Summary Status Table in Response to the Report of the Auditor General of Ontario

Value for Money Audit: Private Career Colleges (PCC) Oversight

[2021 Annual Report of the Auditor General]

Ministry of Colleges and Universities

Auditor's Recommendation	Completed undertaking	Outstanding undertaking (including timeline)
1. To validate that programs delivered by private career colleges are updated before the five-year program approval period expires, we recommend that the Ministry of Colleges and Universities: • update its information system to allow for proper tracking and flagging of programs that are approaching their expiration period; • initiate the re-approval process with all private career colleges to address the backlog of already expired programs, including assessing the third-party experts' qualifications, prioritizing those programs with actively enrolled students; and • determine an approach to more efficiently re-approve programs going forward, such as placing a condition on colleges' registration to submit program renewal documents at the end of each approval period or face possible enforcement actions	Initiated internal discussions to scope next steps and timelines, including early opportunities to update third party subject matter expert assessments.	**Q1 2022-23:** Issue a memo to all private career colleges (PCCs) informing them that the ministry will develop an approach to re-approve programs that were approved over 5 years ago and, as a first step, will strengthen requirements for third party assessments for program changes and new programs copied from previously approved older programs, for better assurance that programs remain up-to-date. **Q1 2022-23:** Analysis of current number of programs potentially requiring re-approval **Q1-Q2 2022-23:** Analysis of options for approach to re-approving program that were approved over 5 years ago, identifying these programs in the ministry's IT systems, and re-approving programs. **Q3-Q4 2022-23:** Identification of IT Business Requirements and scoping of IT implementation timelines **Q4 2022-23-Q1 2023-24**: Development of Policy Directive/Fact Sheet, business process maps, other implementation supports **Q1 2023-24**: Communication of approach to re-approval of programs approved over 5 years ago and requirements for PCCs going forward (e.g. submission of program renewal documents), and initiate re-approvals

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2. To better validate that the public has sufficient information to help make an informed decision when choosing a program in a private career college, we recommend that the Ministry of Colleges and Universities update its process and verify at more frequent intervals whether private career colleges' advertising complies with requirements under the Private Career Colleges Act, 2005, in addition to the annual registration renewal process.	Completed draft internal operational policy document to integrate review of advertising during established compliance inspection process (completed on average every 2-3 years) in addition to during annual registration of renewal process and in response to complaints. Initiated internal discussions to scope associated IT solutions.	**Q1 2022-23**: Finalize internal operational policy; train inspection staff on updated policy **Q1 2022-23:** Implementation of policy during routine inspections **Q1-Q4 2022-23:** Development and implementation of IT solution in inspection IT system to automate and track advertising reviews during inspections

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3. To better ensure it is registering private career colleges that will act in the students' best interests and strengthen its ability to verify that the applicant has met all registration criteria as outlined in the Private Career Colleges Act, 2005, we recommend that the Ministry of Colleges and Universities develop and implement internal procedures outlining expected application file review steps and the circumstances where a new applicant may not be operating in accordance with the law and with integrity and honesty	Developed and implemented procedures for applicant reviews	**Q1-Q2 2022-23:** Define internal policies with respect to application file review timelines and point of expiry when timely responses are not received; evaluation of procedures with respect to determining whether an applicant is expected to operate with integrity and honesty.

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4. To improve processing times for registering private career colleges, we recommend that the Ministry of Colleges and Universities: • keep track of the duration of registration timelines to determine areas where time delays are present and regularly address those delays; • update its information system to flag registration files that remain incomplete for long periods; and • establish performance indicators, including turnaround time targets, for registration processing time.	Initiated analysis of data on duration of approvals for new PCC registration applications, including identification of pressure points. Increased prioritization of processing pending new PCC applications. Initiated internal discussions to scope next steps and timelines.	**Q1 2022-23:** Initiate regular (e.g. monthly) reporting and analysis by management team of pending new PCC applications and processing times. **Q1-Q3 2022-23:** Internal analysis of the current new PCC application process to identify efficiencies and potential development of performance indicators, and/or benchmarks to guide processing of new PCC registration applications while also maintaining quality and service standards in other functions (e.g. inspections, investigations and enforcement, responding to student complaints). **Q3-Q4 2022-23:** Communication and training among staff, and "soft" implementation of any potential benchmarks/standards prior to IT system updates (staff and management work to achieve indicators/benchmarks pending IT system updates). **Q3- Q4 2022-23**: Identification of IT Business Requirements and scoping of IT implementation timelines for registration processing time tracking and performance indicators and flagging registration files that remain incomplete for long periods. **2023-24 (TBC based on scope):** Implementation of IT system updates to support identification of delayed applications, and to assess compliance with standards. **2024-25:** Examine options for establishing turnaround time targets.

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5. To support graduate achievement of competencies from private career colleges for proficiency in the workforce, we recommend that the Ministry of Colleges and Universities update its compliance inspection checklist on a defined time frame (either annually or biennially) for inspections conducted in industries selected based on a risk assessment to include an assessment of program delivery and emerging issues.	Completed development, training, and implementation of commercial trucking sector-specific inspection protocol, which has been identified as high risk; protocol to be reviewed annually and updated as required.	**Q1-Q3 2022-23**: Implementation and review with staff of trucking sector-specific inspection protocol. **Q3-Q4 2022-23:** Analyze third party recommendations regarding a risk-based approach to inspections (see recommendation #8) to identify opportunities to leverage risk-based framework to identify sectors that may require specific inspection protocols. **Q4 2022-23:** Develop a Commercial Pilot/Flight sector inspection protocol. **Q1 2023-24:** Implementation of Commercial Pilot/Flight sector inspection protocol. **Q4 2023-24** and annually thereafter- Update inspection checklist as required based on assessment of risk and emerging issues.

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6. To confirm that all private career colleges' instructors teaching the mandatory entry-level training course for commercial Class A truck drivers meet qualification requirements in accordance with the Private Career Colleges Act, 2005 and Ministry of Transportation standards, we recommend that the Ministry of Colleges and Universities: • work with the Ministry of Transportation to clarify the documents each private career college should obtain to substantiate instructor qualifications; • incorporate into its processes a check to verify the completeness of the records that colleges maintain on instructors' qualifications, for example, by matching records with the college's payroll; and • establish formal procedures to follow up with colleges to confirm they do not continue to employ unqualified instructors.	Initiated participation in Ministry of Transportation (MTO) stakeholder engagement sessions on review of the Mandatory Entry Level Training (MELT) Standard for commercial Class A trucking, to recommend clarifying instructor qualifications and substantiating documents and other improvements. Completed development, training, and implementation of commercial trucking sector-specific inspection protocol; confirmed all instructor qualifications are reviewed and captured in PARIS at inspection (currently every 2-3 years, which may change as a result of implementing risk-based inspection framework per recommendation #8). Initiated internal discussions to scope potential solutions and timelines.	**Q2 2022-23 (TBC):** release of updated MELT Standard by Ministry of Transportation with clarification on document requirements to substantiate instructor qualifications; Ministry of Colleges and Universities will update inspection protocols and training for staff as necessary. **Q3-Q4 2022-23:** Explore options for verifying completeness of instructors' qualifications, and following up with colleges that employed unqualified instructors, and initiate implementation of optimal approach.

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7. To better protect students from being overcharged for tuition and materials when enrolling in vocational training and to confirm that private career colleges comply with the Private Career Colleges Act, 2005 and its regulations, we recommend that the Ministry of Colleges and Universities: • review and update its processes for verifying that colleges charge fees within the amounts approved by the Ministry, including implementing mechanisms to detect and remedy overcharging; • request colleges to submit a current fee schedule at every registration renewal and post updated fee information on the government website; and • require private career colleges to post current fee schedules on their website or premises for public access that match the fees schedule posted on the government website	Implemented changes to registration renewal process to require PCCs to confirm whether they have made any changes to fees. If so, they are contacted by inspector to ensure fee changes are approved by Superintendent and automatically updated on government website. Initiated internal discussions, including with IT to scope potential approaches and IT solutions.	**Q2-Q4 2022-23**: Consider regulatory amendment to require PCCs to post current fee schedules on their website or public premises. **2023-24**: Initiate planning of approach to verify fees charged and detecting overcharging, and timelines for implementation

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8. To improve the effectiveness of inspections and promote a uniform and objective approach to conducting compliance inspections for all private career colleges in Ontario, we recommend that the Ministry of Colleges and Universities: • develop alternative ways to conduct compliance inspections should in-person inspections not be possible due to public health concerns or other extraordinary circumstances, and update internal processes and training as needed; •complete the implementation of a risk-based plan to prioritize inspections as appropriate; • incorporate a rotation schedule into its inspection process, assign inspections to inspectors and monitor compliance with this schedule; • monitor and review the performance of inspectors, including the number and quality of inspections conducted; and • review and update guidelines and training on a regular basis, such as every two years, to better assist inspectors to incorporate learnings from recent inspections into future inspections.	Implemented a risk-based approach to returning to in-person inspections in Fall 2021, focusing on new commercial trucking schools. Initiated procurement process to seek third party analysis and advice on a risk-based inspection prioritization framework, leveraging best practices in other jurisdictions and sectors.	**Q1 2022-23:** Formalize inspector performance expectations (number and quality of inspections; timeliness of new PCC application approvals; and student complaint responses) using performance monitoring system; ongoing review of inspector performance as part of annual performance discussions. **Q1-Q2 2022-23:** Complete procurement and receive final recommendations regarding a risk-based inspection framework and implementation supports. **Q2-Q3 2022-23**: Scope implementation steps, timelines, and IT requirements based on final recommendations. **Q3-Q4 2022-23:** Initiate implementation planning and review with staff, including developing internal operational policies, IT system updates, training, and monitoring. **2023-24**: Initiate analysis/planning and development of an alternative approach to conducting compliance inspections and inspector rotation process; and review existing performance requirements for inspectors.

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9. To enhance the public's knowledge about the quality of private career colleges and to provide more timely responses to students and other persons who may have concerns about these colleges, we recommend that the Ministry of Colleges and Universities: • publish the quantity and nature of substantiated complaints on specific private career colleges; • develop a process for ongoing analysis of substantiated complaints to identify trends and significant areas of focus in compliance inspections and lessons learned and provide training for its inspectors based on the most frequent and significant substantiated complaints raised; and • establish and publish expected service standards for its complaint response times and monitor compliance against these standards.	Refer complaints received via correspondence to be submitted via ministry database (PARIS) to allow for tracking and analysis.	**Q1 2022-23:** Direction to all staff to ensure complaints received via correspondence are directed to adhere to standard complaints process (i.e. submit to college and then, if unresolved, submit via ministry database) to better allow for tracking and analysis of complaints. **Q3 2023-24:** Initiate annual process to analyze the quantity and nature of substantiated complaints and update inspector training. **Q4 2023-24:** Initiate research and analysis into options for publishing information about complaints and services standards for response times, which may include jurisdictional/cross-sector research and stakeholder consultations. **Q1 2024-25:** Develop implementation plan for publication of complaints information, establishment and publication of complaints response times, and monitoring **Q3 2024-25 and annually thereafter:** Annual analysis of quantity and nature of substantiated complaints and updated inspector training.

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10. To better incorporate relevant and comprehensive information obtained by the National Association of Career Colleges into the inspections and investigations of private career colleges, we recommend that the Ministry of Colleges and Universities: • develop a mechanism to obtain general themes of findings from the National Association of Career Colleges' audits on a regular and timely basis; and • update training for inspectors and investigators on this material as needed	Introductory meeting between new Chief Executive Officer (CEO) of National Association of Career Colleges and Ontario Superintendent of Private Career Colleges.	**Q1 2022-23:** Follow-up meeting between Ministry and National Association of Career Colleges to gather background information on their audit processes and scope. **Q1-Q3 2022-23:** Analysis and development of proposed approach to obtain general themes of audit findings. **Q3-Q4 2022-23:** Engage with National Association of Career Colleges to propose approach, reach agreement. **Q3-Q4 2022-23:** (TBC based on audit themes) Update training material for inspectors and investigators; deliver training. **2023-24 and ongoing (TBC based on discussions with NACC):** Ongoing receipt and analysis of audit findings, training updates.

As of March 30, 2022

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11. To improve the efficiency and effectiveness of investigation activities, we recommend that the Ministry of Colleges and Universities: • incorporate investigation data into the program information system; • require all investigators to maintain and record their investigation activities fully; • monitor that investigation files, including all supplemental investigation evidence maintained on the server, are thoroughly documented and reviewed prior to closing the file; and • track common issues identified that may help improve investigator performance going forward, and provide investigator training using this information at least on an annual basis.	Initiated internal discussions with IT to confirm prioritization of initiating the incorporation investigation data into program information system in year 1-2. Require all investigators to: • complete Canadian Police Knowledge Network note-taking training • complete investigative notes on every file, regardless of outcome • indicate complete review of evidence in investigative memos • de-brief with counsel as needed following matters that appear before the Licence Appeal Tribunal or Provincial Courts to track issues • conduct case conferences on a regular basis to discuss current trends and issues as well as best practices	**2022-23:** Work with IT to provide Business Requirements for a new Enforcement Module in PARIS, with a goal of having core functionality in place by end of Q4 2022-23. **Q2 2022-23:** Complete implementation of investigator documentation and evidence review requirements. **Q2 2022-23:** Develop and implement internal operational policy regarding review of investigative files and evidence, and identification of issues. **Ongoing and as needed (more than annually):** Track common issues and deliver training.

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12. To improve the credibility of deterrence and the timeliness of the Minister's review of financial penalties imposed on private career colleges and increase the probability of collecting these penalties, we recommend that the Ministry of Colleges and Universities: • establish and implement written guidance with expected timelines for each stage of the administrative monetary penalty review process, including the publishing requirement; and • monitor compliance with the guidance and follow up when these timelines are not met.	Established a preliminary process and developed plans to engage internal partners involved in reviews for their input.	**Q2 2022-23:** Work with CAO's office to develop appropriate timelines and then create internal operational policy documenting them. **Q3 2022-23:** Begin monitoring compliance with the guidance by tracking the amount of time a file is with each stage of the review process and following up as necessary.

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13. To support the public's ability to make informed decisions when choosing a private career college that might have been affected by the Ministry's enforcement activities, we recommend that the Ministry of Colleges and Universities: • develop and implement procedures to publish all enforcement actions, especially those that are required to be published under the Private Career Colleges Act, 2005, completely, accurately and consistently; and • establish targets with expected timelines for publishing enforcement actions and take corrective action when these targets are not met.	In process of developing procedures which would solidify workflow to create, translate, and publish particulars, including any associated spending approvals, of enforcement actions in accordance with s. 49 of the Private Career Colleges Act, and establishing timelines for publishing enforcement action.	**Q2 2022-23:** Complete development and implementation of procedures and publishing targets.

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14. To deter late payments to the Training Completion Assurance Fund and avoid potentially placing an additional burden on other private career colleges should the fund balance be insufficient, we recommend that the Ministry of Colleges and Universities • monitor and follow up with colleges that fail to submit payments after 30 days of billing; and • take appropriate enforcement actions on colleges that continue to fail to respond or submit payment.	Initiated analysis of outstanding accounts receivables for Training Completion Assurance Fund (TCAF) premiums. The analysis will support development of monitoring and enforcement actions related to outstanding invoices.	**Q1 2022-23:** Develop monitoring, follow-up and enforcement actions to address delinquent accounts past 30 days and documenting the steps/ actions by decision notes. **Q2 2022-23**: Implement the documented steps and enforcement actions on colleges that continue to fail to respond or submit payments.

Auditor's Recommendation	Completed undertaking	Outstanding undertaking (including timeline)
15. So that the financial security amount required of a private career college is commensurate with the appropriate risk score to alleviate the resulting pressure on the Training Completion Assurance Fund when the financial securities are insufficient to cover the cost of a college closure, we recommend that the Ministry of Colleges and Universities establish weighting on the criteria, and regularly review the criteria and their weighting, in the Private Career College Capacity Assessment Tool at least every two to three years based on more current closure data	Analyzed closed PCCs in June 2021 and updated weighting criteria based on this analysis for 2020 renewal of registration applications. Currently assessing updates to closed PCC data to complete analysis.	**Q2 2022-23:** Formalize/document the process for establishing ratio weighting criteria. **Q4 2022-23:** Review the criteria and their weighting in the Private Career Colleges Capacity Assessment Tool following the established criteria at least every two to three years based on more current closure data.

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16. To better protect the Training Completion Assurance Fund from unnecessary withdrawal due to insufficient financial securities as a result of college closures, we recommend that the Ministry of Colleges and Universities: • update its processes for calculating financial securities to incorporate more current and audited financial information; • establish a process to monitor that financial securities are current or have proper continuance provisions; and • identify financial securities that are nearing expiry or have expired and send reminders to these colleges to provide continuation certificates by deadlines	Initiated the review of surety bond templates to include the continuance provisions. Developed a weekly report on upcoming financial security expiries to monitor that they are current and identify financial securities that are nearing expiry or have expired. The ministry sends reminders with detailed instructions to those PCCs one month ahead of the due date. If the PCC does not comply, the ministry issues caution letters. Completed assessment of financial security requirements for specific types of the sector, (i.e. truck driving) to incorporate current development.	**Q1 2022-23:** Effective fiscal year-end 2021 renewal of registration applications assessment, the ministry will resume calculating financial securities based on the most recent audited financial information submitted by applicants (process suspended due to COVID). **Q1 2022-23**: Formalize/document the establishment of a process to monitor that those financial securities are current or have proper continuance provisions. **Q3 2022-23:** Continue monitoring closures for specific types of the sector including trucking schools and assess the risk of their closure on TCAF to align financial security requirements with the risk.

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17. To uphold the integrity of the International Student Program in private institutions and to deter international students from staying in Canada without proper legal ground, we recommend that the Ministry of Colleges and Universities: • work with the federal government to clarify the roles and responsibilities of sharing information on unusual trends and establish a protocol to share such information; and • review program information on at least an annual basis to identify unusual trends of international student enrolment, including colleges that are not designated as learning institutions but offer vocational programs of over six months in duration to international students, and refer these cases to Immigration, Refugees and Citizenship Canada	Initial engagement with IRCC counterparts to discuss issues related to international student enrolment in Ontario and plan for future engagement specific to International Student Program.	**Q2-Q3 2022-23:** Consider amendments to the International Student Program Memorandum of Understanding with federal government to allow for greater information-sharing. **Q3-Q4 2022-23**: Develop protocol for reviewing program information annually or more to identify unusual trends in international enrolment, and (subject to legal/policy considerations) share information with IRCC.

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18. To reduce the administrative burden on private career colleges that offer the International Student Program (program), we recommend that the Ministry of Colleges and Universities expedite its review of its regulatory requirements for private career colleges under program policy and remove duplicate registration requirements and processes.	Completed review of regulatory requirements for private career colleges and have identified duplicate registration requirements and processes for the International Student Program. Updated application materials for the International Student Program.	**Q1-Q2 2022-23:** Publish updated application materials

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19. To improve prospective and existing students' ability to make informed decisions using the most up-to-date and accurate information when choosing a private career college, we recommend that the Ministry of Colleges and Universities: • establish timeline targets for publishing performance indicators and adhere to these targets; • update the government website to allow students to more easily access performance indicators for selected programs; • update the government website to allow students to more easily compare performance indicators across similar programs and over time; • update its review process to verify a greater sample of published performance indicator results and document this work; and • establish targets of performance indicators, such as benchmarks for each type of vocational program, to help promote better performance of private career colleges.	Initiated a request for bids to procure a vendor for upcoming Key Performance Indicator reporting cycles (2022-25).	**Q1 2022-23:** Onboard successful vendor, including establishing timelines for reports and publishing performance indicators, and improved quality assurance (including verifying a greater sample of published performance indicator results internally). **2024-25:** Initiate planning for updates to website and research/analysis to explore potentially setting KPI benchmarks targeted for future years including interjurisdictional/cross-sectoral research, stakeholder consultations, and potential updates to current Performance Indicators Policy Directive.

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20. To enhance its ability to oversee the work conducted by the external third-party research company related to private career colleges' performance indicators so that deliverables are delivered on time and in accordance with the planned scope, we recommend that the Ministry of Colleges and Universities: • update existing and future contractual agreements to include provisions allowing for penalties or other corrective actions and periodic deliverables such as monthly or quarterly targets; and • in consultation with the research company, assess the mixed-mode approach to improve the response rates for the graduate and employer surveys	Launched procurement for third-party research company to gather and report on key performance indicators for 2022-2025. In Request for Services, noted that successful vendor must be able to deliver mixed-mode approach to survey delivery, and would be expected to adhere to set timelines for deliverable.	**Q1 2022-23:** Selection of successful vendor and signing of contract with defined deliverables and potential corrective action. **Q3 2022-23:** Vendor to begin using mixed-mode survey methodology with start of 2022 survey period. **Q1 2024-25:** Vendor to deliver draft report for 2022 cycle, planned for publication in summer 2024.

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21. To support the Ministry's regulatory activities in private career colleges and designated learning institutions, we recommend that the Ministry of Colleges and Universities: • annually reassess the appropriateness of its fees; and • request and obtain approval for increased fees	Initiated jurisdictional research into fee structures for private career colleges.	**Q1 2022-23:** Complete jurisdictional research into fee structures for private career colleges. **Q1-Q2 2022-23**: Conduct research and analysis into options to modernize Ontario's fee structure for private career colleges, and proposed implementation plan. **Q3-Q4 2022-23:** Obtain government approvals. **2023-24:** implement fee changes as approved including developing and implementing IT requirements. **Annually**: reassess fees as part of annual government budget process and seek approvals for changes as necessary.

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22. To identify and deliver college programs in response to Ontario's employment needs, which are unique from one community to the next, we recommend that the Ministry of Colleges and Universities develop a post-secondary education strategy to strengthen the link between Ontario's labour market needs and the programs offered by both public and private career colleges, considering availability of similar vocational programs offered by the post-secondary education institutions in the local region.	<u>Implementation of Micro-credential Strategy:</u> Ontario's Micro-credential Strategy builds on the strong foundation of our internationally recognized postsecondary sector, the province's employment and training system, and innovative businesses and labour market to ensure workers have access to the skills and training they need for the in-demand jobs of today and tomorrow. Through the Ontario Micro-credentials Challenge Fund, government is funding the development of up to 250 new micro-credentials, based on collaboration between postsecondary institutions and industry partners across the province. <u>Health Human Resources Training- Expansion of Personal Support Worker (PSW) Training</u> Completed implementation of the Accelerated PSW training program, launched by the Ministry of Long-Term Care in February 2021, which in total, supported the training of 8,497 PSW students. Completed implementation of the PSW Challenge Fund and PSW Bursary Program which provided funding to train up to 8,000 PSW students in private career colleges and school boards; announced second round of PSW Challenge Fund for 2022-23.	**Q1 2022-23 onward:** Ongoing implementation of initiatives to meet identified labour market needs (Micro-credentials strategy, health human resources initiatives). **Q2-Q4 2022-23:** Advance key initiatives to support labour market needs, and potential new strategies, as the new government mandate is determined.