

# INDEX

## **Administration and Financial Matters**

- institutions excluded from application of Act, 192
- security, 41
  - amount of, 174
  - forfeiture of, 177, 181
    - where proceeds from forfeited security excessive, 189
  - required, 173
  - transition provisions, 178
- Superintendent, 27, 102
  - appointment, 32
  - assistance by advisory board, 37, 155
  - delegation of powers, 33
  - functions, 27
    - administration and enforcement of the *PCCA, 2005*, 32
    - administration of TCAF, 162
    - approval
      - of changes to vocational program, 101
      - of granting of credentials, 47, 104
      - of permitted sale of a college, 70
      - of provision of vocational program, 54, 215
      - of registration or renewal criteria, 59
      - of training completion provider, 183
  - conduct inquiries or examinations, 121, 123, 124
  - disciplinary measures, 49
  - dispute settlement, 52
  - drafting of Statement of Students' Rights and Responsibilities, 114
  - ensures use of "approved" transcript providers, 111
  - establish performance indicators, 98
  - hold meetings with students, 119
  - issue Restraining or Compliance Orders, 134
  - publication, 139
  - registration, 70
    - impose conditions and changes to conditions on, 70, 72
    - issuance of registration certificate, 70
    - refusal, 75, 79
  - renewal, 73
    - impose new conditions on, 73
    - refusal, 78, 79
  - revocation,

## INDEX

- of license, 47
- of program approval, 103
- of registration, 66, 78
- suspension, 78, 88
  - lifting of, 90
- responsible to whom, 32
- review of Superintendent's decisions, 68
  - public interest test, 68
  - judicial review, 73, 86
- Training Completion Assurance Fund, 25, 33
  - administration of, 37
  - advisory board, 37
  - definition, 153
  - establishment, 149
  - premiums and levies, 38
  - purpose of, 35
  - sources of money, 161

**Advertising and soliciting, restrictions on, 48, *see also* Operation of private career colleges**

**Charging fees, prohibition against, 47, *see also* Operation of private career colleges**

**Court actions, prohibition against, 54, *see also* Operation of private career colleges**

### **Credentials**

- approval of, 104
  - reapplication for, 104
  - revocation of, 147
- definition, 102, 104, 192, 211
- false, 239
- granting of credentials, 146
  - criteria for, 146
  - prohibition against, 47
  - revocation of approval to grant, 147, 226
- prohibition against use of, 48
- where compelled to issue, 254

### **Definitions**

- academic dishonesty, 336
- additional definitions, 273-276

## INDEX

advertising, 221  
associated institution, 341-342  
bullying, 11  
computer based learning, 318  
evidence, 85, 145  
fee, 154  
general definitions, 270-273  
ILS instruction, 319  
integrity and honesty, 66  
international student, 111  
*ISP requirements, 2015*, 325-327  
language program accreditor, 342  
minister, 21  
prescribed, 22  
private career college, 52, 193  
registrants, 24, 59  
regulations, 25, 27  
restraining order, 135  
school, 57-58  
Superintendent, 27  
teach, 315  
Training Completion Assurance Fund, 153  
tribunal, 28  
vocational, 22, 30, 102, 192  
vocational program, 102, 192, 211

### **Enforcement**

administrative (monetary) penalties, or AMPs, 257, 260  
    amount of penalty, 128, 258  
    collection  
        costs of, 134  
        disbursements, 134  
        powers of collector, 134  
        Superintendent may authorize collector, 134  
    Crown debt, 134  
    notice of contravention, 127  
        content, 130  
        enforceable as an order of the court, 133  
        issuance by Superintendent or designate, 127, 258  
        limitation, 130  
        right to review of, 131  
    payment of penalty  
        after review, 133

## INDEX

- where no review, 132
- purpose of, 128
- restraining orders, 135
- review, 132
  - Minister's decision, 132
- inquiries and examinations, 121
  - obstruction of Superintendent or designate, 121, 126
  - other persons, of, 123
  - powers of Superintendent or designate, 124
  - registrants, of, 24
  - report to Superintendent, 127
- offences, 136
- restraining and compliance orders, 45, 134
  - issued by the court, 135
  - issued by the Superintendent, 135

### **Fees**

- definition, 154
- prohibition against charging, 47
- refund policy, 110, 181, 231, 237, 311, 330, 334, 338

### **Forms, 151, 303**

- contract, 195, 197, 234, 235
- pre-screening, 20, 43, 102
- student enrollment contract, 197

### **Information and disclosure**

- consent to release, 231
- generally, 141
- limitation on the use of personal information, 142
- voluntary disclosures program, 4

### **Non-vocational programs, 102**

### **Operation of private career colleges, 109**

- advertising, 115
- complaint procedure, 112
  - content of, 113
  - inclusion in contract, 113
- contract between college and student, 109
  - copy to student, 110
  - inclusion of fee refund policy in, 110
  - rescission of, 118

## INDEX

- to be in writing, 109
- fee refund policy, 110
- generally, 109
- meetings with students, 119
- no profit, 118
- notice of change, 254
  - notice to Superintendent of material changes, 116
- obligations
  - relating to sexual violence policies, 114
- return of goods and money, 119
- sale of students' goods and services, 117
  - no profit, 118
- Statement of Students Rights and Responsibilities, 114
  - Superintendent to develop statement, 148
- transcripts, access to, 111

### **OSAP Performance Requirements, 265**

#### **Performance indicators, *see also* Publication of information and Vocational programs**

- establishment by the Superintendent, 98
- key performance indicators, 98
- publication of, 105, 139

#### **Personal information, disclosure of, *see* Information and disclosure**

#### **Policy directives, *see also* Publication of information**

- commentary on, 265
- generally, 140, 146

#### **Practice and procedure**

- certificate as evidence, 145
- OSAP administrative procedures, 308
- personal delivery, 144
- service of notice, order or document, 143
- student complaint procedure, 112, 246

#### **Prohibitions**

- against charging fee, 47
- against court actions, 54
- against enrolling students unless registered and vocation program approved, 50
- against operating private career college, 43

## INDEX

against providing vocational programs, 45  
against use of credentials, 48  
against use of “Private Career College”, 52  
general, 43  
restrictions on advertising and soliciting, 48

### **Publication of information**

admission requirements, 37  
disclosure, 141  
limitations, 142  
orders, 138  
performance  
    indicators, 139  
    objectives, 139  
personal information, 141, 142  
policy directives, 140  
program approvals, 139  
refusals and contraventions, 137  
removal of information, 137  
sexual violence, 141  
Statement of Students’ Rights and Responsibilities, 140

### **Registration**

application for, 195, 202  
    after refusal or revocation, 92  
    content of, 195  
certificate of, 70, 249  
    display of, 249  
conditions, 70  
    admission, 229  
    changes, 72  
    compliance, 73  
    insurance, 204  
    trust account, 205  
continuance pending renewal, 74  
criteria  
    public interest, 68, 203  
delay, 16  
exemption, 213  
expiry of, 74  
generally, 59  
integrity and honesty, 66  
late filing, 202

## INDEX

- location, 69
- notice of refusal or revocation, 79
  - content of, 80
  - hearing
    - appeal to court, 86
      - no stay on, 87
      - powers on, 87
    - entitlement, 80, 86
    - minister, 86
    - no hearing, 81
    - oral evidence, 85
    - parties, 85
    - powers of tribunal, 83
    - record, filing of, 86
    - where required, 81
- office, 288
- penalty, 202
- refund, 237
- refusal to register, 75
  - application for registration after, 92
- registrant, 24, 59
- renewal, 74, 202
  - continuance pending, 74
  - refusal, 78
    - notice of, 79
- revocation, 78
  - application for registration after, 92
  - notice of, 79
- specifically, 62
- surrender of, 94
- suspension, 78
  - hearing and appeal, 90
  - immediate, 88, 90
  - lifting of, 90
  - notice, 89
    - content of, 89
- transferability, 74
- Regulations, 25, 149**
  - definition of, 25
  - general, 27
  - making of, 149
    - Cabinet, 149

## INDEX

**Statement of students' rights and responsibilities, 114, 140, 148**

**Superintendent, *see* Administration and financial matters**

### **Training Completion, 181**

Assurance Fund, 25, 33  
administration of, 37, 162  
board, 158  
functions, 158  
maximum to be paid by, 188  
payments  
to, 165  
annual premiums, 167  
exemption, 170  
security, 173  
surcharges, 168  
out of, 163  
Regulation, 161  
where proceeds from forfeited security excessive, 189  
costs, 187  
payment of, 187  
definition of, 153  
duty to provide, 182  
plan, 182  
provider, 183  
approval of, 183  
payment of costs of, 187  
refund  
if student refuses training completion, 186  
if training completion not available, 187  
student claims  
payment of, 187  
student expenses, 185  
subrogation, 189  
where available, 184

### **Transitional provisions of Act, 219**

### **Vocational programs, 192, 212**

approval of, 97  
application for, 215  
changes to vocational program, 101  
condition of, 217

## INDEX

duration of, 99  
invalidity of, 101  
revocation of, 103  
copy of description of program, 250  
credentials, *see* **Credentials**  
definition of, 30, 102, 192, 211  
fees, 252  
performance indicators, 98, 105  
prohibition against providing, 45  
substantial change, 218