-945-0606

Mail: Private Training Institutions Branch
 Accounts Receivable
 203 - 1155 West Pender St
 Vancouver, BC
 V6E 2P4

Chapter 8: Financial security

This chapter supports:

- Section 7 of the PTA and
- Section 14 of the Fees and Student Tuition Protection Fund Regulation.

The registrar may require some institutions to provide security - a financial instrument guaranteeing payment to the Ministry of Advanced Education if the institution cannot or will not reimburse amounts paid from the Fund. This determination is made after an institution applies for certification or re-certification.

8.1 Determining whether security is required

To determine whether an institution is required to provide security, the registrar will consider:

- Whether the institution has been suspended in the past two years
- How long the institution has been certified
- The category to which the institution is assigned
- If the institution holds a certificate, the amount of unearned revenue the institution had in the previous fiscal year
- If the institution does not hold a certificate, the institution's balance sheet
- Whether the institution is in the Aboriginal institution class or post-program payment institution class

8.2 Determining the amount of security

The maximum amount of security required will be \$100,000. Generally, the registrar will apply the following principles when determining the amount of security:

| Application for certification | Amount of Security |
|-------------------------------|--|
| First time application | At least \$25,000 |
| Re-application | The greater of: <ul style="list-style-type: none"> • \$25,000 or • 25% of unearned tuition revenue from approved programs in the previous fiscal year to a maximum of \$100,000. |

8.3 Acceptable types of security

Two types of security are accepted, as shown in the table below.

| Type of security | Conditions | |
|--|---|---|
| <p>An irrevocable letter of credit (ILOC) issued by a savings institution (which generally means a bank or a credit union). The financial institution must have an office in Canada.</p> | <ul style="list-style-type: none"> • Must be made out to the Minister of Finance. • Must include an automatic renewal clause. • Must include a clause wherein if the savings institution gives notice that they will not be renewing the ILOC, it triggers an obligation for the bank to immediately pay the amount remaining on the ILOC to the Province. • The savings institution must agree that the Province is permitted to make partial drawings the ILOC. | <p>Both bonds and ILOCs must include:</p> <ol style="list-style-type: none"> 1. The legal name and location(s) of the institution 2. The amount of the financial security, and 3. The end date of the security. <p>For templates, see:</p> <ul style="list-style-type: none"> • Appendix 20: Irrevocable Letter of Credit Template • Appendix 21: Surety Bond Template |
| <p>A surety bond, issued by a business authorized under the <i>Financial Institutions Act</i> to carry on insurance business.</p> | <ul style="list-style-type: none"> • Must be made out to the Minister of Finance. • Must be available for at least 18 months after the expiry date of the certificate held by the institution. • Must include a notice of cancellation provision of 30 days or more. • The business must agree that the Province is permitted to make partial drawings the ILOC. | |

8.4 Reimbursing amounts paid from the Fund

The security may be realized up to the amount paid from the Fund. The institution is liable for reimbursing the amount paid from the Fund.

Chapter 9: Consumer protection

This chapter of the manual supports:

- Sections 17, 18, 21, 23, 24, 25, 26 and 27 of the Private Training Act
- Sections 61 and 62 of the Private Training Regulation, and
- 15-26 of the Fees and Student Tuition Protection Fund Regulation.

In addition to setting and monitoring standards for private training in British Columbia, the PTA provides three important protections for consumers:

- An **Online Directory** of private training institutions in the province, including information about programs and compliance history
- A requirement that all certified institutions have a **dispute resolution policy** for responding to students' complaints, and
- The **Student Tuition Protection Fund**.

9.1 Online Directory

The Online Directory at www.privatetraininginstitutions.gov.bc.ca provides public access to:

- Current information on certified institutions
- Lists of institutions whose certificates have expired or been cancelled, and
- Lists of institutions that do not hold a certificate and are or were non-compliant with the PTA or regulations.

The directory lists, for each institution:

- Contact information
- Certification status
- A list of all programs (approved programs and programs that do not require approval)
- A record of any:
 - administrative penalties
 - suspensions or cancellations, and
 - injunctions.

These will be included in the directory for at least two years, and not longer than five years, based on what the registrar considers to be in the public interest.

- Whether the institution has requested a reconsideration of a decision by the registrar or commenced an appeal to the commissioner, and the outcome of the reconsideration or appeal.

Most of the information in the Online Directory is collected and updated through the application for certification, application for re-certification and notice of change processes.

The registrar may publish additional information where it is determined to be in the public interest.

9.2 Dispute resolution

Each certified institution must have a policy for responding to student complaints respecting the institution, as described in [Section 3.2.15](#).

Before making a claim against the Fund, students must first exhaust the dispute resolution process at the institution.

9.3 Student Tuition Protection Fund

The Fund provides a means of recourse for students when an institution closes before they can complete their programs, or misleads them about a significant aspect of an approved program. The Fund consists of:

- The balance in the Student Training Completion Fund the day before the PTA came into force
- Payments made by certified institutions
- Repayments of money to the Fund by institutions (see [Section 9.3.4](#)), and
- Earnings on Fund investments, not including associated investment fees and expenses.

The Minister of Advanced Education is the trustee of the Fund and will make public the report from the Auditor General on the Fund.

Students enrolled in approved programs may make a claim against the Fund for all or part of their tuition, as shown in the table below.

Tuition is defined as the total fees the student, or someone on behalf of a student, pays to the institution for a program, **not** including:

- Administrative, application or assessment fees
- Fees for textbooks or other course material, including equipment or uniforms.

9.3.1 Who can make claims and under what circumstances

| Ground for claim | Who can claim | Deadline for filing claim |
|---|---|--|
| Institution closure – the institution the student attended no longer holds any certificate. | A student enrolled in an approved program at the time of closure. | The student must file claim within one year of the date the institution ceased holding any certificate. |
| <i>Example: On December 1, 2018, the registrar cancels the only certificate issued to Institution ABC, resulting in closure. A student enrolled in an approved six-month program at the institution has paid tuition but completed only three months of studies. To make a claim against the Fund for all or part of his tuition, he must file a claim by December 1, 2019.</i> | | |
| Grounds for claim | Who can claim | Deadline for filing claim |
| The institution misled the student regarding a significant aspect of an approved program. | Any student who: <ul style="list-style-type: none"> • is or was enrolled in the approved program, and • has exhausted the dispute resolution process provided by the institution. | The student must file the claim within one year of: <ul style="list-style-type: none"> • completion • dismissal, or • withdrawal |
| <i>Example: Six months into a two-year program at Institution XYZ, a student learns that – contrary to what was specified in her enrolment contract – the second year of the program is delivered online rather than in-class. The student goes through the dispute resolution process established by Institution XYZ but remains unsatisfied and withdraws from the program on March 1, 2017. To make a claim against the Fund for all or part of her tuition, she must file a claim by March 1, 2018.</i> | | |

9.3.2 How the claim process works

The tables below outline the processes for claims against the Fund for each of the allowable grounds.

While deadlines apply to parts of the process, the trustee may extend, at the request of the student or the institution or on his or her own initiative, the time for responses and submissions. The trustee may also consolidate consideration of the claim with any other claim.

| Institution closure | | |
|--|---|---|
| Who | What | When |
| Student | File a claim using the form at: www.privatetraininginstitutions.gov.bc.ca | Within one year of the date of institution closure |
| Trustee | Give a summary of the claim to the institution | Within 15 days of receiving the claim from the student |
| Closed institution | May respond to the claim | Within seven days of receiving the summary from the trustee |
| Registrar | Determine whether a comparable program is available at another institution (the train-out institution). If no comparable program is identified – including as a result of the student not meeting the admission requirements established by the train-out institution – the registrar will forward the claim to the trustee. | |
| If there is a comparable program | | |
| Student | May: <ul style="list-style-type: none"> - Accept enrolment in the comparable program at the train-out institution, or - Reject enrolment at the train-out institution, citing special circumstances; this is done by submitting a form to the registrar. The form is available at: www.privatetraininginstitutions.gov.bc.ca | |
| Registrar | If the registrar determines that special circumstances prevent the student from attending the comparable program, the claim will be forwarded to the trustee. If the registrar determines that there are no special circumstances, the student may still elect to accept the train-out option and file a claim on the Fund. | |
| If the student signs an enrolment contract with the train-out institution | | |
| Train-out institution | Provides a copy of the contract to the registrar | |
| Trustee | Pays the appropriate amount to the train-out institution | |
| Closed institution | Reimburses the Fund for the payment to the train-out institution | |
| If there is no comparable program, or the registrar has accepted the special circumstances cited by the student | | |
| Trustee | Adjudicates the claim to determine whether any refund should be issued, and provides written reasons to the student, the institution and the registrar | |

For more information about comparable programs, see Section 9.3.5.

| Claim the student was misled | | |
|-------------------------------------|---|---|
| Who | What | When |
| Student | Files a claim using form available on the PTIB website www.privatetraininginstitutions.gov.bc.ca | Within one year of completing, being dismissed from or withdrawing from the program |
| Trustee | Gives a copy of the claim to the institution | Within 15 days of receiving the claim from the student |
| Institution | May respond to the claim | Within 15 days of receiving a copy of the claim from the trustee |
| Trustee | Gives the response from the institution, if any, to the student | Within 15 days of receiving the response from the institution |
| Student | May reply to the response from the institution | Within 15 days of receiving the response from the trustee |
| Trustee | Must give the reply from the student, if any, to the institution | Within 15 days of receiving the reply from the student |
| Trustee | Adjudicates the claim to determine whether any refund should be issued, and provides written reasons to the student, the institution and the registrar. | |

9.3.3 Approved claims may result in payments to a student, the government or an institution

| Type of approved claim | Type of payment from the Fund |
|---|--|
| A student is enrolled in an approved program when the institution closes. | <p>If the registrar appoints a train-out institution to provide the remainder of the program, payments from the Fund are made to the train-out institution.</p> <p>If the registrar determines that there is no comparable program, or there is a comparable program but special circumstances prevent the student from attending, and the student has received student financial assistance, payments from the Fund are first applied to any outstanding student loans.</p> <p>Otherwise, the payments from the Fund are made to the student to reimburse all or a portion of the tuition paid.</p> |
| The student was misled regarding a significant aspect of the program. | <p>If the student has received student financial assistance, payments from the Fund are first applied to any outstanding student loans.</p> <p>Otherwise, the payments from the Fund are made to the student to reimburse all or a portion of the tuition paid.</p> |

9.3.4 Repayments to the Fund

Institutions are required to reimburse the Fund for any payments resulting from approved claims.

9.3.5 Comparable programs

In the event of an institution closure, the registrar may appoint an institution to provide a comparable program of instruction to students who were enrolled in an approved program and had not completed their program at the time of the institution closure.

The registrar may review proposals from institutions and may appoint institutions to offer comparable programs. In determining whether a program is comparable, the registrar will take into account a number of factors including the following considerations:

- (a) program content
- (b) location from which the program is offered
- (c) tuition
- (d) start and end date of the program
- (e) date the institution offering the program was initially certified
- (f) whether institution is registered or designated
- (g) institution's recent inspection report

- (h) institution's category assessment
- (i) institution's compliance with conditions attached to its certificate
- (j) institution's capacity to provide comparable program
- (k) reasonableness of the institution's plan for accommodating students in a comparable program
- (l) if the program leads to employment in a career occupation that is regulated by a regulator, institution's standing with regulator's requirements, and
- (m) date the institution last offered the program.

Chapter 10: Reconsideration, appeal and review

This chapter of the manual supports:

- Sections 47-56 of the Private Training Act and
- Section 13 of the Fees and Student Tuition Protection Fund Regulation.

The PTA provides several options for institutions wishing to challenge certain decisions made by the registrar. As described below, certified institutions may apply for a reconsideration or file an appeal, while uncertified institutions may request a review of administrative penalties.

10.1 Reconsideration

Certified institutions can apply for a reconsideration of a decision by the registrar to:

- Refuse to issue a certificate
- Suspend a certificate, or
- Impose an administrative penalty.

Reconsiderations must be based on one or more of the following grounds:

- The registrar made an error in law
- The registrar did not observe principles of natural justice, such as administrative fairness
- New evidence is available that was not available at the time the registrar made the decision.

To request a reconsideration:

- Use the form at www.privatetraininginstitutions.gov.bc.ca to submit a written request, citing at least one of the grounds listed above
- Include the reconsideration fee (\$100); and
- Ensure the request is received by the registrar within the following timelines:
 - for reconsideration of a certificate refusal or suspension, no more than 30 days after receipt of the decision from the registrar
 - for reconsideration of an administrative penalty, 15 days after the determination imposing the penalty is served on the institution.

The table below shows the possible outcomes of reconsiderations. In each case, the registrar will issue written reasons.

| Decision being reconsidered | Possible outcomes | |
|------------------------------|------------------------|--|
| Refusal to issue certificate | Confirm refusal | Overturn refusal and issue a certificate |
| Administrative penalty | Affirm the penalty | Rescind the penalty |
| Certificate suspension | Confirm the suspension | Cancel the suspension |

10.2 Appeal to the commissioner

The following decisions may be appealed to the commissioner:

- Reconsideration decisions by the registrar regarding:
 - certificate refusal
 - certificate suspension
 - administrative penalties
- Decisions by the registrar to cancel a certificate.

To file an appeal:

- Complete a notice of appeal, available at www.privatetraininginstitutions.gov.bc.ca;
- Include the appeal fee (\$100);
- Send it to the PTIB to the attention of the commissioner along with the applicable fee; and
- Ensure it arrives within **30 days** from the date of the decision being appealed, or the date the institution received notice of a certificate cancellation.

The commissioner

The commissioner is appointed by the Lieutenant Governor in Council for a term up to five years, with the option of reappointment. The commissioner is appointed to allow institutions to appeal certain decisions of the registrar.

10.2.1 Appeal process

As a general rule, when deciding an appeal, the commissioner will consider only the original documents that were before the registrar. However, the commissioner may consider additional documents (not part of the original record) where it is reasonably required for a full and fair disclosure of all matters related to the decision under appeal.

Several provisions of the *Administrative Tribunals Act* apply. For example, the commissioner:

- Cannot address questions relating to the *Canadian Charter of Rights and Freedoms* or the *British Columbia Human Rights Code*
- Cannot be compelled to testify or produce evidence in any civil proceeding, and
- Is protected from personal liability in relation to the good faith exercise of his or her powers and duties.

10.2.2 Orders from the commissioner

After considering an appeal, the commissioner may:

- Dismiss the appeal
- Allow the appeal and give any directions to the registrar that the commissioner considers appropriate in the circumstances, and/or
- Vary the decision under appeal (this can include reducing the amount of an administrative penalty).

The commissioner will give written reasons to the institution and the registrar, and make these reasons publicly available.

In exceptional circumstances, the commissioner may:

- Require an institution to pay all or part of the appeal costs, where the conduct of the institution in relation to the appeal is found to have been improper, vexatious, frivolous or abusive, and/or
- File an order with the British Columbia Supreme Court, giving it the same force and effect as a judgment of that court.

10.3 Review of administrative penalties (uncertified institutions only)

Uncertified institutions may request a review of any administrative penalty imposed by the registrar. Reviews must be based on one or more of the following grounds:

- The registrar made an error in law
- The registrar did not observe principles of natural justice, such as administrative fairness, and/or
- New evidence not available at the time the decision was made is available.

To request a review:

- Submit a written Request for Review available at www.privatetraininginstitutions.gov.bc.ca, citing at least one of the grounds listed above.
- Ensure that the request is received by the PTIB within 15 days of the penalty being served on the institution.

Reviews are carried out by review officers – designated employees of the Ministry of Advanced Education. Review officers may consider new information, and have the authority to rescind or affirm an administrative penalty. They may also reduce an administrative penalty in circumstances where it is considered excessive.

Review officers will give written reasons to the institution and the registrar. Administrative penalties affirmed or reduced are payable within 30 days of service of the review decision.

Review decisions are final and may not be appealed to the commissioner.

Appendices

Appendix 1: Excluded Institutions

Under the *Private Training Act*, an "**excluded institution**" means any of the following:

- (a) a board of education as defined in the *School Act*;
- (b) a francophone education authority as defined in the *School Act*;
- (c) an authority as defined in the *Independent School Act*;
- (d) the minister responsible for the administration of the *School Act*, in respect of a Provincial school as defined in that Act;
- (e) the government of Canada, in respect of a school operated by that government;
- (f) a first nation as defined in the *School Act*, in respect of a school operated by the first nation;
- (g) a Community Education Authority established by one or more participating First Nations under the *First Nations Jurisdiction over Education in British Columbia Act* (Canada), in respect of a school operated by that authority;
- (h) a treaty first nation in respect of a school operated by the treaty first nation under laws established by the first nation;
- (i) an institution established under the *College and Institute Act*, the *Royal Roads University Act*, the *Thompson Rivers University Act* or the *University Act*;
- (j) an institution that is authorized by a consent under the *Degree Authorization Act* and offers only degree programs to which the consent applies;
- (k) an institution established or continued under an Act and authorized under that Act to grant or confer degrees;
- (l) a professional organization established by an Act in respect of a program of instruction, if the program of instruction is part of professional requirements or is for the purpose of professional development;
- (m) an institution that is excluded by regulation.

Appendix 2: Application for Certification – Required Information and Records

Institutions applying for a certificate are required under section 5(1) of the *Private Training Regulation* to provide the following information and records:

- (a) if the institution is a company,
 - (i) the names of the directors and senior officers of the company, as defined in section 1 (1) of the *Business Corporations Act*, and of the major shareholder of the company
 - (ii) a copy of the central securities register for the company maintained under section 111 [*securities registers*] of that Act, and
 - (iii) a certificate of good standing
- (b) if the institution is an extraprovincial company, the names of the directors and senior officers of the company, as defined in section 374 [definitions] of the *Business Corporations Act*, and the major shareholder;
- (c) if the institution is a corporation, other than a company, an extraprovincial company, a society or an extraprovincial society, the names of the directors and senior officers of the company, as defined in section 1 (1) of the *Business Corporations Act*, and the major shareholder;
- (d) if the institution is a partnership within the meaning of the *Partnership Act* or under the laws of a jurisdiction other than British Columbia, other than a limited partnership, a signed copy of the partnership agreement
- (e) if the institution is a limited partnership, the names of the general partners
- (f) if the institution is a society or an extraprovincial society,
 - (i) the names of the directors of the society as defined in section 1 of the *Society Act*, and
 - (ii) a copy of the most recent annual report filed under section 68 [filing annual report] or 78 [return to registrar] of that Act, as the case may be
- (g) if the institution is a sole proprietorship, the full name of the proprietor
- (h) if the institution is an Aboriginal institution, the legal name of the entity that operates the institution
- (i) evidence that the institution has a valid British Columbia Electronic Identification
- (j) evidence that the institution has obtained general liability insurance
- (k) a written declaration by a person who has the legal authority to act on behalf of the institution as to whether or not the institution, or an associated institution within the meaning of section 46 [associated institutions] of the PTA,
 - (i) has suspended operations in any jurisdiction, or
 - (ii) has been closed or involved in an action in any jurisdiction respecting the closure of the institution
- (l) copies of the following:
 - (i) the business licence held by the institution, if the institution holds a business licence issued by a local government
 - (ii) the business plan established by the institution
 - (iii) the student enrolment contract used by the institution for approved programs of instruction and for programs of instruction that do not require approval
 - (iv) a description of the dispute resolution policy proposed by the institution.

Appendix 3: Business Plan Template

Institutions that do not hold a certificate on the certificate application date are required to submit an institution business plan. The following information must be included in the business plan. Institutions may include additional information if they choose.

[Name of Institution] Business Plan

[Date]

Table of Contents

- A. Industry/Market Analysis**
- B. Marketing Plan**
- C. Financial Plan**
- D. Balance Sheet**

A. Industry/Market Analysis

- A description of the programs of instruction the institution provides or intends to provide.
- An analysis of the market for the programs of instruction the institution provides or intends to provide.
- A description of any agreements the institution has entered into, or intends to enter into, with another entity to provide a program of instruction except as it relates to work experience.
- The number of students the institution estimates will enroll in each program of instruction in each of the next three years.

B. Marketing Plan

- A description of the student recruitment process established by the institution.

C. Financial Plan

- Operational expenses the institution estimates it will incur in the next year.
- Capital costs the institution estimates it will incur in the next three years.
- Revenue sources of the institution the institution estimates it will have in the next three years.
- Estimates of what the institution will earn from each revenue source during the next three fiscal years, including the total tuition the institution estimates it will earn in respect of programs of instruction that require approval.
- A copy of the balance sheet for the institution.

D. Institution Balance Sheet [Date]

| ASSETS | (What you own) | Amount |
|---|--------------------------------------|---------------|
| | | |
| Cash | | |
| Investments | | |
| Inventory | | |
| Property & Equipment | Land | |
| | Building | |
| | Equipment | |
| Other Assets | Vehicles | |
| | Patents & Copyrights | |
| | Other (please list) | |
| | | |
| Total Assets | | \$ |
| | | |
| LIABILITIES | (What you owe) | Amount |
| | | |
| Bank Loans | | |
| Line of Credit Used | | |
| | | |
| Other Loans | Owing to Shareholder | |
| | Other (please list) | |
| Accounts Payable | (unpaid bills/invoices) | |
| Other Payables | | |
| | Lease Obligations | |
| | Taxes or Payroll Contributions Owing | |
| | | |
| Total Liabilities | | \$ |
| | | |
| Net Worth | | \$ |
| *Total Liabilities- Total Assets | | |
| | | |
| Other Relevant Information | | |

Appendix 4: New Program Information and Records Submission For All New Programs

Institutions must submit the following information using the Institution Application Form available in the Form Library at www.privatetraininginstitutions.gov.bc.ca. The registrar will assess whether the program requires approval and, if so, the class.

General Program Information

- a) The amount of tuition and related fees for the program
- b) The number hours of instruction of the program
- c) The number of weeks of the program during which students enrolled in the institution receive instruction
- d) The location where the institution provides, or from which the institution provides, the program of instruction
- e) The following information that must be included in the program outline:
 - (i) The title of the program
 - (ii) The learning objectives of the program
 - (iii) A description of the method of evaluation used to assess a student if there is an evaluation in addition to the one included in a course outline for a course that is part of the program
 - (iv) The requirements a student must meet to complete the program
 - (v) A list of the titles of the courses that are part of the program
 - (vi) The number of hours of instruction for each course that is part of the program
 - (vii) The number of hours of instruction for each work experience component of the program
 - (viii) In respect of career-related programs, the career occupation for which the program prepares a student.

Calculating weeks

A week that includes one or more vacation days is not included in the number or weeks.

A week that includes a statutory holiday, if it does not also include a vacation day, is included in the number of weeks.

Appendix 5: New Program Approval Application – Information and Records

If the registrar determined a program requires approval, the institution must submit the following information using the Institution Application Form available in the Form Library at www.privatetraininginstitutions.gov.bc.ca.

Program Information and Records

- a) The admission requirements for the program
- b) The student intake model
- c) If the student intake model is an intermittent intake model,
 - (i) The number of intakes throughout the program, and
 - (ii) The maximum number of student admitted in each intake
- d) The maximum number of students that are admitted to the program
- e) A list of equipment and facilities the institution uses to provide a program
- f) A description of the method of delivery for the program
- g) A description of the course materials provided to students enrolled in the program, including the language of the materials
- h) The language of instruction of the program
- i) Whether the program is offered as a full time program, a part time program or both a full time program and a part time program
- j) If the program includes work experience:
 - (i) the following information that must be included in the written work experience policy that will be provided to students:
 - the process by which a student is placed in a work experience
 - the process by which a student in a work experience is evaluated
 - the intervals at which work experience monitoring of a student will be undertaken
 - the requirements for participation in work experience
 - the number of hours of the work experience

Student **intake model** is either a:

- **Continuous intake model** which means there is continuous admission of students throughout the program; or
- **Intermittent intake model** which means students are admitted into the program at specific times.

Method of delivery includes the following:

- Distance education
- In-class instruction
- A method that incorporates both distance education and in-class instruction.

- identification of the work experience as a clinical placement, cooperative placement, practicum or preceptorship; all work experience offered must fall into one of these four categories
 - (ii) a list of all of the host organizations that will provide work experience to students.
- k) If the institution has entered into, or intends to enter into, an agreement with another entity to provide the program, or part of the program, except as it relates to work experience, a copy of the agreement
- l) The information that will be included in the outline of each course, and the order in which courses will be provided:
 - (i) The learning objectives of the course
 - (ii) A list of required course materials
 - (iii) a description of the method of evaluation used to assess student performance in the course
 - (iv) the requirements that a student must meet to complete the course, and
 - (v) the teaching methods used in the course.

If the program is a Class A or Class B program

- m) Whether the program leads to employment in a career occupation regulated by a regulator; if so, the name of the regulator

If the program is a Class A program

- n) A description of the type of credential granted to students upon completion of the program

If the program of instruction is a Class A program offered at an designated/interim designated institution

- o) An evaluation of the program by a subject matter expert; see [Appendix 6](#) for more information.

Teaching methods include the following:

- Teaching in a seminar format;
- Teaching in a laboratory; and
- Teaching in a lecture format.

Appendix 6: Program Evaluation by a Subject Matter Expert – Required Information

Applications for Class A programs at designated/interim designated institutions must include an evaluation by a Subject Matter Expert (SME) who has expertise in career occupations that are relevant to the program.

The SME must not be related to the institution in such a way 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 must receive no benefit from the institution other than the payment for the evaluation.

The program evaluation must include the opinion of the SME about the following:

- a) Whether the proposed program, including the course outlines, the curriculum and the program outline, is appropriate to enable students to meet the learning objectives of the program
- b) The location where the institution provides the program, based on at least one site visit to the location
- c) Any matter that the evaluator considers relevant in respect of the approval of the program, and
- d) Considerations listed in [Section 2.4](#) (a – f).

A Subject Matter Expert Program Evaluation template is available on the [PTIB website](#).

Appendix 7: Student Enrolment Contract Required Information (for programs requiring approval)

Certified institutions must enter into a written student enrolment contract with each of their students. This requirement applies to all programs, including those that do not require approval, except employer provided programs.

Student enrolment contracts for programs requiring approval must be written in not less than 10 point type and contain the following information:

Institution information

- If the institution is not an individual, the full legal name and the operating name the institution uses
- If the institution is an individual, the full legal name and the operating name the institution uses
- A mailing address, telephone number, email address and, if applicable, fax number for the location where the institution provides, or from which the institution provides, the program of instruction, and
- Whether the institution holds a registration certificate, interim designation certificate or designation certificate.

Student information

- The full legal name, usual first name, mailing address, telephone number and email address of the student
- If the student is an international student, the mailing address for the student in Canada if the student has a mailing address in Canada
- If the student has a personal education number, the personal education number assigned to the student, and
- The date of birth and gender of the student.

Program information

- The title of the program
- The program outline
- The number of hours of instruction of the program that will be provided during the term of the student enrolment contract
- The start date and end date of the program or part of the program that will be provided during the term of the student enrolment contract
- The number of weeks of the program during which students enrolled in the institution receive instruction
- The language in which the program will be provided
- The method of delivery of the program
- If applicable, a description of the course materials and technological resources that are required to meet the learning objectives of the program but are not provided by the institution

- If applicable, information about work experience, including:
 - the requirements for participation in the work experience,
 - an estimate of the costs for a student to complete the work experience, if any,
 - the geographic area or region of the province where the work experience will be provided
 - the date or dates on which the institution plans to provide the work experience
 - the number of hours of instruction of the work experience
- The credential granted on completion of the program, and
- The admission requirements for the program.

Fee and refund information

- The amount of tuition for the program that is payable during the term of the student enrolment contract
- A list of the following fees, as applicable:
 - administrative fees
 - application fees
 - assessment fees
 - fees charged for course materials
- The method of payment by which a student may pay tuition and other fees listed above
- A list of other compulsory/mandatory fees the institution may require a student to pay not in respect of an approved program of instruction, and
- The tuition refund policy established by the institution.

Ministry of Advanced Education information

- The email address, telephone number and website address for the Private Training Institutions Branch of the Ministry of Advanced Education.

Programs regulated by other regulators

- If the program of instruction leads to employment in a career occupation that is regulated by a regulator, the requirements of the regulator for employment in the career occupation.

Student enrolment contracts must also include the following two statements:

- *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 regulator duties of the registrar under that Act. Accordingly, this institution is authorized to disclose your personal information to the registrar for regulatory purposes.*
- *I consent to the sharing, in accordance with applicable Provincial privacy legislation, of my enrolment and reporting information between this institution and Immigration, Refugees and Citizenship Canada, as necessary, for the purposes of the International Student Program.*

What are administrative fees?

Administrative fees may include:

- Non-sufficient funds (NSF) fees
- Copy of transcript or student record fees

Administrative fees may **not** include:

- Co-op fees
- Payment to the Fund (per student)

Additional information that may be included:

- Voluntary disclosure: whether student identifies as an Aboriginal person that is, First Nations, Métis, or Inuit and whether student has disability.

Appendix 8: Required Information and Student Records for an Approved Program

For students enrolled in any approved program, the institution must keep a current student record that includes the following:

- a) A copy of the signed student enrolment contract
- b) Evidence of payments for tuition and related fees
- c) Evidence that the student has met the admission requirements for the approved program of instruction
- d) A copy of the attendance record for the student
- e) The student transcripts issued by the institution
- f) If applicable, a copy of a complaint made by the student to the institution in relation to an approved program of instruction of the institution, and all documents in relation to the complaint and the participation by the student in the dispute resolution process
- g) If applicable, copies of a notice of withdrawal or a notice of dismissal and documents in relation to the withdrawal or dismissal, including in relation to a refund of tuition and related fees
- h) If the student is an international student who has been issued a study permit under the Immigration and Refugee Protection Act (Canada), a copy of the letter of acceptance and a copy of the study permit
- i) If applicable, a copy of the credential granted to the student, and
- j) If applicable, documents in relation to the participation of a student in the grade appeal process.

Institutions must also create and maintain an attendance record for each student enrolled in approved program that:

- includes the number of hours of instruction the student attended each day
- shows separately the hours of work experience attended, where applicable
- is updated at the end of every week in which hours of instruction have been provided.

Note: Students enrolled in employer provided programs are not required to include the information listed under (a), (b) and (g) above.

Institutions should not archive information containing sensitive personal information such as unmasked credit card numbers (including the 3 to 4 digit security code typically found on the back of a credit card), Social Insurance Numbers, bank account numbers, Driver's Licence Numbers, Permanent Resident Card Numbers, immigration status, disability status, aboriginal status, or whether receiving provincial income assistance. Please do not archive scanned images showing a cheque or any ID documentation.

Additional records must be included in the student record in relation to:

Class A and B programs, and

- a) A copy of the work experience agreement with the host organization and the student
- b) Evidence that the student has met the requirements for participation in work experience
- (c) A copy of the evaluation of the performance of the student in the work experience

Appendix 9: Administrative Penalties

| Contravention of the Act | | Amount of Administrative Penalty (\$) per contravention |
|--|--|---|
| Provision contravened | | |
| All Institutions | | |
| Offering to provide, providing or entering a contract with a student to provide a Class A program without holding a certificate | | 1,000 |
| Certified institution entering into a contract with a student to provide, or providing a program that is of a class that requires approval by the registrar, if the institution does not have approval | | 1,000 |
| Granting a Class A credential for completion of a Class A program if the Class A program was not approved by the registrar | | 1,000 |
| Providing false or misleading representations regarding whether an institution holds a certificate | | 1,000 |
| Providing false or misleading representations regarding whether an institution holds a designation certificate | | 1,000 |
| Providing false, deceiving or misleading advertising or representation | | 1,000 |
| Providing false or misleading information when required or authorized to provide information | | 1,000 |

| Certified Institutions | |
|---|--|
| Provision contravened | Amount of Administrative Penalty (\$) per contravention |
| Failure to obtain consent from the registrar before implementing a change requiring notification and consent | 500 |
| Failure to establish and implement a dispute resolution policy for student complaints | 500 |
| Failure to post copies of certificates and keep them posted at the location and on the website of the institution | 250 |
| Failure to comply with a compliance order | 1,000 |

| Contraventions of the Fees and Student Tuition Protection Fund Regulation (FSTPF) | |
|--|-----|
| Failure to pay an inspection fee within 30 days of receiving invoice | 250 |
| Failure to pay fees and payments to the Fund when due | 250 |

| Contraventions of the <i>Private Training Regulation (PT)</i> | |
|--|-------|
| Failure to comply with prescribed standards concerning qualification of instructional staff | 1,000 |
| Failure to notify the registrar of a change of control at least seven days before implementing the change | 1,000 |
| Failure to enter into a compliant, written student enrolment contract with each student (except for employer funded programs) | 750 |
| Failure to provide a copy of signed enrolment contract to a student | 750 |
| Charging application, assessment or letter of acceptance fees that exceed the prescribed limits | 750 |
| Receiving tuition prior to either posting the tuition refund policy of the institution on the website of the institution, or providing the student with a copy of the tuition refund policy | 750 |
| Failure to adhere to the prescribed fee and tuition refund payment compliance standards | 750 |
| Failure to provide work experience programs that are compliant with prescribed standards | 750 |
| Failure to provide a written evaluation to students on a regular basis and at least once before 30% of the hours of instruction of the program have been provided (if the program has more than 40 hours of instruction) | 500 |
| Failure to comply with the credentials compliance standards | 500 |
| Failure to provide the information and records required for the student data report | 500 |
| Failure to provide the additional information and records required for the student data report for a designated/interim designated institution | 500 |

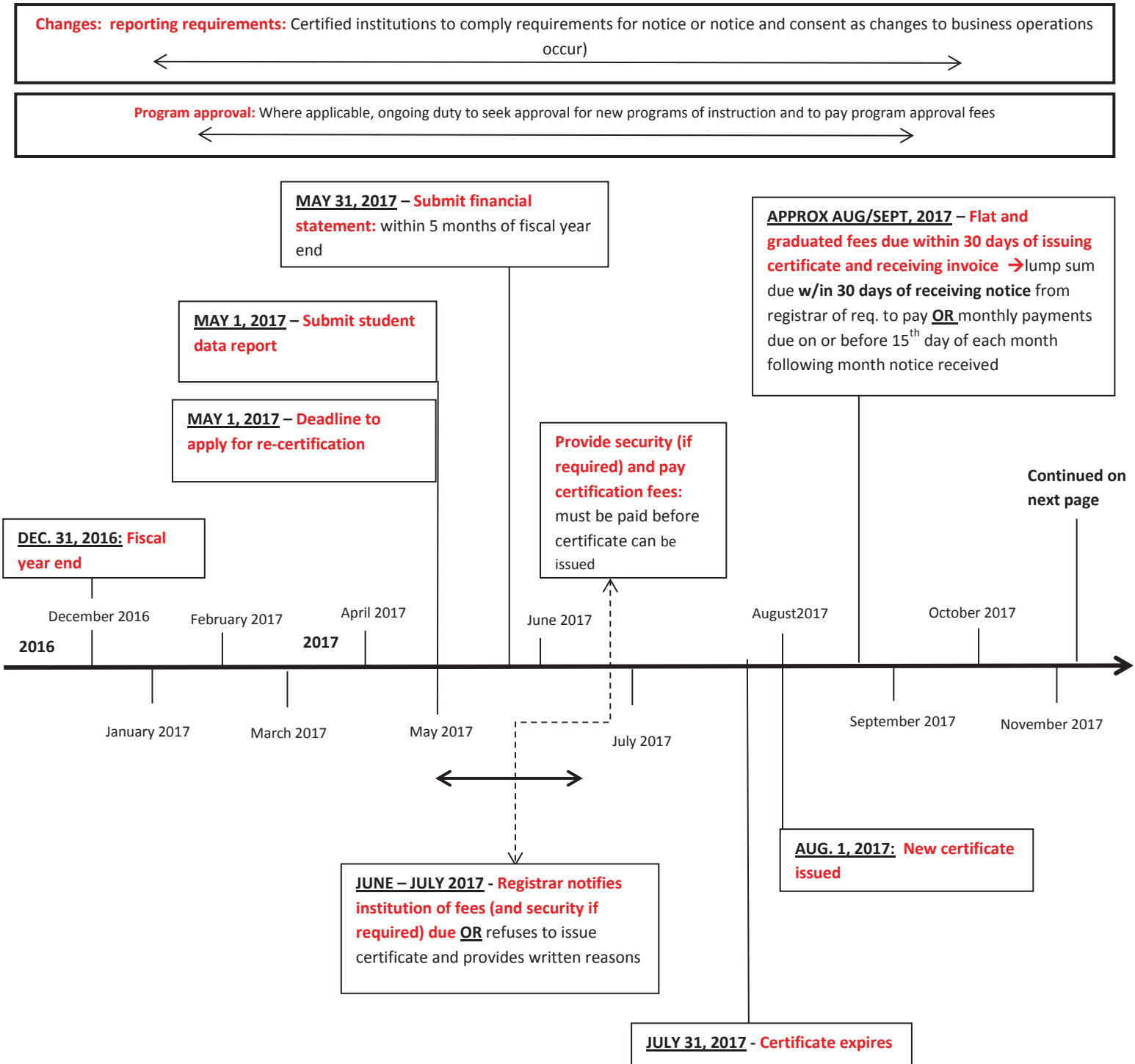
| | |
|---|-----|
| Failure to conduct a written performance evaluation every two years for every instructor at a designated/interim designated institution | 250 |
| Failure of keep a current student record for each student enrolled in an approved program | 250 |
| Failure to retain student records in accordance with prescribed standards | 250 |
| Failure to adhere to the prescribed standards for student record archiving | 250 |
| Failure to comply with student attendance compliance standards | 250 |

Continuing Contraventions:

If a contravention continues for, or occurs on, two or more consecutive days, separate administrative penalties, each not exceeding the administrative penalty for the contravention, may be imposed for each day the contravention continues.

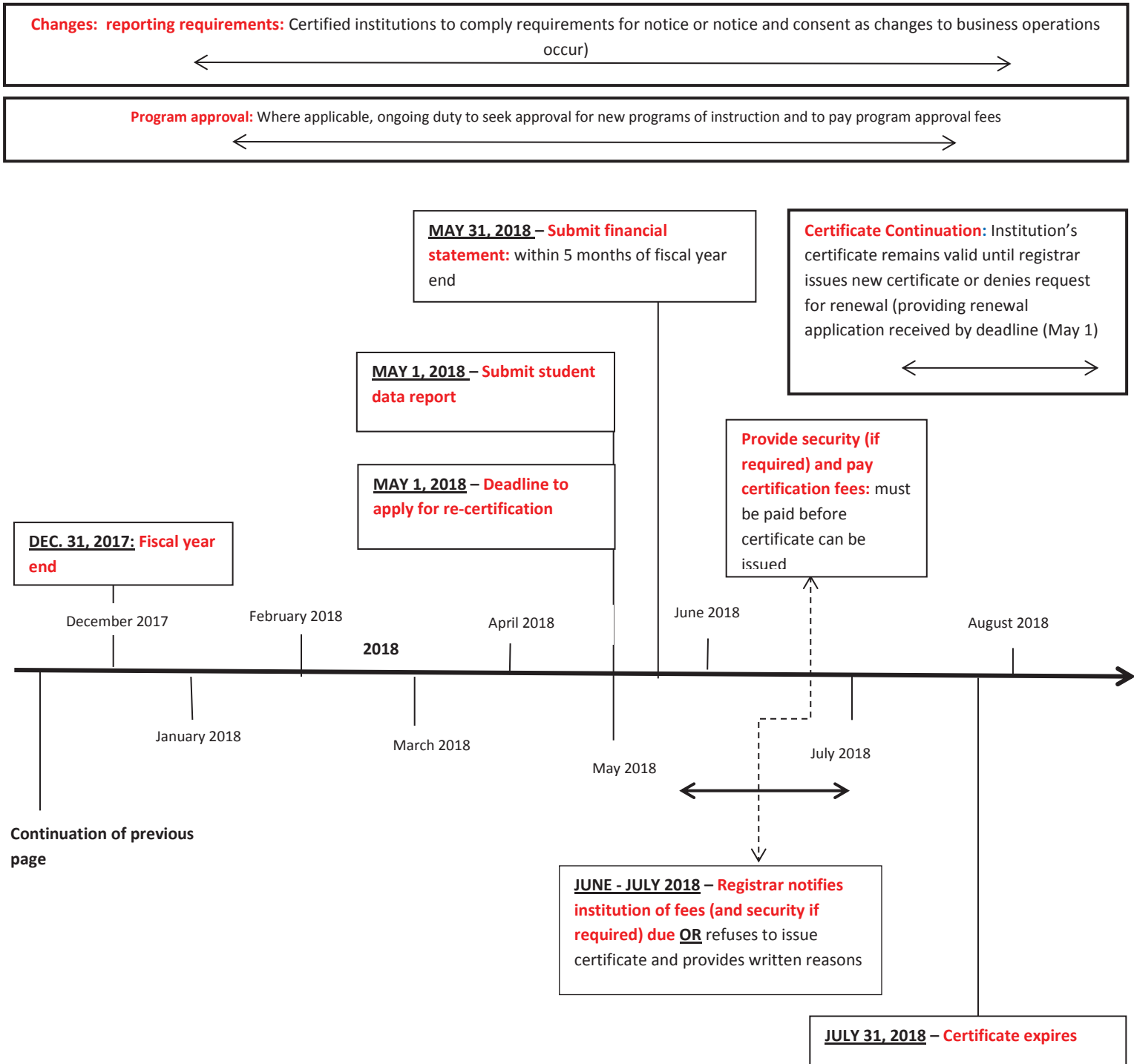
Appendix 10: PTA Certificate and Reporting 2-Year Timeline

EXAMPLE: FISCAL YEAR END DECEMBER 31



PTA Certificate and Reporting 2-Year Timeline Continued

EXAMPLE: FISCAL YEAR END DECEMBER 31



Appendix 11: Application for Re-certification – Required Information and Records

An institution holding a registration, interim designation or designation certificate and applying for re-certification must comply with one of the following options.

Option 1: Provide the information and records listed below

Option 2: Provide evidence of general liability insurance ((i) below) and confirm that the remainder of the information already provided continues to be accurate.

- (a) If the institution is a company
 - (i) the names of the directors and senior officers of the company, as defined in section 1 (1) of the Business Corporations Act, and of the major shareholders of the company, and
 - (ii) a certificate of good standing
- (b) If the institution is an extraprovincial company, the names of directors and senior officers of the company, as defined in section 374 of the Business Corporations Act, and the major shareholder of the company
- (c) If the institution is a corporation, other than a company, an extraprovincial company, a society or an extraprovincial society, the names of the directors and senior officers of the company, as defined in section 1 (1) of the Business Corporations Act, and the major shareholder of the company
- (d) If the institution is a partnership within the meaning of the Partnership Act or under the laws of a jurisdiction other than British Columbia, other than a limited partnership, a signed copy of the partnership agreement
- (e) If the institution is a limited partnership, the names of the general partners
- (f) If the institution is a society or extraprovincial society
 - (i) the names of the directors of the company as defined in section 1 of the Society Act
- (g) If the institution is a sole proprietorship, the full name of the proprietor
- (h) If the institution is an Aboriginal institution, the legal name of the entity that operates the institution
- (j) Evidence that the institution has obtained general liability insurance
- (k) A written declaration by a person who has the legal authority to act on behalf of the institution as to whether or not the institution, or an associated institution within the meaning of section 46 of the PTA
 - (i) has suspended operations in any jurisdiction, or
 - (ii) has been closed or involved in an action in any jurisdiction respecting the closure of the institution

Appendix 12: Student Data Report – Required Information

An institution must use the Private Training Institutions Branch Portal to submit to the registrar, no later than 90 days before the expiry date included in current certificate held by the institution, a student data report for each student who was enrolled in an approved program in the previous fiscal year established by the institution, or who has completed an approved program in the previous fiscal year established by the institution, that includes the following information:

- (a) The full legal name, usual first name, mailing address, telephone number and email address of the student
- (b) If the student has a personal education number (PEN), that number
- (c) The date of birth and gender of the student
- (d) The title of the program of instruction in which the student was enrolled
- (e) Whether the student was enrolled full time or part time in the program
- (f) The start date of the program set out in the student enrolment contract
- (g) Whether the student provided the institution with a notice of withdrawal after the start date of the program and, if so, the date of the notice
- (h) Whether the student received a notice of dismissal after the start date of the program and if so, the date of the notice
- (i) Whether the student was granted a credential for the program and if so, the date the credential was granted
- (j) If the student is an international student:
 - (i) the citizenship of the student
 - (ii) whether the student has a study permit issued under the Immigration and Refugee Protection Act (Canada), or
 - (iii) whether the student has a permit, visa or other written authorization to study in Canada other than a study permit issued under the Immigration and Refugee Protection Act (Canada).

In addition, institutions may report the following information:

- (a) Whether the student identifies as an Aboriginal person that is, First Nations, Métis, or Inuit (voluntary disclosure).
- (b) Whether the student has a disability (voluntary disclosure).

Additional reporting requirements – interim designated and designated institutions

In addition to other reporting requirements, a certified institution that holds an interim designation certificate or designation certificate must, in relation to Class A programs and Class B programs, submit the following additional information in the student data report it prepares for each student, no later than 90 days before the expiry date included in the current certificate held by the institution. This requirement does not apply to international students.

- (a) Whether the student
 - (i) completed an approved program of instruction and was granted a credential and if so, the date the credential was granted, and

- (ii) obtained employment in a career occupation related to the credential within six months after being granted the credential

(b) Whether the student

- (i) completed an approved program of instruction leading to employment in a career occupation that is regulated by Transport Canada, the federal regulator, or a health regulatory body and was granted a credential and, if so, the date the credential was granted, and

Health regulatory body

“Health regulatory body” means a college designated under the *Health Professions Act*.

- (ii) is registered, licenced, certified or otherwise recognized by Transport Canada, the federal regulator, or health regulatory body within six months after being granted the Class A credential

(c) Whether the student

- (i) completed an approved program of instruction and was granted a credential and, if so, the date the credential was granted, and
- (ii) subject to subsection (3), obtained employment in a career occupation that is not related to the credential within six months after being granted the credential

(d) Whether the student

- (i) completed an approved program of instruction and was granted a credential and, if so, the date the credential was granted, and
- (ii) is enrolled in further training or a post-secondary institution within six months after being granted the credential.

For the purposes of subsections (a) (ii), (b) (ii), (c) (ii) and (d) (ii) the institution must make best efforts to provide the required information.

If the student is an **international student**, the following additional information is required instead of the additional reporting requirements listed in (a) through (d) immediately above:

- (a) Whether the student completed an approved program of instruction and was granted a credential and, if so, the date the credential was granted
- (b) Whether the student returned to his or her country of citizenship, or
- (c) Whether the student obtained employment in a country other than his or her country of citizenship.

For the purposes of subsections (b) and (c), the institution must make best efforts to provide the required information.

Appendix 13: Financial Reporting Requirements

| Requirement | Category 1 | Category 2 | Category 3 |
|---|--|--|--|
| Financial Statements due five months after fiscal year end. | Required | Required | Required |
| Financial reporting requirements Annual tuition revenue a. \$25,000 or less | <i>Notice to Reader</i> | <i>Notice to Reader</i> | <i>Notice to Reader</i> |
| b. \$25,001 - \$500,000 | <i>Notice to Reader</i> | <i>Notice to Reader</i> | <i>Notice to Reader and a Review Engagement Report on Annual Tuition Revenue</i> |
| c. \$500,001 - \$1,000,000 | <i>Review Engagement</i> | <i>Review Engagement</i> | <i>Review Engagement with Audit on Financial Information</i> |
| d. \$1,000,001 and more | <i>Review Engagement with Audit on Financial Information</i> | <i>Review Engagement with Audit on Financial Information</i> | <i>Audit Report</i> |
| Must be prepared by a Chartered Professional Accountant member in good standing, with the appropriate licence in BC | Required | Required | Required |
| Must be prepared using accrual method, on comparative basis and in accordance with generally accepted accounting principles | Required | Required | Required |

| | | | |
|--|-----------------|-----------------|-----------------|
| Financial Statements must include: A Statement of Financial Position (Balance Sheet) A Statement of Operations (Income Statement) A Statement of Cash Flow | Required | Required | Required |
| Balance Sheet must disclose tuition accounts receivable from approved programs, net of allowance for doubtful accounts | Required | Required | Required |
| Balance Sheet must disclose amounts due from related parties with notes regarding collectability | Required | Required | Required |
| Balance Sheet must disclose amounts due to related parties with notes regarding payment terms and interest rates | Required | Required | Required |
| Balance Sheet must disclose unearned tuition from approved programs separately from other unearned revenue from other sources | Required | Required | Required |
| Balance Sheet must report cash and cash equivalents, including marketable securities | Required | Required | Required |
| Income Statement must disclose tuition revenue from approved programs separately from other tuition revenues | Required | Required | Required |
| If certified institutions are carried on by or through more than one individual, corporation, firm, syndicate or association, or any combination of them under one common control or direction, the institution must submit consolidated financial statements in addition to individual statements for each institution. | Required | Required | Required |

Appendix 14: Example Auditor Report

INDEPENDENT AUDITORS REPORT

To [Name of Institution]

We have audited the accompanying financial statements of [Name of Institution], which comprise the balance sheet as at [Year-End Date], the statements of operations, changes in retained earnings and cash flows for the year then ended, and notes, comprising a summary of significant accounting policies and other explanatory information.

Management Responsibility for the Financial Statements

Management is responsible for the preparation and fair presentation of these financial statements in accordance with the Private Training Regulations Part 5 section 49-52, and for such internal control as management determines is necessary to enable the preparation of financial statements that are free from material misstatement, whether due to fraud or error.

Auditor Responsibility

Our responsibility is to express an opinion on these financial statements based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial statements are free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial statements. The procedures selected depend on our judgment, including the assessment of the risks of material misstatement of the financial statements, whether due to fraud or error. In making those risk assessments, we consider internal control relevant to the preparation and fair presentation by the entity of the financial statements in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the internal control exercised by the entity. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial statements.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial statements present fairly, in all material respects, the financial position of the [Name of Institution] as at [Year-End Date], and the results of the operations of the entity, and the cash flows of the entity, for the year then ended in accordance with the Private Training Regulations Part 5 section 49-52.

Nothing in this section is intended to supersede the requirements of the CPA Canada Handbook.

Signature

Date

Name of Auditor
Audit Company

Appendix 15: Example Review Engagement Report

REVIEW ENGAGEMENT REPORT

To the [Name of Institution]

We have reviewed the balance sheet of [Name of Institution] as at [Year-End Date], and the statements of earnings and retained earnings and cash flows for the year then ended. Our review was made in accordance with Canadian typically accepted standards for review engagements and, accordingly, consisted primarily of enquiry, analytical procedures and discussion related to information supplied to us by [Name of Institution].

A review does not constitute an audit and, consequently, we do not express an audit opinion on these financial statements. Based on our review, nothing has come to our attention that causes us to believe that these financial statements are not, in all material respects, in accordance with the Private Training Regulations Part 5 section 49-52.

Nothing in this section is intended to supersede the requirements of the CPA Canada Handbook.

Signature

Date

Name of Auditor
Audit Company

Appendix 16: Example Review Engagement Report

REVIEW ENGAGEMENT REPORT ON TUITION REVENUE

To [Name of Institution]

We have reviewed the tuition revenue earned of [Name of Institution] (“the Entity”) as at and for the year ended [Year-End Date] prepared in accordance with **the Private Training Regulations Part 5 section 49-52**. Our review was made in accordance with Canadian generally accepted standards for review engagements and, accordingly, consisted primarily of enquiry, analytical procedures and discussion related to information supplied to us by the Entity.

Tuition revenue earned for fiscal year ended _____ totaled \$_____.

A review does not constitute an audit and, consequently, we do not express an audit opinion on the tuition revenue earned.

Based on our review, nothing has come to our attention that causes us to believe that the tuition revenue earned is not, in all material respects, in accordance with **the Private Training Regulations Part 5 section 49-52**.

Signature

Date

Name of Auditor
Audit Company

Nothing in this section is intended to supersede the requirements of the CPA Canada Handbook.

Appendix 17: Example Notice to Reader

NOTICE TO READER

On the basis of information provided by management, we have compiled the balance sheet of [Name of Institution] as at [Year-End Date] and the statement of operations and changes in retained earnings for the year then ended. We have not performed an audit or a review engagement in respect of these financial statements and, accordingly, we express no assurance thereon. Readers are cautioned that these financial statements may not be appropriate for their purposes.

Nothing in this section is intended to supersede the requirements of the CPA Canada Handbook.

Signature

Date

Name of Auditor

Audit Company

Appendix 18: Example Audit of Financial Information Report

INDEPENDENT AUDITOR REPORT

To [Name of Institution]

We have audited the [Description of Balances or Information] of [Name of Institution as at [Year-End Date]]. The Balances or Information that were reviewed were:

- Cash and cash equivalents, including marketable securities
- Student tuition accounts receivable net of allowance for doubtful accounts
- Gross deferred tuition revenue (also called unearned tuition revenue) from the liabilities section of the Balance Sheet (or statement of financial position)
- Amounts due from related parties, with notes regarding collectability
- Amounts due to related parties, with notes regarding repayment terms and interest rates, and
- Annual tuition revenue earned from approved programs.

Management Responsibility for the Financial Information

Management is responsible for the financial information in accordance with the Private Training Regulations Part 5 section 49-52, and for such internal control as management determines is necessary to enable the preparation of financial information that is free from material misstatement, whether due to fraud or error.

Auditor Responsibility

Our responsibility is to express an opinion on the financial information based on our audit. We conducted our audit in accordance with Canadian generally accepted auditing standards. Those standards require that we comply with ethical requirements and plan and perform the audit to obtain reasonable assurance about whether the financial information is free from material misstatement.

An audit involves performing procedures to obtain audit evidence about the amounts and disclosures in the financial information. The procedures selected depend on our judgment, including the assessment of the risks of material misstatement of the financial information, whether due to fraud or error. In making those risk assessments, we consider internal control relevant to the preparation and fair presentation by the entity of the financial information in order to design audit procedures that are appropriate in the circumstances, but not for the purpose of expressing an opinion on the effectiveness of the internal control exercised by the entity. An audit also includes evaluating the appropriateness of accounting policies used and the reasonableness of accounting estimates made by management, as well as evaluating the overall presentation of the financial information.

We believe that the audit evidence we have obtained is sufficient and appropriate to provide a basis for our audit opinion.

Opinion

In our opinion, the financial information presents fairly, in all material respects, the [Description of Balances or Information] of the [Name of Institution] as at [Year-End Date] in accordance with the Private Training Regulations Part 5 section 49-52.

Nothing in this section is intended to supersede the requirements of the CPA Canada Handbook.

Signature

Date

Name of Auditor
Audit Company

Appendix 19: Category Assessment Criteria

The assessment criteria for institutions will be calculated as follows:

1. Change in student enrolment

The score for the change in student enrolment criterion is determined as follows:

$$\text{PCSE} = 100 \times [(\text{SPFY} - \text{PFYSE}) / \text{PFYSE}]$$

Where

PCSE = the percentage of change in student enrolment

SPFY = the number of students enrolled in approved programs during the previous fiscal year established by the institution

PFYSE = the number of students enrolled in approved programs during the fiscal year prior to the previous fiscal year established by the institution

The score may be a positive or negative percentage.

Data for this criterion will be taken from the two most recent student data reports provided by the institution.

2. Student withdrawal

The score for the student withdrawal criterion is determined as follows:

$$\text{Percentage of student withdrawal} = 100 \times [\text{SWPFY} / \text{SEPFY}]$$

Where

SWPFY = the number of students who withdrew from an approved program after the start date of the approved program during the previous fiscal year established by the institution

SEPFY = the number of students enrolled in approved programs during the previous fiscal year established by the institution

The registrar must apply a category 1 rating for the student withdrawal criterion in an assessment if there are fewer than 10 students enrolled in an approved program.

Data for this criterion will be taken from the most recent student data report provided by the institution.

3. Administrative penalties and compliance orders

The score for the compliance orders and administrative penalties criterion is the number of compliance orders and administrative penalties imposed by the registrar in respect of the institution during the previous fiscal year established by the institution.

A contravention of a provision of the Act or regulations that results in both a compliance order being issued and an administrative penalty being imposed is to be counted as one to establish the number to determine the score used in the assessment.

4. Claims against the Fund

The score for claims against the Fund criterion is determined as follows:

$$PC = 100 \times (NCPFY / SEPFY)$$

Where

PC = the percentage of approved claims against the Fund in relation to total students enrolled

NCPFY = the number of claims against the Fund approved by the trustee during the previous fiscal year established by the institution

SEPFY = the number of students enrolled in approved programs of instruction during the previous fiscal year established by the institution.

5. Current ratio

The score for current ratio criterion is determined as follows:

$$\text{current ratio} = PFYCA / PFYCL$$

Where

PFYCA = previous fiscal year current assets

PFYCL = previous fiscal year current liabilities

Financial information for this criterion will be taken from the most recent financial statements provided by the institution.

6. Months of working capital

The score for the months of working capital criterion is determined as follows:

$$\text{MWC} = \frac{(\text{PFYCA} - \text{PFYCL})}{\text{PFYE} / 12}$$

Where

MWC = months of working capital

PFYCA = previous fiscal year current assets

PFYCL = previous fiscal year current liabilities

PFYE = previous fiscal year expenses

Financial information for this criterion will be taken from the most recent financial statement provided by the institution.

7. Change in revenue

The score for the change in revenue criterion is determined as follows:

$$\text{Percentage change in revenue} = 100 \times [(\text{PFYTR} - \text{TRPPFY}) / \text{TRPPFY}]$$

Where

PFYTR = previous fiscal year total revenue

TRPPFY = total revenue of the fiscal year prior to the previous fiscal year established by the institution

Financial information for this criterion will be taken from the most recent financial statement provided by the institution.

8. Profit margin

The score for the profit margin criterion is determined as follows:

$$\text{Profit margin} = 100 \times (\text{PFYNI} / \text{PFYTR})$$

Where

PFYNI = previous fiscal year net income

PFYTR = previous fiscal year total revenue

Financial information for this criterion will be taken from the most recent financial statement provided by the institution.

9. True trust

The score for the true trust criterion is determined as follows:

$$\text{True trust} = (C + CE + AR) - ET$$

Where

C = cash

CE = cash equivalents

AR = accounts receivable from approved programs

ET = unearned tuition from approved programs

Financials for this criterion will be drawn from the most recent financial statement provided by the institution.

The following additional criteria apply to institutions applying for a designation certificate and institutions that hold a designation certificate:

10. StudentAid BC Support

The score for the StudentAid BC support criterion is determined as follows:

$$\text{PSPFY} = 100 \times (\text{CSS} / \text{SEPFY})$$

Where:

- PSPFY = percentage of students receiving StudentAidBC funding in the previous fiscal year established by the institution
- CSS = number of students who started or who are continuing in an approved program of instruction in the previous fiscal year established by the institution who received StudentAidBC funding in their student enrolment contract term
- SEPFY = the number of students enrolled in approved programs during the previous fiscal year established by the institution

Data for this criterion will be taken from Ministry of Advanced Education data sources.

11. International student enrolment

The score for the international student enrolment criterion is determined as follows:

$$\text{PISSC} = 100 \times (\text{NISSC} / \text{SEPFY})$$

Where

PISSC = the percentage of international students with citizenship from one country

NISSC = the number of international students with citizenship from one country that is the largest group of international students with citizenship from one country

SEPFY = the number of students enrolled in approved programs of instruction during the previous fiscal year established by the institution.

Data for this criterion will be taken from the most recent student data report provided by the institution.

12. Employment or further education (non-international students)

The score for the employment or further education criterion is determined as follows:

$$\text{PSE} = 100 \times [(\text{NSRE} + \text{NSNRE} + \text{NSPSI}) / \text{SEPFY}]$$

Where

PSE = the percentage of students in employment or further education

NSRE = the number of students who obtained employment in a career occupation related to the credential granted to the student within six months after being granted a credential

NSNRE = the number of students employed in a career occupation that is not related to the Class A credential granted to the students within six months after being granted a credential

NSPSI = the number of students enrolled in further training or a post-secondary institution within six months after being granted a credential

SEPFY = the number of students enrolled in approved programs of instruction during the previous fiscal year established by the institution

International students are excluded from this calculation.

Data for this criterion will be taken from the most recent student data report provided by the institution.

Appendix 21: Surety Bond Template

Private Training Institutions Bond

Private Training Institution Name _____
Bond # _____ Bond Amount _____
Effective Date of Bond: _____ (hereinafter called the “Effective Date”)

KNOW ALL MEN BY THESE PRESENTS THAT [Insert name of intended Private Training Institution] _____ (the “Principal”) and [Insert name of Surety Corporation] _____ a corporation created and existing under the laws of Canada, and duly authorized to transact business of Suretyship in Canada as Surety (the “Surety”), are held and firmly bound unto Her Majesty the Queen in right of the Province of British Columbia, as represented by the Minister of Advanced Education in the sum of _____ Dollars (\$ _____) of lawful money of Canada (hereinafter called the “Bond Amount”), for the payment of which sum, well and truly to be made to the Trustee of the Student Tuition Protection Fund, the Principal and Surety bind themselves, their heirs, executors, administrators and assigns, jointly and severally, firmly by these presents.

WHEREAS the Principal has applied for a registration certificate or a designation certificate to operate an institution as that term is defined in the *Private Training Act*, S.B.C. 2015, c. 5 (the “Act”) known by the name _____ located at the street address of _____, in _____, British Columbia, and as a pre-condition of issuing such certificate the Registrar has required a security under section 7(1)(c) of the Act.

THE CONDITION of the obligation is such that it remains in full force and effect from the Effective Date to the end of the term of the certificate issued by the Registrar, which term may be extended or cancelled in accordance with the Act, and shall be subject to forfeiture for the pro rata repayment to the Student Tuition Protection Fund as established under the Act for any claims against the Fund which, pursuant to the Act, are brought as the result of either:

- (a) The Principal ceasing to hold any certificate before a student completed an approved program of instruction in which that student was enrolled at the institution; or
- (b) The Principal is found by the Trustee of the Student Tuition Protection Fund to have misled a student regarding any significant aspect of an approved program of instruction in which that student was enrolled at the institution.

The Surety shall not be liable for a greater sum than the Bond Amount.

Any suit under this Bond must be instituted before the expiration of fifteen months from the date of expiration or earlier cancellation of the certificate.

IN WITNESS WHEREOF, the Principal and the Surety have Signed and Sealed this Bond this ____ day of _____, 20 ____.

Principal
_____ (seal)

Surety
_____ (seal)
Print Name

Appendix 22: Transitional Regulations

Transitional regulations apply to transitioned institutions and are provided to ensure a smooth transition between PCTIA and PTA. They allow either:

- Certain sections of the PTA regulations to come into force after September 1, 2016, or
- Certain elements of the regulatory framework under PCTIA to continue beyond September 1, 2016.

In some circumstances, special rules also apply to the transition. Institutions should be aware of the following key dates:

- **September 8, 2016:** opportunity to provide revised pro forma budget or financial statements
- **September 15, 2016:** report August 2016 tuition revenue received and pay PCTIA variable fees and payments to the Fund for August
- **October 1, 2016:** provide program information and records

| Transition Regulation | Transition Provision and Impact |
|-----------------------|--|
| 2(a) | <p>Allows recently registered institutions, that:</p> <ul style="list-style-type: none"> • Have not provided PCTIA with financial statements, and • Provide programs of instruction that are not required to be approved under PTA <p>to provide an amended pro forma budget and remove tuition revenue anticipated from programs that no longer require approval. This will allow the registrar to assess fees and payments to the Student Tuition Protection Fund (the "Fund") based on anticipated tuition revenue from programs requiring approval only. Due date: September 8, 2016.</p> |
| 2(b) | <p>Allows PCTIA registered institutions that:</p> <ul style="list-style-type: none"> • Provided PCTIA with financial statements, where • The tuition revenue disclosed in the statements includes revenue from programs that no longer require approval under the PTA <p>to provide a statement reviewed by a Chartered Professional Accountant confirming tuition revenue from programs requiring approval. This will allow the registrar to assess fees and payments to the Fund based on tuition revenue from programs requiring approval only. Due date: September 8, 2016.</p> |

| | |
|-------|---|
| 4 | <p>Requires institutions to provide the following:</p> <ul style="list-style-type: none"> • Copies of sample student enrolment contracts • A copy of the institution’s dispute resolution policy • If applicable, evidence that an institution is in a PTA prescribed class • Program information (tuition/fees, hours/weeks of instruction, program outline, location, intake model, maximum number of students admitted (total and per intake)) and (if applicable) a list of work experience hosts <p>Due date: October 1, 2016</p> |
| 5 | <p>Allows institutions with a March 31, 2016 fiscal year end to submit their financial statements by September 30, 2016 (six months following fiscal year end, not five months as now required under the PTA). This provision addresses timing issues arising from new deadline to provide financial statements.</p> |
| 6 | <p>Provides for the continued approval of programs approved under the PCTIA and requiring approval under PTA</p> |
| 7-13 | <p>Provides that transitioning institutions will be assessed flat rate and graduated fees from September 1, 2016 up to the expiry of their certificates</p> |
| 14-20 | <p>Provides that transitioning institutions will be assessed payments to the Fund from September 1, 2016 up to the expiry of their certificates</p> |
| 21 | <p>Extends the protection of the Fund to students enrolled in programs on September 1, 2016 that no longer require approval under PTA</p> |
| 22 | <p>Provides that, effective September 1, 2016, the registrar will assign a category to all transitioned institutions to allow the assessment of fees and payments to the Fund</p> |
| 23 | <p>Provides that fees and payments to the Fund assessed for the period from September 1, 2016 to certificate expiry can be made in one of two ways:</p> <ol style="list-style-type: none"> a) Lump sum if fees and payments are due for three or fewer months, or b) Lump sum or equal monthly installments if fees and payments are due for more than three months |
| 24 | <p>Provides that fees and payments are payable by cheque, credit card or electronic funds transfers and that any monthly installments must be made by pre-authorized debit</p> |

Appendix 23: B.C. Private Training Institutions Branch Designation Certification Terms of Use

B.C. PRIVATE TRAINING INSTITUTIONS BRANCH DESIGNATION CERTIFICATION MARK TERMS OF USE AGREEMENT

Dated for reference the ___ day of _____, 20__

The Province of British Columbia (the “**Province**”) hereby grants to _____ (the “**Institution**”), as the holder of a designation certificate (“**Designation Certificate**”) granted by the Registrar of the Province’s Private Training Institutions Branch (“**Registrar**”) under the authority of and pursuant to the provisions of the *Private Training Act*, S.B.C. 2015, c. 5 (including any regulations made thereunder) (the “**PTA**”), a fully prepaid, royalty free, worldwide, non-exclusive licence (“**Licence**”) to use, reproduce and display any or all of the Province’s certification mark(s), trade-mark(s) and/or other designation(s) identified in Section 25 below (collectively, the “**Marks**”) during the Term, in accordance with the following terms and conditions (“**Terms of Use**”):

1. Duration – The Licence will be effective commencing upon the earlier of:
 - (a) the date that the Institution is deemed to hold a Designation Certificate under s. 72(2) of the *PTA*;
 - (b) the Registrar’s issuance of a Designation Certificate to the Institution under s. 7 of the *PTA*;
 and will continue in effect until terminated in accordance with Section 11 below (the “**Term**”).
2. General Use and Prohibition – The Institution will only use, display or reproduce the Marks in association with the provision of private career training services or language training services (collectively, the “**Services**”) that are authorized by the Registrar, and only in a way that is expressly permitted or directed by these Terms of Use, or otherwise by the Province in writing, and not in any other manner. The Institution must provide the Services in a manner that conforms with the character and quality of any applicable standards established by the Province or the Registrar from time to time.
3. Reproduction – During the Term, the Institution may use, reproduce and display the Marks on or in association with signage, advertising, promotional materials and Internet websites that:
 - (a) relate directly to the Institution’s provision of the Services; or
 - (b) promote the business of the Institution;
 provided that such use shall at all times be in accordance with any graphic standards developed by the Province for the Marks, as may be amended by the Province from time to time upon notice to the Institution, a current version of which is attached as Appendix B.
4. Internet and Telecommunication Identifiers – The Institution must not use, reproduce or display the Marks, or any words, designs, characters or symbols that are confusing with or are derived from any of the Marks, as part of any Internet domain name, universal resource locator, telephone number, address or any other identifier (collectively, “**Identifiers**”) except as expressly permitted by the Province in advance in writing.
5. Ownership – The Province is the owner of the Marks and all goodwill associated with or appurtenant to the Marks. All the benefit and goodwill associated with use of the Marks will at all times enure entirely to the Province and the Institution will absolutely and irrevocably assign

to the Province all right, title and interest throughout the world that it may have or acquire in the Marks, including all related goodwill, other than the Institution's rights to use the Marks under the Licence.

6. Cooperation – The Institution will, as reasonably requested by the Province from time to time, cooperate with the Province for the purpose of:
 - (a) registering or recording the Marks in the Province's name;
 - (b) registering or recording the Licence or notice of the Licence; and
 - (c) protecting, preserving and enhancing the Marks and the Province's interest therein.

7. Verification – Promptly when requested by the Province to do so, the Institution will:
 - (a) provide the Province with samples of any material prepared by, for or with the permission of the Institution that bears or refers to any of the Marks; and
 - (b) comply with all further policies, specifications, regulations and graphic or other standards related to the Marks that are authorized or stipulated by the Province from time to time forthwith upon being notified of same.

8. Notice of Licence – When the Marks are displayed or used by the Institution, the Institution will, whenever possible, indicate in association with the Services and all signage, advertising and promotional materials associated therewith, including Internet websites, that the Marks are being reproduced and used under licence from the Province.

9. Good Faith Covenants – The Institution will not do anything or omit to do anything that might impair, jeopardize, violate or infringe the Marks or the Province's interest in the Marks, including but not limited to:
 - (a) opposing, contesting or in any other manner challenging the validity of the Marks or the Province's interest in the Marks; and
 - (b) unless authorized in writing by the Province, claiming, using, displaying, reproducing or applying to register any trade-mark, trade name, Identifier, copyright or design that is identical to or confusing with, or that is derived from or based on, the Marks.

The Institution will not assist, permit, or encourage any other person or entity to do any of the above.

10. Retained Rights – Nothing in these Terms of Use or any rights granted to the Institution under the Licence shall be deemed to override the express provisions of the *PTA* and nothing in these Terms of Use will prevent the Province from licensing others to use the Marks in any manner, as it sees fit, including licencing another institution to use the Marks, as part of a business name or a domain name, or registering any of the Marks as a trade-mark in association with wares. When requested by the Province to do so, the Institution will promptly execute and deliver to the Province any written consents or other instruments that the Province, acting reasonably, considers necessary or useful to exercise its retained rights in the Marks.

11. Termination –
 - (1) The Licence:
 - (a) will terminate immediately if the Institution no longer holds a current and valid Designation Certificate, including if a current Designation Certificate:
 - (i) expires and the institution does not hold a Designation Certificate with a certificate term that starts the day after the previous certificate term expired;
 - (ii) is suspended by the Registrar under s. 36 of the *PTA*; or
 - (iii) is cancelled by the Registrar under s. 37 of the *PTA*.

- (b) may be terminated by the Province if the Institution defaults in observing or performing any of its material obligations set out in these Terms of Use and fails to correct the default within 10 calendar days after receiving a written demand from the Province to do so, by giving the Institution written notice of termination which will be effective upon receipt by the Institution;
 - (c) may be terminated by the Institution for its own convenience, by giving the Province written notice of termination, which will be effective on receipt by the Province, or immediately upon the Institution surrendering its Designation Certificate; and
 - (d) will terminate immediately upon the Institution becoming insolvent, having a receiver or a receiver/manager appointed for any part of its property, being adjudicated Bankrupt or entering into any composition or arrangement with its creditors.
- (2) For certainty under subsection (1)(a), a Licence does not terminate if the Institution holds a Designation Certificate that expires and the Institution holds a Designation Certificate that starts the day after the previous certificate term expired.

12. Effect of Termination – Forthwith upon termination of the Licence for any reason:

- (a) the Institution will cease all reproduction and use of the Marks including any trade-marks, trade names, designs and permitted or other Identifiers that are confusing with the Marks or that are derived from or based on the Marks;
- (b) as directed by the Province, the Institution will permanently delete the Marks from all signs and other physical or electronic material in its possession or control that bears or refers to the Marks (including plates and other means for reproducing the Marks) but if the Institution cannot or prefers not to do that, the Institution will deliver all items bearing the Marks to the Province; and
- (c) as directed by the Province, the Institution will permanently erase or delete the Marks from all Internet websites, internal networks and permitted Identifiers controlled by the Institution or by others on behalf of the Institution, including reproduction of any of the Marks in meta-tags and key words that appear on, are displayed by, or are embedded in websites and networks, and any cached versions thereof.

13. Infringements – If, during the subsistence of the Licence, the Institution becomes aware that any other party (other than an affiliate or licensee of the Province) is using a trade name, Identifier, trade-mark, get-up of goods, or mode of advertising or promotion that might reasonably amount to infringement, unfair competition, passing off or cybersquatting in respect of the Marks, the Institution will promptly report such activities to the Province.

14. Claims by Others – If the Institution learns that any person or entity is alleging that any of the Marks is invalid, infringes the rights of any party, or is open to any other form of attack, the Institution will not make any admissions in respect of the allegation and will promptly report the matter to the Province.

15. Proceedings – The Province will have the right, but not the obligation, to control and direct the conduct of all legal proceedings and negotiations with third parties relating to the Marks except:

- (a) if a third party carries on an activity that might constitute infringement, passing-off or unfair competition in respect of the Marks and the Province does not initiate proceedings against that third party within one month after the Institution requests the Province to do so, then;
 - (i) entirely at its own expense, the Institution may institute proceedings against that third party in respect of its own interests; and
 - (ii) the Institution will indemnify and save harmless the Province from and against all expenses, costs, damages, and liabilities that the Province incurs

in connection with any proceeding that the Institution initiates against any such third parties; and

- (b) subject to the provisions contained in Section 14 above, the Institution may defend itself at all times from actions brought by others.

The Province may, in its absolute discretion, choose not to defend or prosecute any actions or any other proceedings with third parties that relate to the Marks and it will have no liability to the Institution for failing to defend or prosecute any such actions or proceedings.

16. Assignment – The Institution will not assign, grant or give to a third party, including to any successor of the Institution, any type of interest in the Licence or the Marks, or authorize any third party to use, display or reproduce the Marks, without first obtaining the written consent of the Province, which may be withheld for any reason or without reason. If the Province’s consent is given on any particular occasion, further consent will be required for every subsequent occasion. The Province may assign the Licence or any of the Marks at its sole discretion.
17. Disclaimer – The Province makes no representations or warranties to the Institution regarding the Marks, including those regarding ownership and whether or not the Marks infringes the rights of third parties. The Institution waives all claims against the Province regarding the Marks that it would have or might acquire but for the foregoing disclaimer.
18. Indemnity – The Institution will indemnify and save harmless the Province from and against any and all damages, injuries, liabilities, costs and expenses, including but not restricted to actual legal fees and costs, that may be incurred by the Province or claimed by any third parties against the Province in connection with any of the Services or business of the Institution or any negligent or wrongful conduct of the Institution, including misuse by it of the Marks.
19. Time/Waiver – The timely performance and observance of the parties’ obligations set out in these Terms of Use is an essential condition and:
- (a) if the Province waives a particular default of the Institution, that will not affect or impair the rights of the Province regarding any other default of the Institution;
 - (b) if the Province delays or fails to exercise any rights in connection with a default of the Institution, that will not affect or impair the rights of the Province regarding that event of any other default of the Institution; and
 - (c) in any event, the timely performance and observance by the Institution of its obligations will continue to be an essential condition without the need for specific reinstatement following particular waivers, extensions, or delays.
20. Law/Dispute Resolution – These Terms of Use and the relationship of the parties as contemplated herein will be governed by and interpreted in accordance with the laws prevailing in the Province of British Columbia and all disputes will be finally settled in the Supreme Court of British Columbia sitting in the City of Victoria, British Columbia.
21. Implementing Intent – The parties will execute and deliver to each other any additional instruments and take any additional steps that may be required to give full effect to the intent expressed in these Terms of Use.
22. Notice to Institution – All notices and other communication that the Province will give to an Institution in connection with these Terms of Use will be in writing or by email and will be deemed to have been received by the institution:
- (a) if sent by ordinary or registered mail, on the fifth day after it is mailed;

(b) if sent by email, on the third day after it is sent; or
(c) if sent by fax, on the third day after it is faxed;
if delivered to the Institution’s address for service, as provided to the Registrar in accordance with s. 62 of the *PTA*. Proof of delivery in that manner will constitute proof of receipt.

23. Notice to Province – All notices and other communication that an Institution will give to the Province in connection with these Terms of Use will be in writing and will be deemed to have been received by the Province:

(a) if sent by ordinary or registered mail, on the fifth day after it is mailed; or
(b) if sent by fax, on the third day after it is faxed;
if delivered to the Private Training Institutions Branch at 203 – 1155 West Pender St, Vancouver, BC, V6E 2P4 or by fax to 778-945-0606.

24. Entire Agreement – These Terms of Use supersede all prior agreements and understandings of the parties regarding the Institution’s use of the Marks. This document and any documents specifically referred to herein contain the entire understanding between the parties and, except as expressly set out herein, may not be varied except by written instrument signed by both parties.

25. Marks – The Marks referred to and included under these Terms of Use are set out in Appendix A, including any amendments thereto and any additional or replacement marks identified by the Province and communicated to the Institution from time to time.

IN WITNESS WHEREOF the parties hereto have executed this agreement as of the reference date first written above.

SIGNED on behalf of Her Majesty the Queen in right of the Province of British Columbia by a duly authorized representative of the Minister of Advanced Education:

[signature]

[print name]

SIGNED on behalf of the Institution by its duly authorized representative:

[signature]

[print name]

I declare that I have read and understood these Terms of Use and I represent and warrant that I have the authority to bind the Institution.

Appendix A

The Marks

The Marks referred to and included under these Terms of Use are:

- (a) DESIGNATED PRIVATE TRAINING INSTITUTION; and
- (b) DESIGNATED B.C. PRIVATE TRAINING INSTITUTIONS BRANCH & Shield Design (colour or black and white):



Appendix B
Graphics Standards



Ministry of
Advanced Education

B.C. Private Training Institutions Branch

Suite of designation marks for use by certified career training programs and institutions

| Use of Logo | Light background | Dark background | | | | | | | | | | | | |
|--|-----------------------------------|-----------------------------------|-----------------------------------|-----------------------------------|--|---------------------------------|--|----------------------------------|--|----------------------------------|--|--|--|--|
| <p>CMYK <i>Commercial printing</i></p> <p>Use CMYK_pos on both light and dark backgrounds</p> | | | | | | | | | | | | | | |
| <p>Solid <i>Black and white or single-colour commercial, desktop or silkscreen printing</i></p> <p>Use K_pos on light backgrounds and K_rev dark backgrounds</p> | | | | | | | | | | | | | | |
| <p>RGB <i>On-screen video and computer monitors</i></p> <p>Use RGB_pos on both light and dark backgrounds</p> | | | | | | | | | | | | | | |
| Colours | Minimum Size | Protective Space | | | | | | | | | | | | |
| <table border="0"> <tr> <td></td> <td>CMYK 100.67.0.23 RGB 35.64.117</td> <td></td> <td>CMYK 15.89.100.0 RGB 211.68.42</td> </tr> <tr> <td></td> <td>CMYK 91.47.0.1 RGB 0.119.189</td> <td></td> <td>CMYK 70.86.96.17 RGB 97.61.48</td> </tr> <tr> <td></td> <td>CMYK 6.30.89.0 RGB 238.181.58</td> <td></td> <td></td> </tr> </table> | | CMYK 100.67.0.23 RGB 35.64.117 | | CMYK 15.89.100.0 RGB 211.68.42 | | CMYK 91.47.0.1 RGB 0.119.189 | | CMYK 70.86.96.17 RGB 97.61.48 | | CMYK 6.30.89.0 RGB 238.181.58 | | | | |
| | CMYK 100.67.0.23 RGB 35.64.117 | | CMYK 15.89.100.0 RGB 211.68.42 | | | | | | | | | | | |
| | CMYK 91.47.0.1 RGB 0.119.189 | | CMYK 70.86.96.17 RGB 97.61.48 | | | | | | | | | | | |
| | CMYK 6.30.89.0 RGB 238.181.58 | | | | | | | | | | | | | |

These files are to be used for the purposes supplied only, and are not for redistribution or re-use without prior written authorization from the Province of B.C.

The files supplied for the BC Mark include vector files with an .EPS file extension. This type of file can be scaled to any size or resolution without losing quality. Use these files whenever possible for the best reproduction. A vector drawing program is required to view or edit these files, though they can be included in most document-creation programs providing excellent results.

MS Word: Use the *INSERT > PHOTO > PICTURE FROM FILE* command to select and place the logo in your document. Use the same method for other MS applications.

InDesign: Use the *PLACE* command to select and place the logo in your document.

August 2016

Glossary of Terms

Aboriginal

Means relating to the Indian, Inuit or Metis peoples of Canada.

Aboriginal institution class

The class of institutions described under [Section 7.2.2](#) of this manual.

Administrative fees

A type of related fee that may include non-sufficient funds (NSF) fees or fees for copies of transcripts or records. Administrative fees do not include co-op fees or per-student payments to the Fund.

Administrative penalty

A compliance enforcement tool that allows the registrar to order an institution to pay a specific amount for having contravened the PTA or regulations. For more information, see [Appendix 9](#).

Annual tuition revenue

The total tuition earned in respect of approved programs during an institution's fiscal year.

British Columbia Electronic Identification (BCeID)

An online account with an identification and password used to provide secure access to online government services.

Career-related programs

Programs provided to a student for the purpose of

- (a) enhancing the student's employability in a career occupation, or
- (b) improving the student's ability to carry out a career occupation.

Career training programs

Career-related programs with 40 or more hours of instruction, for which tuition is at least \$4,000 (also known as Class A programs).

Certificate term

The period that

- (a) starts on the date a certified institution is issued a certificate under section 7 [*registrar issues a certificate*] of the Private Training Act
- (b) ends on the later of the following:
 - i. the expiry date included in the certificate
 - ii. the date the certificate ceases to be valid under section 10 [*continuation of certificate term if renewal application made before deadline*] of the Act.

Certification fee

A type of certificate term fee based on annual tuition revenue and paid by an institution before the registrar issues a certificate.

Certified

An institution that holds a registration, designation or interim designation certificate and has therefore met the requirements for issuance of that certificate.

Class A programs

Career-related programs with 40 or more hours of instruction, for which tuition is at least \$4,000.

Class B programs

Career-related programs at designated/interim designated institutions, other than Class A programs, for which tuition is at least \$1,000.

Class C programs

Language programs at designated/interim designated institutions that are longer than six months or for which tuition is at least \$4,000. A language program is defined as a program that has as its learning objective that students gain or improve proficiency in a language.

Commissioner

The commissioner is appointed by the Lieutenant Governor in Council for a term up to five years, with the option of reappointment. The commissioner is appointed to decide on appeals of certain decisions of the registrar.

Compliance order

A compliance enforcement tool that allows the registrar to order an institution that has contravened the PTA or regulations to become compliant within a specified time.

Continuous intake model

An intake model in which there is continuous admission of students throughout a program.

Course materials

Course materials include textbooks, equipment and uniforms.

Curriculum

A plan that sets out learning activities and how learning activities must be designed in order to meet the learning objectives of a program of instruction.

Designated

Designated institutions meet the designation requirements, and are associated with a higher level of quality. Only designated institution can apply for Education Quality Assurance (EQA) and StudentAid BC (SABC) designation.

Employer provided program

Programs in which all students enrolled are funded by one employer or one third party.

Enrolment contract

A certified institution must enter into a written contract when a student is enrolled in a program. Different contract standards apply to approved programs and programs that do not require approval.

Excluded institution

See [Section 1.1](#) or [Appendix 1](#).

Federal regulator

Any of the following:

- (a) a person who accredits or licences the person described in section 4.9(a) of the *Aeronautics Act* (Canada);
- (b) a person, classification society or other organization who may issue a Canadian maritime document, within the meaning of the *Canada Shipping Act, 2001*.

Flat rate fees

Fee based on a flat rate multiplied by the institution's annual tuition revenue.

Full time instruction

Full time in relation to an approved program means:

- Instructional time of 20 hours or more per week, or
- If the program leads to employment in a career occupation regulated by Transport Canada, the federal regulator, instructional time of 15 hours or more per week.

Graduated fees

A type of certificate term fee based on the category assessment of an institution, number of years certified (or registered under the PCTI Act), type of certificate, annual tuition revenue, and class of institution, if applicable.

Health regulatory body

A college designated under the *Health Professions Act*.

Hour of instruction

An hour in which students at an institution receive instruction in a program, not including recesses, lunch periods or other scheduled breaks between classes.

Intermittent intake model

An intake model where students are admitted into a program at specific times.

International student

A student who is not a Canadian citizen or permanent resident of Canada.

Interim Designated

Interim designated institutions do not meet all the requirements for designation, but meet the requirements for interim designation.

Language institution class

The class of institution described under [Section 7.2.2](#).

Language program

A program that has as its learning objective that students gain or improve proficiency in a language, and

- (a) for which the tuition is equal to or greater than \$4,000, or
- (b) longer than six months.

Letter of acceptance

A letter issued by an institution for the purposes of Immigration, Refugees and Citizenship Canada processing an international student's application for a study permit.

Method of delivery

Methods of delivering a program to students include:

- Distance education
- In-class instruction
- A method that incorporates both distance education and in-class instruction.

Notice of dismissal

A certified institution's written notice advising a student enrolled in an approved program of instruction that the student is dismissed from the program.

Notice of withdrawal

A student's written notice advising a certified institution that the student is withdrawing from an approved program of instruction in which the student is enrolled.

Part time means

Part time in relation to an approved program means:

- Instructional time of less than 20 hours per week, or
- If the program leads to employment in a career occupation regulated by Transport Canada, the federal regulator, instructional time of less than 15 hours per week.

Post-program payment institution class

The class of institution described under [Section 7.2.2](#).

Private Training Institutions Branch (PTIB)

The branch of the Ministry of Advanced Education that administers the *Private Training Act* and associated regulations.

Registered

Registered institutions meet the registration requirements. Institutions offering Class A programs must be registered.

Regulatory body institution class

The class of institution described under [Section 7.2.2](#).

Registrar

The registrar is appointed under the *Public Service Act* and makes decisions under the *Private Training Act*, including issuing certificates, approving programs, issuing compliance orders and administrative penalties, and suspending or cancelling institutions.

Related fees

Fees related to a program of instruction, including administrative fees, application fees, assessment fees and fees charged for course materials.

Review officer

A ministry employee designated by the minister for the purposes of reviewing administrative penalties imposed on uncertified institutions.

Senior educational administrator

An individual employed or retained by a certified institution who:

- (a) has a degree, diploma or certificate, or comparable education or work experience, in adult education and
- (b) is responsible for the following:
 - i. ensuring that the course outline, curriculum and the program outline of an approved program of instruction are relevant to the program's learning objectives
 - ii. overseeing a performance evaluation process for instructors who provide an approved program of instruction

Student

A person who is or was, or is applying to be, enrolled in a program at an institution.

Tuition

The total of the fees a person must pay to an institution in respect of a program of instruction, but does not include the following:

- (a) administrative fees
- (b) application fee
- (c) assessment fees
- (d) fees charged for textbooks or other course materials, including equipment and uniforms, and
- (e) any other fees prescribed in regulation.

Study permit

A study permit issued under the *Immigration and Refugee Protection Act (Canada)*.

Voluntary designation

The process by which an institution offering only Class B or Class C program only may apply for designation (they may not apply for registration).

Work experience

For the different types of work experience, see [Section 3.2.9](#).