

Ministry of Training,  
Colleges and Universities

Ministère de la Formation  
et des Collèges et Universités



Minister

Ministre

Mowat Block  
Queen's Park  
Toronto ON M7A 1L2  
Telephone (416) 326-1600  
Facsimile (416) 326-1656

Édifice Mowat  
Queen's Park  
Toronto ON M7A 1L2  
Téléphone (416) 326-1600  
Télécopieur (416) 326-1656

To the applicant:

In 2000, the Government of Ontario launched an initiative to increase choice for Ontarians who want to earn a degree. In doing so, it recognized that the province's prosperity and the future prosperity of our students depends on access to high-quality and relevant education programs where and when students need them.

To that end, the Legislative Assembly passed the *Post-secondary Education Choice and Excellence Act, 2000* - legislation that broadens Ontario's approach to ensuring that postsecondary students of all ages have a full range of educational choices.

The Act provides the foundation for a new, dynamic degree-granting environment in Ontario - consisting of our excellent public universities and other institutions, both established and new. This new environment will respond to the changing needs of students and working adults with degree programs that continue the Ontario tradition of excellence.

You have indicated an interest in offering degree programs or operating a university in Ontario. I welcome your interest in providing new degree opportunities to Ontarians and hope you will follow through on your application.

Sincerely

A handwritten signature in blue ink, appearing to read "Dianne Cunningham".

Dianne Cunningham  
Minister of Training, Colleges and Universities

# **Directives and Guidelines for Applying for Ministerial Consent Under the Post-secondary Education Choice and Excellence Act, 2000**

**This document contains important information and needs to be read carefully. It is the responsibility of the applicant to understand any requirements or conditions discussed in this document.**

## 1. Post-secondary Education Choice and Excellence Act, 2000

The Post-secondary Education Choice and Excellence Act, 2000, permits organizations to offer programs leading to a degree, or to operate a university, either with the consent of the Minister of Training, Colleges and Universities or by an act of the Legislative Assembly of Ontario.

The act also sets out the responsibilities of the Postsecondary Education Quality Assessment Board, which makes recommendations to the Minister with respect to applications for ministerial consent.

In passing the Post-secondary Education Choice and Excellence Act, 2000, the Government of Ontario established its commitment to ensuring that consent holders have the competence and ability to provide the education they propose, and that the interests of consumers in Ontario are protected.

## 2. Activities Regulated by the Act

Subsection 2(1) of the act provides that:

no person shall directly or indirectly do any of the following things unless the person is authorized to do it by an Act of the Assembly or by the Minister under this Act:

1. Grant a degree.
2. Provide a program or part of a program of post-secondary study leading to a degree to be conferred by a person inside or outside Ontario.
3. Advertise a program or part of a program of post-secondary study offered in Ontario leading to a degree to be conferred by a person in or outside Ontario.
4. Sell, offer for sale, or provide by agreement for a fee, reward, or other remuneration, a diploma, certificate, document, or other material that indicates or implies the granting or conferring of a degree.

The Minister's authorization is in the form of a written consent.

Section 3 of the act provides that:

no person shall directly or indirectly do any of the following things unless the person is authorized to

do it by an Act of the Assembly or by the Minister under this Act:

1. Operate or maintain a university.
2. Use or be known by a name of a university or any derivation or abbreviation of a name of a university.
3. Hold themselves out to be a university.
4. Make use of the word *university* or any derivation or abbreviation of the word *university* in any advertising relating to an educational institution in Ontario.

Once again, the Minister's authorization is in the form of a written consent.

## 3. Who May Apply for a Consent

Persons who wish to undertake any of the activities governed by the act (e.g., grant a degree, offer a program or part of a program leading to a degree, call themselves a university, or advertise using the word *university*) and who wish to do so with the consent of the Minister (rather than by an act of the Legislative Assembly of Ontario) must apply to the Minister of Training, Colleges and Universities for his or her consent, or for a renewal of a previous consent. "Persons" includes:

- existing public organizations in Ontario;
- existing public and private organizations outside Ontario or outside Canada (referred to below as "out-of-province organizations");
- existing private organizations in Ontario, either for profit or non-profit; and
- *de novo* public or private degree-granting organizations, within or outside Ontario.

## 4. Public and Private Organizations

### 4a. How the Public/Private Distinction Is Determined

For the purposes of the act and ministerial consent under the act, the factors taken into account in determining whether an organization is public include whether the organization receives ongoing, regular financial support (most particularly operating and capital support) from government, and the degree to which

government controls the organization (e.g., through governance). For this determination, “financial support” does not include financial assistance provided directly to students (i.e., student loans or other government programs that involve direct student financial support).

The Minister will apply the following definitions in determining whether an applicant is a public or private organization.

*In the case of Ontario organizations, public organization* is defined as (i) an organization, including its federates or affiliates, that receives ongoing, regular education-related operating grants from the Ontario government or (ii) an organization that is controlled by publicly elected or publicly appointed officials.

*In the case of out-of-province organizations, public organization* is defined as a school or degree-granting organization that (i) derives its ongoing, regular education-related financial support from government or (ii) is controlled by publicly elected or publicly appointed officials.

**Private organization** is defined as any organization that does not meet the definition of “public organization” set out above.

#### 4b. Relevance of the Public/Private Distinction

Applicants are required to acknowledge that they are aware that private organization applicants – whether they are from Ontario or out-of-province – are not entitled to treatment that is as favourable as the treatment that may be accorded, in like circumstances, to public organization applicants – whether they are from Ontario or out-of-province. Generally, public out-of-province organizations will receive treatment that is as favourable as that accorded to Ontario public organizations in like circumstances. The Minister reserves the right, however, to treat Ontario public organizations more favourably, in like circumstances, than either out-of-province public organizations or private organizations, whether they are from Ontario or out-of-province.

However, out-of-province private organizations will not be treated in a manner that is less favourable than that accorded to Ontario private organizations in like circumstances.

In summary, the distinction of relevance for applicants is not whether the applicant is from Ontario, but whether it is a public or private organization. For example, all private organization applicants will be subject to an organization review by the Postsecondary Education Quality Assessment Board (see section 5, below). As well, the scope of the standard terms and conditions of the Minister’s consent will be determined, in part, by whether the applicant is a public or private organization (see the discussion of standard terms and conditions in section 8, below).

### 5. The Role of the Postsecondary Education Quality Assessment Board

The act provides that all applications for ministerial consent must be referred by the Minister to the Postsecondary Education Quality Assessment Board.

The act continues the Postsecondary Education Quality Assessment Board, an advisory board to the Minister. The board’s mandate is to review applications for consent made pursuant to the act and to make recommendations to the Minister with respect to the academic rigour of the programs proposed and the organizational capacity of the applicant organizations.

The Minister may not grant consent or reject an application unless he or she has received a recommendation from the board.

In carrying out its duties and responsibilities, the board may establish review panels to assess proposed degree programs. The board may also establish any other advisory committees that it considers necessary to assist in its review of applications. The board establishes its own criteria and procedures. Except as may be provided in regulations, the criteria established by the board must be in accordance with educational standards recognized in Ontario and other jurisdictions.

The Minister of Training, Colleges and Universities has directed the board as follows concerning the use of program reviews conducted by licensing or regulatory bodies or accreditation agencies recognized in other jurisdictions: *Program reviews required by statutory licensing and regulatory bodies or for accreditation may overlap, to a greater or lesser degree, with the standards of the board’s program review process.*

Where the board is satisfied that the external review is demonstrated to be consistent with the objectives, structures, and elements of some or all of the board's assessment requirements, the board shall use such reviews to satisfy some or all of its assessment requirements.

The board's criteria and procedures are described in detail in its *Handbook for Applicants: Private Organizations* and *Handbook for Applicants: Public Organizations*.

More information about the board can be found at <http://peqab.gov.on.ca>.

## 6. Considerations Informing the Minister's Decision

As noted above, the Minister will consider the recommendation(s) of the Postsecondary Education Quality Assessment Board when deciding whether to grant a consent. In addition, before issuing a decision, the Minister will consider, as a criterion in relation to each consent application, *any broader Ontario government policy or financial issues that may flow from the giving of a consent*

## 7. Minister's Decision Final

The act provides that the Minister's decision on an application for consent is final.

## 8. Requirements for Consent Holders

### 8a. Standard Terms and Conditions of Ministerial Consents for Public and Private Organizations

The Minister may attach such terms and conditions to a consent as are appropriate, including a termination date after which the consent will cease to be effective unless renewed by the Minister.

Standard terms and conditions will be attached to all consents. Individual terms and conditions addressing the specifics of each proposal may also be imposed by the Minister.

The following provides an overview of the matters that can be expected to be addressed in the terms and conditions attached to all consents:

1. **Consent Period:** The consent period will normally be five years, in order to allow students to advance through and finish a degree program and to pro-

vide a measure of academic and operational certainty for the consent holder.

2. **Scope of Consent:** Each consent will be specific to the activity, program, and site described in the application proposal submitted to the Minister of Training, Colleges and Universities and assessed by the Postsecondary Education Quality Assessment Board. In accordance with the act, those who have received a consent must advise the Minister if it is reasonable to believe that not all the terms and conditions of the consent may be met. The Minister may change the terms and conditions of a consent upon considering such information. However, the consent holder must not implement any changes that are within its control until the Minister has rendered a decision. The Minister will not consider any request to change the terms or conditions of a consent, with the exception of a request that a site be added. Any other proposed changes must be submitted in the form of a new application for consent.

3. **Consent Not Transferable:** A consent will not be transferable to any other person. For the purposes of this condition, "transfer" includes the following: a transfer to a franchisee or subsidiary; a sale or other disposition of the consent holder's assets as an entirety or substantially as an entirety; and a sale or other disposition of 50 per cent or more of the consent holder's shares and/or other equity holdings.

4. **Notice in Promotional Materials:** The consent holder will be required to ensure that the following statement appears on all promotional and other materials, in any media, that relate to the program offered under the consent:

*This program is offered under the written consent of the Minister of Training, Colleges and Universities for the period from (day/month/year) to (day/month/year). Prospective students are responsible for satisfying themselves that the program and the degree will be appropriate to their needs (e.g., acceptable to potential employers, professional licensing bodies, or other educational institutions).*

5. **Student Transcript Protection:** A consent holder will be required to keep electronic student records, using a robust software program that will allow for future growth in the amounts of data to be stored. Other conditions relating to student records will be

as follows: records are to be accessible to students for at least 75 years; records are to be backed-up at an offsite location at least weekly; and the accuracy of records is to be certified by the registrar or a similar official. A third party acceptable to the Minister of Training, Colleges and Universities will be named as the record keeper in the event that the organization closes or can no longer, for any reason, maintain the records. The student record will be required to include, at a minimum: lawfully collected personal identifying information; the basis on which the student was admitted; academic awards and honours received by the student; academic actions taken against the student; the degree awarded and the date on which it was conferred; the student's academic history; and the name of and contact information for the registrar or a similar official.

**6. Renewal of Consent:** To apply for a renewal of a consent, the consent holder will be required to submit an application for renewal on the prescribed form, along with the prescribed fees. Applications for renewal of a consent will be subject to review by the Postsecondary Education Quality Assessment Board. The granting of a consent does not give any express or implied entitlement to renewal of such consent.

**7. Reporting:** A consent holder will be required to provide annually to the Minister of Training, Colleges and Universities, no later than July 1, proof of continuing legal and accreditation status in its home jurisdiction for each program offered under a consent.

**8. Entitlement of Consent Holder to Government Funding:** As stated in section 8 of the act, a ministerial consent does not entitle the holder to funding from the Government of Ontario. Eligibility for government research funds will depend on the specific requirements of the funding ministry or agency. In some cases, private organizations may not be eligible for government funding.

**9. Entitlement of Consent Holder's Students to Financial Assistance, Awards, or Grants:** Ministerial consent does not entitle the consent holder's students to apply for government financial assistance, awards, or grants that are provided directly to students (e.g., assistance under the Ontario Student Assistance Program [OSAP]). Approval of

organizations and programs for the purposes of Ontario student loans is established pursuant to the Ministry of Training, Colleges and Universities Act and regulations made under that act.

**10. Compliance With the Terms and Conditions of a Consent and With Legislative Requirements:** A consent holder's failure to comply with any of the terms or conditions of a consent (including any amended terms or conditions) or with any legislative obligation may lead the Minister to amend, suspend, or revoke the consent. Requirements under the act that are of particular relevance to consent holders in this regard include:

- the obligation to ensure compliance with all terms and conditions attached to the consent [s.4(3) of the act]; and
- the obligation to notify the Minister if it is reasonable to believe that not all of the terms and conditions of the consent may be met [s.6(2) of the act].

**11. Written Confirmation of Understanding of Terms and Conditions and Intent to Comply:** No consent will come into effect until the applicant acknowledges in writing that it understands the terms and conditions attached to the consent, that all information provided in the application is true, and that it agrees to comply with all representations made during the course of the application and with the terms and conditions attached to the consent.

## **8b. Additional Standard Terms and Conditions of Ministerial Consents for Private Organizations**

Subsection 4(4) of the act provides that:

the Minister shall not give a consent unless he or she is satisfied,

- (a) that the person seeking the consent has given security that complies with any prescribed requirements and is adequate to protect the interests of students; and
- (b) that the person has made arrangements to ensure students have access to their transcripts and that the arrangements comply with any prescribed requirements and are adequate to protect the interests of students.

The principle governing the amount of security that will be required is that financial protection of tuition will be expected to increase in direct proportion to the amount of tuition that has been paid to the organization in

advance. The organization will have the option of reducing the amount of security required by more frequent collection of tuition and fees. The amount of financial security required will ensure that an organization that receives a consent has substantial assets and that it will be subject to a rigorous financial appraisal by the party holding the security instrument.

The following provides an overview of the additional matters that can be expected to be addressed in the terms and conditions attached to all consents granted to private organizations.

### **1. Financial Security:**

- Student registration agreements will not exceed a period of 12 consecutive months.
- Tuition and related fees for services not yet provided (i.e., unearned fee revenue) that a consent holder may collect and access as operating revenue will be no more than 25 per cent of the value of unearned fee revenue. If the consent holder chooses to collect unearned fee revenue of more than 25 per cent, the consent holder will be required to place such excess amounts in a trust fund until the services are provided. In the event of institutional failure or student withdrawal, any amounts in the trust fund owing to the student will be required to be easily accessible to the student.
- Regardless of the amount of unearned fee revenue collected, a consent holder will be required to provide financial security against closure or student withdrawal annually to the Crown in Right of Ontario. The minimum amount of the required security will be \$150,000. The required amount will increase, dollar for dollar, in proportion to the amount of unearned tuition and related fees collected, to a maximum of 25 per cent of unearned tuition and related fee revenue.
- The financial security will be in the form of notes, bonds, debentures, or other evidence of indebtedness, issued or guaranteed as to principal and interest by a Canadian government or a Canadian organization on a list of possible issuers, including Canada, Ontario, or another province of Canada, or by a bank or financial organization supervised or examined by the Central Bank of Canada or another governmental authority in Canada.

**2. Tuition Refunds:** A consent holder will provide refunds of tuition and related fees as follows:

- A full refund of tuition and related fees collected if a student rescinds the agreement by providing notice to the consent holder within two days of receiving the duplicate original signed copy of the registration agreement.
- A full refund of tuition and related fees collected, less up to \$1000, if:
  - the student gives the consent holder written notice, at least 21 days before the program start date, that he or she does not intend to start the program;
  - the student gives the consent holder written notice, less than 21 days before the program start date, that he or she does not intend to start the program, if the student contracted for the program less than 21 days before the start date; or
  - the student does not give any notice of withdrawal from the program before the program start date and does not attend the first five consecutive days of the program.
- A full refund of tuition and related fees collected, less up to \$1000 and less the fees proportionate to the services provided, if the student gives the consent holder written notice of intent to withdraw after the program start date but before two-thirds of the program has been delivered or the student has been dismissed for cause.

**3. Student Contracts:** The consent holder will be required to have an enrolment contract for students enrolling in degree programs. The contract will include the following: the title of the program and name of the degree to be awarded; the start date and end date of the contract period for distance education programs and the start date of the contract period for all other programs (or any part of any type of program); and policies on student withdrawal and refund of fees and charges.

**4. Awareness of Policies Affecting Students:** The consent holder will be required to obtain from each student, prior to registration, written confirmation that the student is aware of organization practices and policies concerning the following:

- admission requirements
- matters pertaining to international students
- scholarships and other financial assistance
- method of course delivery
- grading
- academic honesty

- intellectual property
- credit transfer arrangements and recognition by other organizations
- withdrawals, dismissals, and refunds
- supervision, preparation, and examination of theses/dissertations (if applicable)
- complaints/grievances

**5. Credit Transfer:** The consent holder will provide each registrant in a program with a written notice identifying any credit transfer arrangements currently in place and providing the details of such arrangements, as well as contact information for the receiving organization. If the consent holder has no credit transfer arrangements in place, the written notice will indicate that no such arrangements exist.

**6. Delivery of Goods and Services on Payment:**

Where applicable, the consent holder will be required to provide materials, supplies, and textbooks to a student immediately on receipt of payment from the student.

**7. Reporting:** A consent holder will be required to report annually to the Minister of Training, Colleges and Universities, no later than July 1, the following information for each program offered under a consent:

- enrolment for the last two academic terms;
- tuition and related fee levels; and
- current status of financial security arrangements (and, if applicable, an explanation of any changes in the amount of security – e.g., increased or decreased enrolment).

## 9. Enforcement of the Act

Subsection 6(1) of the act provides that:

the Minister may, at any time, in accordance with the regulations,

- suspend or revoke a consent;
- reinstate a consent with or without conditions;
- add new terms and conditions to a consent; or
- change or remove terms and conditions attached to a consent.

The act places the onus on the consent holder to promptly notify the Minister if it is reasonable to believe that not all of the terms and conditions of the consent may be met.

The act authorizes the Minister to appoint inspectors for the purpose of determining whether it is appropriate to suspend or revoke a consent or change the terms and conditions attached to a consent, or for the purpose of determining whether a person has failed to comply with the act.

### 9a. Suspension, Revocation, or Amendment of a Consent

The Minister may take action on being notified by a consent holder that the terms and conditions attached to the consent may not be met, or on receipt of complaints or information about the organization. The Minister could decide, for example, to appoint an inspector and to make an order after receiving an inspection report.

The following are some of the grounds that the Minister may consider in determining whether to suspend or revoke a consent or to amend the terms and conditions attached to it:

- failing to comply with or satisfy a term or condition of a consent or to comply with a Minister’s order under the act (e.g., failing to submit required reports);
- failing to comply with any legislative requirements under the Post-secondary Education Choice and Excellence Act, 2000, the Ministry of Training, Colleges and Universities Act, or the Private Vocational Schools Act (e.g., failing to notify the Minister promptly if a term or condition of a consent may not be met, or hindering or obstructing an inspection);
- breaching any of the acts named above, such that the breach leads to a conviction under the Provincial Offences Act or the Criminal Code of Canada;
- operating in contravention of legislation related to the granting of degrees or the operation of a university or other postsecondary organization in another jurisdiction;
- engaging in substandard academic or administrative practices that could jeopardize the ability of students to progress through or complete a program;
- making a consumer proposal under the Bankruptcy and Insolvency Act (Canada), being placed into receivership, or applying for bankruptcy under the Bankruptcy and Insolvency Act (Canada);
- employing unethical or improper recruitment or advertising practices;
- improperly administering the Ontario Student Assistance Program (OSAP) or committing OSAP fraud;

- the consent holder or one of its officers, directors, or senior administrative officers being charged with or convicted of consumer fraud, financial fraud, or fraud;
- placing students in danger;
- shutting down educational operations;
- carrying out any other act, or making any other omission, of like seriousness.

### **9b. Process Related to the Minister’s Consideration of Suspension, Revocation, or Amendment of a Consent**

Except in extreme cases requiring immediate action (e.g., where a situation exists that poses a danger to students), the Minister will provide prior written notice of any intent to take an action relating to the suspension, revocation, or amendment of a consent. The notice will set out the reasons for the proposed action, and procedures and timelines for the consent holder’s response. Written notice of the Minister’s decision, the reason for the decision, and any appeal rights of the consent holder will also be provided.

The Minister may reinstate a suspended consent for a period of up to the original length of the consent.

If a consent is revoked, the Minister may impose a period of time before a re-application can be made.

The Minister may refer proposed changes to the terms and conditions of a consent to the Postsecondary Education Quality Assessment Board for its recommendation. The Minister may charge additional fees if costs are incurred by the board in preparing a recommendation to the Minister.

### **9c. Application for Changes to the Terms and Conditions of a Consent**

The Minister will not consider any application by a consent holder to change any of the terms or conditions of a consent within the period of the consent for any reason other than to add a site. However, the Minister may amend or modify the terms or conditions of an existing consent in certain circumstances (e.g., if a consent holder advises the Minister that it is reasonable to believe that some of the existing terms and conditions cannot be met, or if the Minister makes an order following an inspection of the consent holder pursuant to the act).

**Note:** The Government of Ontario may make regulations relating to some of the above-noted matters from time to time, and it may amend such regulations from time to time. In the event of any inconsistency between the standard terms and conditions set out above and any statutory or regulatory requirements, the statutory or regulatory requirements shall govern. If regulations are made, they may be found under the Post-secondary Education Choice and Excellence Act, 2000, on the Ontario government’s “e-Laws” website, located at [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca).

## **10. Requirements Under the Freedom of Information and Protection of Privacy Act**

How the Ministry of Training, Colleges and Universities and the Postsecondary Education Quality Assessment Board collect, store, disclose, and dispose of information, including personal information, is subject to the Freedom of Information and Protection of Privacy Act (FIPPA). Every applicant is required to acknowledge that all the information included in an application and related documentation and the terms and conditions of a consent are subject to disclosure under FIPPA. Applicants should note that, subject to the FIPPA protection of privacy provisions, information about applications for consent or renewal of consent under the act may be made available to the public and interested parties for comment. In this regard, the Postsecondary Education Quality Assessment Board will post on its website information about applications that have been made and about their status. The board will also post its recommendation after the Minister has made and announced his or her decision regarding an application.

The full text of the Freedom of Information and Protection of Privacy Act can be found on the Ontario government’s “e-Laws” website, located at [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca).

## **11. Application Fees and Assessment Fees**

Separate application fees and assessment fees shall be payable for each program for which the Minister’s consent is requested, and for each application to renew an existing consent. For example, applications for consent to offer bachelor’s degree programs in psychology, history, and biology will require three application fees and three sets of assessment fees. The application fee is \$5,000 per program proposal.

Assessments are carried out by advisory panels that may be appointed by the Postsecondary Education Quality Assessment Board. Applicants will be responsible for paying the actual costs of the assessments. However, they will initially be invoiced by the Ministry of Training, Colleges and Universities for the estimated costs of these assessments. In 2002, these will likely range between \$5000 and \$15,000 per program for uncomplicated proposals. The board's review of an application will not start until payments have been received by the ministry for both the application fees and the estimated assessment costs. The ministry will issue a refund to the applicant if its estimate of the assessment costs was too high, or it will charge the applicant for the balance of any unpaid costs.

in Ontario, the name of the person (organization) applying for the consent, and whether that person is a public or private organization. If the applicant is a public organization, documentation to verify that status must also be included. (The Minister will determine whether the documentation submitted is acceptable and sufficient for purposes of verification.)

## 12. Application Materials

The following materials must be included as part of every application for ministerial consent:

1. A letter of application, addressed to the Minister of Training, Colleges and Universities, stating the program or activity that is proposed to be undertaken

2. A submission prepared in accordance with the submission guidelines available from the Postsecondary Education Quality Assessment Board.
3. A signed and dated Applicant Acknowledgement and Agreement form (provided at the end of this document).\*
4. The application fee of \$5000 per program proposal (cheques are to be made out to the Minister of Finance, Ontario).

\* This form should not be confused with the written confirmation of understanding of, and intent to comply with, the terms and conditions of a consent described in item 11 on page 5.



## Applicant Acknowledgement and Agreement

(To accompany every application for ministerial consent under the  
Post-secondary Education Choice and Excellence Act, 2000)

This form must be completed by a representative of the applicant who is authorized to bind the applicant, and must be included with the materials accompanying an application to the Minister for a consent under the Post-secondary Education Choice and Excellence Act, 2000.

**Name of applicant:** \_\_\_\_\_

Insert name of applicant organization

**Purpose of application:** \_\_\_\_\_

Insert name of degree and title of program (e.g., Bachelor of Science in physics)

Please indicate if this application relates to use of the term *university*.

**1.** The applicant hereby **acknowledges** that, in making this application, it understands that:

- 1.1 The granting of a consent by the Minister of Training, Colleges and Universities under the act is a privilege, not a right.
- 1.2 A consent by the Minister of Training, Colleges and Universities under the act is normally granted for a specified period of time and remains in force only during that specified period.
- 1.3 A Minister's consent does not include any express or implied entitlement to:
  - a renewal of such consent; or
  - a consent for additional or different activities regulated by the act.
- 1.4 A Minister's consent does not entitle the consent holder to any funding from the Government of Ontario, including but not limited to operating, capital, or research funding.
- 1.5 A private organization from outside Ontario will be treated no less favourably, in like circumstances, than a private organization from Ontario.
- 1.6 A private organization, whether from Ontario or from outside the province, is not entitled to treatment that is no less favourable, in like circumstances, than the treatment accorded by the Minister to a public institution.

- 1.7 A Minister's consent is not transferable, directly or indirectly, to a third party.
- 1.8 If the applicant fails to comply with any legislative requirements or with the terms and conditions of the consent, the Minister may amend or change the terms and conditions of the consent or suspend or revoke the consent.
- 1.9 A Minister's consent does not make the consent holder's students eligible to apply for government financial assistance, grants, or awards that are provided directly to students (e.g., assistance under the Ontario Student Assistance Program). Approval of organizations and programs for the purposes of Ontario student loans is established pursuant to the Ministry of Training, Colleges and Universities Act and regulations thereunder, as amended from time to time.
- 1.10 The Minister's criteria and policy statements related to the review of applications for a ministerial consent may change from time to time.
- 1.11 All information provided to the Minister or the Postsecondary Education Quality Assessment Board in applications and related documentation may be subject to disclosure under the Freedom of Information and Protection of Privacy Act.

(continued)

1.12 No consent shall take effect until the applicant provides confirmation, in a written form approved by the Minister, that the applicant understands and agrees to comply with all of the terms and conditions attached to the consent.

1.13 Should the Minister grant a consent, the consent holder will be required to ensure that the following statement appears on promotional and other materials, in any media, that relate to the program offered under the consent:

*This program is offered under the written consent of the Minister of Training, Colleges and Universities for the period from (day/month/year) to (day/month/year). Prospective students are responsible for satisfying themselves that the program and the degree will be appropriate to their needs (e.g., acceptable to potential employers, professional licensing bodies, or other educational institutions).*

1.14 The consent holder has a positive obligation under the Post-secondary Education Choice and Excellence Act, 2000, to notify the Minister of Training, Colleges and Universities promptly if the consent holder has reason to believe that not all of the terms and conditions of a consent may be met.

**2.** The applicant hereby **agrees** to provide the Minister or the Postsecondary Education Quality Assessment Board with any additional material required by the Minister or the board to assess the application.

**3.** The applicant hereby **confirms and warrants** that:

3.1 All information and representations provided by the applicant as part of this application, including information given in the Organization Review Submission and the Program Quality Assessment Submission, are true.

3.2 This application was duly approved by the applicant's governing body or by another representative duly authorized to bind the applicant on

---

(date of approval)

at

---

(place of approval).

---

Name of authorized representative

---

Position in applicant organization

---

Signature

---

Date