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Assemblée législative  
de l'Ontario  
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## **Official Report of Debates (Hansard)**

**Monday 17 May 2010**

## **Journal des débats (Hansard)**

**Lundi 17 mai 2010**

**Standing Committee on  
General Government**

Post-secondary Education  
Statute Law  
Amendment Act, 2010

**Comité permanent des  
affaires gouvernementales**

Loi de 2010 modifiant des lois  
en ce qui concerne  
l'enseignement postsecondaire

Chair: David Oraziotti  
Clerk: Trevor Day

Président : David Oraziotti  
Greffier : Trevor Day

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Hansard Reporting and Interpretation Services  
Room 500, West Wing, Legislative Building  
111 Wellesley Street West, Queen's Park  
Toronto ON M7A 1A2  
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Service du Journal des débats et d'interprétation  
Salle 500, aile ouest, Édifice du Parlement  
111, rue Wellesley ouest, Queen's Park  
Toronto ON M7A 1A2  
Téléphone, 416-325-7400; télécopieur, 416-325-7430  
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## LEGISLATIVE ASSEMBLY OF ONTARIO

## ASSEMBLÉE LÉGISLATIVE DE L'ONTARIO

STANDING COMMITTEE ON  
GENERAL GOVERNMENTCOMITÉ PERMANENT DES  
AFFAIRES GOUVERNEMENTALES

Monday 17 May 2010

Lundi 17 mai 2010

*The committee met at 1402 in room 228.*

**The Chair (Mr. David Orazietti):** Good afternoon, everyone. Welcome to the Standing Committee on General Government and public hearings on Bill 43.

## SUBCOMMITTEE REPORT

**The Chair (Mr. David Orazietti):** We have a report of the subcommittee. Mr. Levac.

**Mr. Dave Levac:** Mr. Chairman, this is the report from the subcommittee:

Your subcommittee met on Wednesday, May 12, 2010, to consider the method of proceeding on Bill 43, An Act to amend the Post-secondary Education Choice and Excellence Act, 2000, the Private Career Colleges Act, 2005 and the Ontario College of Art & Design Act, 2002, and recommends the following:

(1) That the committee meet in Toronto on Monday, May 17, 2010, and if necessary, Wednesday, May 19, 2010, for the purpose of holding public hearings.

(2) That the committee clerk, with the authorization of the Chair, post information regarding public hearings on the Ontario parliamentary channel, the Legislative Assembly website and the Canada NewsWire.

(3) That interested parties who wish to be considered to make an oral presentation contact the committee clerk by 12 noon on Friday, May 14, 2010.

(4) That groups and individuals be offered up to 10 minutes for their presentation.

(5) That groups and individuals be scheduled on a first-come, first-served basis.

(6) That the deadline for written submissions be 5 p.m. on Wednesday, May 19, 2010.

(7) That the research officer provide the committee with a summary of presentations.

(8) That, for administrative purposes, proposed amendments be filed with the committee clerk by 12 noon on Wednesday, May 26, 2010.

(9) That the committee meet for the purpose of clause-by-clause consideration of the bill on Monday, May 31, 2010.

(10) That the committee clerk, in consultation with the Chair, be authorized prior to the adoption of the report of the subcommittee to commence making any preliminary arrangements necessary to facilitate the committee's proceedings.

That is your subcommittee report.

**The Chair (Mr. David Orazietti):** Any comments?

**Mr. Dave Levac:** I move its adoption.

**The Chair (Mr. David Orazietti):** All in favour? Opposed? It's carried.

POST-SECONDARY EDUCATION  
STATUTE LAW

## AMENDMENT ACT, 2010

LOI DE 2010 MODIFIANT DES LOIS  
EN CE QUI CONCERNE

## L'ENSEIGNEMENT POSTSECONDAIRE

Consideration of Bill 43, An Act to amend the Post-secondary Education Choice and Excellence Act, 2000, the Private Career Colleges Act, 2005 and the Ontario College of Art & Design Act, 2002 / Projet de loi 43, Loi modifiant la Loi de 2000 favorisant le choix et l'excellence au niveau postsecondaire, la Loi de 2005 sur les collèges privés d'enseignement professionnel et la Loi de 2002 sur l'École d'art et de design de l'Ontario.

NORTHERN ONTARIO  
WELDING COLLEGE INC.

**The Chair (Mr. David Orazietti):** We have a number of deputations this afternoon. The first group is the Northern Ontario Welding College. Please come forward.

Good afternoon. Welcome to the Standing Committee on General Government. As you know, you have 10 minutes for your presentation. Please state your name, to start, for the purposes of Hansard. Any time that you don't use in the 10 minutes will be allotted to members of the committee for questions. Go ahead.

**Mr. Bill Mandris:** Honourable ladies and gentlemen, we are the owners and operators of Northern Ontario Welding College in Barrie, and have been in operation and registered since 2001. We are part of the Association of Registered Private Welding Career Colleges located across Ontario. We've read Bill 43 and would like to register our concerns, mainly the lack of consultation and notice of the changes being proposed in Bill 43.

On April 21, 2010, we attended a conference hosted by the Ontario Association of Career Colleges at Blue Mountain resort. The Honourable Minister John Milloy attended the opening ceremonies and spoke in very general terms. Allan Scott, superintendent of private career colleges, did a ministry presentation. He referred

to the Ombudsman's report briefly and to the recommendations contained in it. He briefly touched on changes they were making within the ministry and the extra staff they were bringing in to do investigations. Laurie LeBlanc, assistant deputy minister, employment training division, reviewed her department and their future objectives and their past successes. She noted that the government was moving to a one-stop shop for clients. This conference would/could have been an opportunity for any one of the three to speak to the proposals/changes in Bill 43.

We were told that the PCC Act, 2005, was currently being looked at and that some of the sections were being tweaked. This led those of us attending to believe that no big changes were being made. "Tweaked" normally means very minor changes, not changes that could potentially put us out of business. If the MTCU had enforced the PCC Act, 2005, none of these changes would be required.

The private career colleges sector is facing a number of very big challenges that could possibly put a number of us out of business shortly. Bill 43 is only part of our concerns, but a big part. If Bill 43 puts the unscrupulous colleges out of business, the MTCU has our full support, as these colleges give all our colleges a bad reputation. In fact, a number of good PCCs have reported unregistered colleges to the MTCU. We want to be part of an excellent education system.

Over the past few years, welding private career colleges have noted that the community colleges in their areas have added facilities and equipment to offer welding courses similar to what we offer.

In reviewing the Legislature notes, an MPP said the following: "If somebody came and wanted to set up a private institution which would be in direct competition with a small public institution, a small program, and in essence knock out the small public program, you wouldn't have to go through the whole quality evaluation. It would simply be that the public program, the one which is publicly funded, publicly controlled, would be the one that would take precedence."

Would this work in reverse, where a community college came into our area and in direct competition with us? This interpretation leaves private career colleges open to abuse by the community colleges. In our own area, Barrie, the community college actually used our program, and I know this has happened in other areas as well.

#### 1410

It is very difficult for us to compete with a training program that is heavily subsidized by the taxpayers, and that includes ourselves. I understand that approximately 80% of tuition at community colleges is subsidized; the remainder is the tuition paid by the student. Private career colleges do not seek grants etc., from the government. Everything we have in our facilities has been purchased with our own money, thereby actually saving taxpayers money. If a new process comes out or new equipment is required, we purchase it out of our own

funds and do not look to the government for a handout to purchase it.

If welding is a declining or slow-growing industry in Ontario, as claimed by the MTCU and the labour market, why has the Ontario government invested so much money in building and equipping these facilities in community colleges and offered welding programs? Why has the government subsidized training facilities in unions when in fact unions are normally closed shops?

Going back to Bill 43, I would like to refer to subsection 17(1), where the MTCU can revoke approval of an existing approved program across a sector. The PCC must then submit an application for the new vocational program. It should be pointed out that programs could take weeks to develop and put through the various approving bodies before they are even submitted to the MTCU for approval. This whole process can take up to a year and can be costly. In the meantime, the PCC is not authorized to offer the program. We would very quickly go broke.

On subsection 19(2): Many PCCs similar to ourselves are corporations, but we are very small in size and have only one site. A \$250,000 fine is not reasonable.

Section 10.2: Paying the fine immediately with no opportunity to rectify or discuss the violation first, no matter how small or minor, again is not fair.

Section 12.1—service of notices: These should only be delivered to the owner by registered mail or delivered in person to the owner by the MTCU.

In closing, private career colleges historically have had a niche in the education market for students who have experienced learning difficulties, lost confidence in their abilities or are seeking focused training to get back into the workforce as quickly as possible to support themselves and their families. Our students are generally older, have been out of school for a few years and, therefore, do not want to attend community college with the younger crowd. In some community colleges, there are 40 students to one instructor and they often share welding machines. PCCs offer personalized training and have a much lower student/instructor ratio. We offer continuous intake. All graduates leave with their welding credentials, making it much easier to get that first welding job. Our students have names and faces and are not just numbers, and we offer follow-up assistance to graduates.

One of our greatest rewards is seeing a student who has been constantly beaten down by life, teachers, parents and employers and feels worthless blossom into a confident student with shining eyes, as they have mastered the welding skills and know they are going to be working shortly due to the skills and credentials they now hold. We love receiving calls and visits from past graduates who are very excited about their welding careers and where they have taken them.

We would welcome a visit from any MPP wanting to tour and discuss a private welding career college—no appointment necessary. You can try some welding, if you so desire. I should note that this open invitation is

extended to all parents, students and teachers. You have received a handout containing our brochures and information on our program. We welcome inquiries.

Thank you for this opportunity to express our concerns. Bill Mandris and Gail McCallum, owners and operators of Northern Ontario Welding College Inc.

**The Chair (Mr. David Oraziotti):** Thank you very much for your presentation, sir. That's the time for your presentation, so we don't have time for questions, but thank you very much for coming in today.

**Mr. Bill Mandris:** Thank you for listening. I appreciate that.

#### ONTARIO ASSOCIATION OF CAREER COLLEGES

**The Chair (Mr. David Oraziotti):** Our next presentation is the Ontario Association of Career Colleges. Good afternoon and welcome to the committee. You have 10 minutes for your presentation; any time you leave will be allocated to members for questions. You can start by stating your name, and go ahead.

**Mr. Frank Gerencser:** Good afternoon. My name is Frank Gerencser. I'm the director of the Ontario Association of Career Colleges and CEO of triOS College.

**Mr. Craig Donaldson:** My name is Craig Donaldson. I'm also on the board of directors of the Ontario Association of Career Colleges, and I'm the director of finance with triOS College.

We represent the Ontario Association of Career Colleges. Private career colleges are an important part of Ontario's educational landscape and have been for 140 years. The OACC is a non-profit organization that was established in 1973 to provide a voice to private career colleges and to promote a healthy private career college sector. The OACC is a partner with the National Association of Career Colleges, which was established in 1896.

There are over 600 private career colleges in Ontario, which train approximately 45,000 students each year. The 250 OACC member colleges represent approximately two thirds of all students in private career colleges in Ontario. The OACC member colleges provide career training to approximately 30,000 students a year in a wide variety of disciplines.

We'd like to thank the Standing Committee on General Government for the opportunity to discuss Bill 43. We think that consultation with the Ontario Association of Career Colleges on behalf of the career college sector is essential to ensuring that legislation and policies are effective and represent the best interests of the students and the sector as a whole.

Despite ongoing regular communication and meetings with the Ministry of Training, Colleges and Universities, we were surprised by some aspects of Bill 43 that have the potential to negatively impact students and the sector. We would have liked to have had the opportunity to consult with the Ministry of Training, Colleges and Universities more closely during the planning stages of

Bill 43. We have voiced this concern to the ministry, which has committed to work with us on future amendments in advance. We look forward to continuing to work with MTCU more closely in the future.

OACC supports changes to the Private Career Colleges Act that protect students and strengthen the sector. Increased fines and increased service rules are very concerning. They must be applied correctly to strengthen our sector.

There are a few other areas of Bill 43 which I'd like to discuss today, specifically the proposed changes to section 53 and section 25 of the Private Career Colleges Act that may negatively impact students and have the potential to negatively impact good, quality colleges based on the current wording of the bill. Therefore, today we would like to suggest a few changes to Bill 43.

One of the most concerning aspects of Bill 43 is the proposed changes to section 53 of the Private Career Colleges Act. I'm going to just read a small section of the bill as it's worded now. Bill 43 suggests the following changes to section 53 of the Private Career Colleges Act: "A policy directive issued under subsection (1) may revoke an approval for a vocational program or a class of vocational programs...."

"The revocation of an approval is effective as of the date specified in the policy directive...."

"In the case of the revocation of an approval for a vocational program or class of vocational programs, the effective date of the revocation specified in the directive ... applies despite any prescribed period for approval...."

As currently worded, there's a real danger that a policy directive can be unilaterally applied without consultation or notice, such that students in affected programs can be denied the ability to complete their education in their chosen program. We recommend that wording be added to ensure that all policy directives include a reasonable amount of time before a program approval is revoked. We recommend that there be a minimum of six months before an approval is revoked for new student enrolments. In addition, we recommend a separate clause to ensure that policy directives allow for sufficient time for all students currently enrolled in an approved program to complete their program prior to the approval being revoked. It is not fair to students who enrolled in an approved program to not be allowed to finish their program due to a policy directive.

Similarly, along the same lines, the proposed changes to section 25 of the Private Career Colleges Act, as they currently read, mean that policy directives may negatively impact students and pose unreasonable restrictions on private career colleges if reasonable timelines are not included in policy directives. I'll read the proposed change to section 25. It says, "A college may grant a student the approved credential for successfully completing the program only if the program is completed during the period when the approval for the program is valid." As mentioned, we recommend that a specific clause be added to state that if a student was enrolled in an approved program before a policy directive change,

that student should be allowed to finish and graduate from their program.

#### 1420

Also, currently, section 25 of the Private Career Colleges Act includes a paragraph that reads that a private career college shall refund all of the fees if a “college discontinues the vocational program before the student completes the program....” Therefore, it would put undue financial hardship on any private career college that was forced to refund tuition fees as a result of a program approval being revoked due to a policy directive. This has the potential to result in business closures and unnecessary costs to the training completion assurance fund. It is important to the strength of private career college businesses that they be allowed to complete the training of students in approved programs.

One final section that’s included in the amendment reads: “Where an approval is revoked as the result of a policy directive ... a private career college shall immediately submit an application for approval of the vocational program if it intends to continue providing the program.” We suggest that this section be amended to provide a more reasonable time frame for private career colleges to submit new program approvals.

There may be several steps required to meet the guidelines included in a policy directive, and it is important that private career colleges have adequate time to respond to these changes and prepare a high-quality curriculum for program submission.

Also, there have often been lengthy delays in processing program approvals currently within the ministry, and we also suggest that guidelines be established for the Ministry of Training, Colleges and Universities to respond to or process program approvals.

The Ontario Association of Career Colleges believes that it is essential that time guidelines for policy directives are included in the amendments to the Private Career Colleges Act to ensure that students are able to graduate from approved programs that they started, and to ensure that private career colleges are given a reasonable amount of time to respond to policy directives.

**Mr. Frank Gerencser:** To conclude, there’s a lot of concern among our members that the changes included in Bill 43 provide the superintendent with too much discretion to unilaterally make changes without any consultation ensuring adequate time guidelines to protect both students and private career colleges. The changes that we requested today would help to ensure that the superintendent’s use of the new policy directives strengthen the private career college sector by ensuring reasonable transition timelines.

In the past, the OACC was consulted on significant changes in regulations, which provided valuable feedback and an opportunity for both parties to come together. The OACC does not support Bill 43 as it is currently written, and we suggest that more time be given for consultation with the sector.

Thank you very much for your time. The OACC would be happy to work with the Standing Committee on General Government and the Ministry of Training,

Colleges and Universities to ensure that the changes that we have mentioned to Bill 43 protect students and protect the strength of the sector. Thank you.

**The Chair (Mr. David Oraziotti):** Thank you very much for your presentation. We have about a minute, so we’ll go to the Conservative caucus. Go ahead, Mr. Wilson.

**Mr. Jim Wilson:** Thanks for your presentation on such short notice. That’s really my question. Why do you think the government’s ramming this through? We have budget bills that take six or eight months that are far more important than this, and this is going to be done in two weeks and one afternoon of hearings.

**Mr. Frank Gerencser:** We’re very surprised about how this has evolved. We work closely with the government. The superintendent comes to our monthly board meetings that are on—had given us a heads-up that there were some minor housekeeping changes that were coming through, down the road; he alerted us that some of them were adjustments to the rates of the fines and penalties. Those all seemed reasonable because they are affecting schools that are outside the sector or are illegal operators, but this, I think, is an overreaction to the Ombudsman’s reports that are here, and giving way too much power on something that has just barely been started.

The superintendent has vast, new powers right now and a huge new staffing to be able to go out and investigate schools quickly—48 hours turnaround in the case of an alert that there’s a potential school. I think they’re doing a good job. The issue is that with this level of power, if somebody chose to—there are no checks and balances in the system. They can arbitrarily say, “Private career colleges are not allowed to do welding any more—end of story, immediately.” And if all you did was welding, you’re out of business.

Furthermore, as we’ve stated, all the students who took your program, a legal program at the time, suddenly are now taking an illegal program and are being shut out and they can’t even get their diploma. It’s unfair to students; it’s unfair to the businesses that are following the rules.

Basically, I believe there are two sides to what we have here in the sector: There are registered schools who care, do a good job and have been doing it for dozens or hundreds of years, if there are 100-year-old schools here. And there are unscrupulous operators who sneak into the system here again. Use your powers and knock off the unscrupulous operators who aren’t following the rules. Those of us who are, work with us. We’d love to work with you.

**The Chair (Mr. David Oraziotti):** I’m going to have to stop you there. We appreciate you coming in today. That’s the time for your presentation.

#### PRE-APPRENTICESHIP TRAINING INSTITUTE

**The Chair (Mr. David Oraziotti):** The next presentation, Pre-Apprenticeship Training Institute. Good after-

noon and welcome to the Standing Committee on General Government. You have 10 minutes for your presentation. Start by stating your name, and you can go ahead.

**Mr. Rui Cunha:** Thank you very much. My name is Rui Cunha. I'm with the Pre-Apprenticeship Training Institute, and I'm a private career college in Toronto. Also, we have locations in Cambridge.

My primary reason for being here today is—actually, just following the OACC's presentation, they took pretty much all the thunder and all the communication that I was going to share with you. However, what I'll do is, I'll take an opportunity to talk a little bit about what we do and how this affects us directly. Perhaps I can even enlighten you with a little bit of an experience I've had, probably two years ago, that really highlights the danger of not having checks and balances in the system.

I checked with you a package about Pre-Apprenticeship Training Institute. I feel a little uncomfortable as one of my ex-teachers is here, so I hope I do a good job.

After having read Bill 43, I want to let the committee know that we support the bill; however, not the way it has been presented. Certainly we support the idea of granting credentials and making sure that the private career colleges really can do that in an effective way. However, we want to make sure that we can deliver these programs in a way that meets the needs and expectations of the folks who train with us. Certainly the power that has been provided to the superintendent under this bill really does provide us with some concern.

I would start off by talking a little bit about the results of our organization over the last five years, and maybe this will put some things in perspective. We train in electrical, plumbing, HVAC, structured cabling—all the areas of discipline that the Ministry of Training, under the apprenticeship programs, trains under. Really, I would say that they're probably our standard, if truth be known.

One of the things I want to share with you is that in the last four months we've actually put 100—well, we haven't. We've trained 100 people who have actually gone to work in the first four months of this year. And you know what? In 2009, 100% of our folks were going to work when they graduated. It was tremendous—I'm sorry, just short of 2009; in 2009, it slowed down a little bit. As we know, the recession had an impact, but a large number of our folks still went to work; 95% of the people we put to work with contractors are still working with those contractors, and we're very proud of that.

Just recently, a constituent of Mr. Marchese's riding actually just went to work. He graduated two weeks ago and he's now working for Nortown Plumbing. He mentions that because he told us he was from your riding.

The point of the matter is this. I'll share an occurrence that we experienced in 2008 and that will put some perspective on this. When we initially started as a private career college, we received approval to deliver training in a three-month portion in class and a three-month portion in a placement. That was invaluable. You have to

understand, it's very hands-on. What happened was, we received a visit from MTCU in which they indicated that they had actually superseded their authority by allowing us to create a program that provided placement. They came to understand, as we also did, that restricted trades are not an area of jurisdiction for the private career colleges.

The one thing I want to make really clear is that the folks we dealt with at the ministry were fabulous. You know what? They told us what happened, they explained how we could fix it, and we did. And you know what? At no time was I or my organization not allowed to continue to deliver the programs. We did submit for a change in program which then allowed us to be compliant. By the way, in the current terminology, if you were to ask MTCU at that time if I was compliant, the answer is no, I wasn't, and yet we did everything right. They had overstepped their boundary and authority, and at the same time—you know what? We just fixed it. No student was affected negatively and there was no need for reapplication of programs. Really, why would you want to do that?

**1430**

Anyway, that was my experience, so I have the utmost respect for and value the folks that I worked with a great deal because, I'll tell you, that was a difficult time for them and for us as well.

Now, as an organization, over the last five years of operation, or just short of that, we've probably put about 1,500 people into skilled trades. Let me put it to you in a different perspective: All of you have in some way been affected by PAT. If you have just had a phone line installed, if you bought a home, a condo—you know, my son said to me, "Dad, if you get nervous, my teacher always says to think about the folks in their undergarments." I'll resort to that later, I suspect.

The bottom line is this: We put 1,500 people to work because of the training we provided. It was valuable and it's valued by the folks who did it. Any plumbing you've had—I'm not saying it was always our graduates, but I'm hopeful. On the telecommunication side, we're very strong. We supply Bell with a lot of people—electricians, plumbers, HVAC etc.—so these are valuable skills.

I guess the only thing I have to share with the group here is that I can't support this bill the way it is. It truly negatively affects our students. We're not a large organization. Don't worry, we don't have to worry about \$250,000 in fines. You don't have to go that far to get me out of business. We don't have divisions; we are a pre-apprenticeship. For example, if you were to tell me tomorrow that apprenticeship is a standard, well, in our package, we've included TDA applications so we can have a standard similar to what you're looking for, an accreditation process. But that has taken two years and we still haven't heard back.

I don't think that these things have a quick turnaround in every industry. For that reason, I would really like the opportunity to share any thoughts or any questions you may have regarding this bill, because I don't think it

serves our students or our organizations that are compliant and have and want a positive reputation in this industry.

**The Chair (Mr. David Oraziotti):** Thank you very much for your presentation. We have some time for questions. Mr. Marchese, go ahead.

**Mr. Rosario Marchese:** Thank you, Rui. I've been to your program. It seems to me to work fine. My problem is that if you've got a private college that isn't doing things right, and to an extreme—because I read the two reports that were done by the Ombudsman, and it was very clear that the ministry, even when they're doing things illegally, was still keeping them open. They were trying to help them, in fact, to do it right two years later. Some of your colleagues are concerned that somehow the superintendent is just going to shut them down. Maybe there has been a shift in politics where they want to shut everybody down. I just don't see that, not based on experience. My sense is that if someone is doing things seriously wrong, they should be shut down, because I worry about the students. If they're doing things well, I don't believe that the ministry—I don't want to speak for the Liberals—and/or the superintendent is going to have an interest in shutting them down. What exactly is in this bill that would jeopardize your operation or shut you down?

**Mr. Rui Cunha:** The thing you have to understand is that if the ministry were to say, "Well, there's a credential issue. We want you to have this credential if you're delivering pre-apprenticeship," the credential might be a TDA status, which is training delivery agent status. It's a review that is done by the director of apprenticeships. When a program is reviewed by the director of apprenticeships, that program can become a TDA. But until then it can't, and the only time that ever gets done is if the apprenticeship side of the ministry actually recommends that. What I'm saying is that if the apprenticeship is the standard, we are happy to meet that standard; I think we already do, to be honest with you, but the problem is, if that accreditation were standard and a requirement, a process doesn't exist to allow that to happen.

Basically, Rosario, if I wanted to send my programs to the ministry and ask the director of apprenticeships to review them, the answer would be no. That's exactly what I'm saying.

**The Chair (Mr. David Oraziotti):** On that point, I'm going to have to stop you. That's time for your presentation. Thanks for coming in today.

#### TRILLIUM COLLEGE

**The Chair (Mr. David Oraziotti):** The next presentation: Trillium College.

Good afternoon. Welcome to the Standing Committee on General Government. You have 10 minutes for your presentation. If you state your name, you can start your presentation.

**Mr. Marcello Scarlato:** Before I begin my presentation, I just want to introduce myself. My name is

Marcello Scarlato. I'm a director with Trillium College, which has eight locations across Ontario. Trillium is a private career college registered with the Ministry of Training, Colleges and Universities in this province.

I have been in the career college sector for the past 18 years with three different schools, some very large and some smaller. My most recent employer, the International Academy of Design/Toronto Film School, at the corner of Bay and Wellesley, has been in the city for about 25 years. Unfortunately, the Canadian operation shut down a few years ago. We employed about a thousand people across three different cities—Toronto, Ottawa and Montreal—and we had close to 4,000 students. Our parent company in Chicago, publicly traded on the NASDAQ, employs over 10,000 people and continues operations today.

Other big schools that have left Ontario: The Art Institute shut their doors down this past year, and they employed 15,000 people across North America. DeVry at one time had 3,000 students across Ontario, and also left Ontario about 10 years ago. The University of Phoenix, the largest provider of career trainers around the world, has decided not to enter the Ontario market because of the increased regulations and the cost of compliance.

Today is the annual convention for the NACC in Banff, Alberta. Most of the career college owners are at the conference and are unable to attend this standing committee, which I feel is unfair. It's happening very quickly, and everybody is out of town for the week.

Five years ago, the Ontario association, including myself, reviewed the PCC act with the current superintendent at the time. She gave us two years to review the act before it was finalized and proclaimed. Unfortunately, now this is not the case.

Now I'm going to get into my presentation. I'll start with a summary, then I'll get into some details.

With this bill, the government is doing the following:

- waging war on and ultimately killing the sector;
- compromising the ability of immigrants and persons wishing to re-skill and seek dignity in their life to do just that;
- invoking antiquated protectionist measures in an otherwise borderless and global environment;
- being anti-competitive, which raises competition/antitrust issues for the Competition Bureau;
- encroaching on the federal power of trade and commerce, which is constitutionally entrenched under section 91 of the Constitution Act, 1867. The province regulates education matters, but when it overreaches, it encroaches into federal jurisdiction;
- expropriating from investors and stakeholders to whom it made promises that they now cannot keep;
- creating a "chilling" effect which will do anything but yield a net trade benefit in Ontario;
- giving subjective powers to people with no specific expertise in education or curriculum; and
- breaching its own legislation which demands that schools be financially responsible, thereby doing the very



thing it says it's protecting against: compromising students.

Now for my detailed presentation.

Problem number 1 with Bill 43: The bill creates uncertainty for stakeholders and in fact expropriates wealth from them, contrary to what the 2005 act was intended to do. The bill discourages a strong sector where schools could be financially responsible. Example: A section of the proposed legislation amends section 25 of the act by adding provisions that create a 'chilling' effect on anyone wanting to invest in a private career college, and expropriates value and wealth from investors who have already put money into private career colleges. How? Without any grandfathering at all, section 18 of the bill proposes to add two subsections to section 25 of the act. Subsection 25(2) will say that the program has to be completed during the period in which the program approval is valid, which begs the question, when is the program valid? Under the proposed bill, the superintendent has the ultimate power to decide when the program is valid, because subsection 25(3) says, "Despite subsection (1)"—and subsection (1) is the approval that the school and investors rely upon in their forecasting—"a policy directive may revoke an approval of a credential issued under this section." This gives the superintendent and the government the power to make arbitrary decisions with seemingly no parameters, but most importantly, to move the line and decide to revoke a credential at will.

Our recommendation to problem number 1: The statute does not say, for example, that the superintendent should only revoke an approval in the following circumstances, and then give examples, but it should. People are fearful that this provision will be used as a sword, not a shield, and that the powerful public sector or negative media—like the Ombudsman's reports—may force the government's hand to do something that is unjust.

#### 1440

Problem number 2 with Bill 43: The costs of pursuing remedies are unjust and prohibitive, and the delay in getting the remedy will kill schools before they are heard. Whether it be injunctive relief, the LA Tribunal, or Divisional Court, schools will die on the vine while these matters are under appeal, and the government knows that.

Our recommendation: To protect students but also ensure that the sector can thrive and re-skill, the government should seek to give greater jurisdiction to the LA Tribunal and ensure that schools can get there quickly. An appeal by a registrant, except in the clearest of cases, should stay the decision of the superintendent until the matter is heard. This is a principle of procedural and administrative fairness that the government owes. The tribunal's specialized expertise in consumer protection will uniquely qualify them to hear many issues that currently must go to the Divisional Court or for which no remedy exists. They are every bit as qualified but more impartial than the superintendent, who decides on matters relating to curriculum.

Problem number 3 with Bill 43: The higher Provincial Offences Act penalties are acceptable and even desirable, but only if there is a known guideline that is used by the government to assess these penalties. Provincial offences penalties are increased from \$25,000 to \$50,000 for individuals and from \$100,000 to \$250,000 for companies. There is a perception that the current administrative monetary penalties, called AMPs, are being levied erratically and inconsistently by the superintendent and that many of these schools receiving AMPs are not the intended target of this consumer protection legislation.

Our recommendation 1 is to publish guidelines in a policy directive which would give schools guidance as to what would attract higher versus lower penalties. We can look at other statutes such as the Consumer Protection Act, but we would like to understand where the government is going with this.

Recommendation number 2: Compel the government to respond to these monetary appeals within a prescribed time frame. The government has unlimited time to consider an appeal—that is no time frame—while a registered school has its reputation compromised because it was AMPed.

Problem number 4 with Bill 43, the waiver of proper service: The government should not be able to effect service at the last known address even on the simplest of notices. Section 51 of the PCCA, 2005, currently requires verification that the delivery was made by the government with respect to "any notice, order, or other document that is required to be given, issued, delivered or served," under the act. The new bill creates a new clause, 51(1)(b), which allows the superintendent to serve a person at "the person's last known business or residential address as shown in the latest document filed with or correspondence sent to the superintendent using a method of mail delivery that permits the delivery to be verified."

Our recommendation: Don't allow the superintendent to serve a school with an important notice to an address which may have been given in error. Leave the statute as it is and require proper verification. It is always open to the government to have its counsel seek substitute service and seek its costs against the school for this if they are not responding to correspondence. While the superintendent cannot serve suspension notices this way, he can build a bona fide record of non-compliance against a school that leads to a suspension. This is unacceptable and denial of due process.

Problem number 5 with Bill 43, and the final one, a general comment about the systemic delay of the ministry: As it stands currently, it can take a compliant school months or even years to obtain program approvals, campus approvals and registration approvals with the ministry. The RICC system, which is the ministry's online database of career colleges, is archaic and needs to be more user-friendly. More importantly, the government must be committed to a specified turnaround time if it wishes to assert its jurisdiction over the 4,000 national occupational codes.

Our recommendation: The ministry needs to balance their control over the sector, especially for compliant schools. The ministry's full efforts need not be solely based on compliance and cleaning up the sector; instead, they should allow and assist career colleges to fulfill their mandate in society and provide educational options to students looking for career-oriented training so that they are prepared to get the career they deserve.

The legislation is the wrong solution for the ministry's lack of expertise in the adult career training market. Nobody will have a greater interest in hiring qualified experts than the sector itself. Thank you.

**The Chair (Mr. David Oraziotti):** Thank you very much for your presentation. We have a minute for questions. Mr. McMeekin, do you have any questions for the presenter?

**Mr. Ted McMeekin:** Mr. Scarlato, thank you very much for your presentation. I think you've got some interesting comments here that we'll certainly want to look at.

I just want to assure you, sir. You referenced consumer protection; that's very much what the Ministry of Training, Colleges and Universities is trying to do. We're not out to put out of business legitimate people who are offering a legitimate service, one that has stood the test of time. As a previous participant stated, he was technically not in compliance, but the ministry people found a way to work with him to fix it.

**Mr. Marcello Scarlato:** Correct.

**Mr. Ted McMeekin:** I want to just say that to you, and again, thank you for your presentation. We'll certainly take your comments under advisement.

**Mr. Marcello Scarlato:** Okay, very good. Thank you very much for taking them into account.

**The Chair (Mr. David Oraziotti):** Mr. Wilson, do you have a question?

**Mr. Jim Wilson:** Again, no consultation seems to be a theme here. In spite of the parliamentary assistant's assurances, I can tell you from 20 years' experience around here that most governments go ahead with the original legislation, as printed, and this government does not accept amendments very often—very, very rarely.

But while we have a minute, they're trying to weed out the bad apples—

**Mr. Marcello Scarlato:** Correct. I understand.

**Mr. Jim Wilson:** Have you got any advice for them rather than this legislative hammer that they seem to have produced?

**Mr. Marcello Scarlato:** Yes. At the end of the day I think they've really gone from the left extreme back in 2005, when the act was reviewed for the first time in 30 years, to the right. Their focus right now is closing down schools: You're guilty before proven innocent.

At the last conference of the association in Blue Mountain, I met numerous flight schools, hairstyling schools and other schools that were accused by the superintendent who later found out he was wrong, but it was just, "I'm sorry." But the businesses suffered drastically because there was a two- or three-month period

when they had no—so, at the end of the day, I think the measures are too extreme. He has crossed the line with his powers.

I think we need a rebalance back to the middle somewhere that is going to allow the good schools to survive. It's unfortunate that my old employer, the Academy of Design, right down the street here for 25 years, has left because the US parent didn't think it was worth their while. I understand that what the current superintendent is doing is good for the sector, but he needs to lighten up a bit.

As a final point, he needs to get business going, not just focus on compliance; get those program approvals going so we can make sure our programs are current with the market. In the old days, it used to take 30 days to get a program approved; it's now taking, at minimum, a year. A career college was mandated by the government many years ago to service a certain clientele: people who don't want to go to universities or community colleges. There are kids out there who need help, and if we can't get a program approved in one year, all the schools are going to close down, or the only schools that are going to survive are the big ones.

**The Chair (Mr. David Oraziotti):** I have to stop you there. Thanks very much for your presentation.

#### ONTARIO COLLEGE OF ART AND DESIGN

**The Chair (Mr. David Oraziotti):** The 2:40 presenter is not here yet but will be shortly, so we're going to jump ahead. The next presentation is the Ontario College of Art and Design.

Good afternoon, and welcome to the Standing Committee on General Government. You have, as you know, 10 minutes for your presentation. Start by stating your name for the purposes of our recording Hansard, and we'll begin when you're ready.

**Mr. Robert Montgomery:** Thank you, Chair and members of the committee. My name is Robert Montgomery. I'm chair of the board of governors at the Ontario College of Art and Design. I'm very pleased to address you to speak in favour of Bill 43 and the proposed amendments to the OCAD act.

As you know, OCAD is a great Ontario post-secondary institution. We'll celebrate our 135th anniversary in 2011. OCAD is the third-largest post-secondary art and design institution in North America, and many of Canada's greatest artists and designers are alumni and graduates, including members of the Group of Seven like Arthur Lismer and J.E.H. MacDonald, as well as your esteemed colleague, York Centre MPP Monte Kwinter.

Today, OCAD leads in the new sectors of the economy: digital media, sustainable development and green technologies. And we are very proud of our success rate in access; we have a diverse student population, many first-generation students and a flourishing aboriginal visual cultures program. OCAD is a place of imagination and creativity, brimming with design thinking which is

now recognized as one of the best methodologies to tackle big problems in business and society.

The amendments to the OCAD act currently in front of you will change our name to OCAD University, provide for a senate and formalize the establishment of the position of chancellor. OCAD has granted degrees since 2002, and these amendments will clarify our university status to all our stakeholders, including students, parents, donors, our business partners and collaborators.

Thank you very much for hearing me. I will now turn it over to OCAD's president, Dr. Sara Diamond.

**Dr. Sara Diamond:** It's a great pleasure to address you today. I want, first of all, to thank the government very much for introducing this legislation. It completes a process that was begun in 2002. By adding "University" to its name—Ontario College of Art and Design University—OCAD will truly be a clarion for Ontario, able to proclaim the quality of art and design education at the university level in this province, and it really builds a competitive advantage for Ontario.

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It will allow OCAD better attract and retain students who thrive in a specialized university environment. Students need to understand the kind of education they are going to receive at OCAD. The reality at OCAD is that it is a university-level education. It's studio-based and experience-based, and it also requires strict academic discipline at the university level.

We're very successful in attracting students. We want to make sure we continue to attract students who can succeed at OCAD. OCAD has built graduate education in the last two years, and our programs are thriving. We have significant enrolment. We need to change the name, in a sense, to cap that achievement.

It will very much strengthen OCAD's ability to recruit international students. This is where we do face confusion: when we're out in the international arena. OCAD University's brand will allow Ontario to gain strategic advantage in international markets. We plan to double our international student enrolment over the next five years. We've targeted countries that Ontario has prioritized, including India, China and Brazil. We'll be better positioned to attract the best and brightest students from around the world, who will form relationships with our talented faculty and students. Ontario is already home to international students; Ontario plans to, and needs to, strengthen that enrolment.

It will greatly expand Ontario's research capacity. OCAD has become a significant actor within the digital media and ICT research community, both in Ontario and at the national and international levels; we're very strong in green and clean technology research; we have an excellent role to play, that we are playing, within design and health care, the future industries that will help build the knowledge economy.

In order to be successful in research, one needs the best faculty, and by changing our name to OCAD University, we can guarantee that we can both attract and retain faculty who want to teach in a specialized univer-

sity environment, and strengthen our research relationships with other comprehensive universities in Ontario and beyond. The amendments to the OCAD act contained in Bill 43 will ensure that Ontario is a top competitor for student, faculty and research talent in Ontario, in Canada and in global markets.

A university's reputation and brand are built over many years. Coupled with our history of excellence, the OCAD University name change will create an extraordinary opportunity to launch OCAD's next phase of growth and development, and we urge you to support this.

I'm sure you have some questions for us.

**The Chair (Mr. David Oraziotti):** Thank you very much for your presentation.

Mr. Marchese.

**Mr. Rosario Marchese:** I wish we had difficult questions for you, but we don't. You're in my riding. I think you're doing great work, and that the new title and new powers you have will make it more useful and more effective for you to provide the programs you want. We support it. It's an unusual way to introduce these amendments, but because we like you and we support you, that's okay.

**Dr. Sara Diamond:** Maybe I should mention that we have a fully functioning academic council, so transforming that council to a senate is not a challenge in any way. The name change really will come at a time when we've done all the preparatory work to be fully recognized by our peers as a university in Ontario and beyond.

**The Chair (Mr. David Oraziotti):** Mr. McMeekin, do you have any questions?

**Mr. Ted McMeekin:** Madam President, extraordinary opportunities indeed. I've had a couple of daughters who have benefited from some of your programming there; we know it quite well. It's an incredible institution. This change is long overdue, as my good colleague and anyone who has followed the arts scene knows. Congratulations. Sorry it took so long, but we're going to get on with it and you're obviously pleased, so that's great news.

**Mr. Monte Kwinter:** Mr. Chair, I'm really here as a visitor; I'm not a member of this committee. If there is a vote, I will not be participating in it, but certainly I've had a long relationship, I'm sure many of you know. I'm a graduate, I used to be the vice-president, I was a valedictorian, I was president of the student council there, I was on the governing council and I have an honorary doctorate from there. So, obviously, this is an institution that is very close to my heart, and the reason is because they are the epitome of excellence when it comes to visual design training—and they've gone to a whole new level.

I have had some input into the building that is a real footprint around the world, and that's the Ontario College of Art's so-called flat-top building, which was designed by Will Alsop, who happened to be the best friend of Roy Ascott, who happened to be a former president.

There's no question in my mind: They are a university; they perform as a university. And it really was like sending them into the marketplace with one hand behind their back—because there was confusion: Are they a university, and if they are, why aren't they called one?

That's really what this is all about: just to add the name "university" to officially recognize what they already are. I would encourage all of the members to support it.

**The Chair (Mr. David Oraziotti):** Mr. Wilson.

**Mr. Jim Wilson:** Thank you for coming today. As I said in the Legislature on second reading, we're very supportive of this part of the act. We don't like the rest of the act.

I've been here 20 years. I've done six universities over those years. They've all had their own separate legislation—I think Mr. Marchese was referring to that—and it is, frankly, a dirty trick to put this good news in with the bad news.

So if my caucus doesn't support the bill, which currently we're not, please don't take it as a slight on OCAD. You've done an excellent job. This has become a political wedge issue, and I think it's dirty politics, frankly.

I do look forward to addressing Mr. Kwinter as chancellor in the future.

**The Chair (Mr. David Oraziotti):** That's time for your presentation. We appreciate you coming in today.

#### SECTA GLOBAL EDUCATION SOLUTIONS INC.

**The Chair (Mr. David Oraziotti):** Our next presentation: Secta Global Education Solutions, Paula Cooper.

**Ms. Paula Cooper:** Thank you so much for changing things around.

**The Chair (Mr. David Oraziotti):** No problem. Glad you could make it. Good afternoon. Welcome to the Standing Committee on General Government. As you know, you have 10 minutes for your presentation. Any time that you don't use will be divided among members for questions. Please state your name for the purposes of Hansard, and you can start when you're ready.

**Ms. Paula Cooper:** My name is Paula Cooper. I am the owner of Secta Global Education Solutions. It's a company that services private career colleges throughout Ontario. I'm proud to have approximately 100 schools in my company's portfolio. This solid representation of the sector gives me a very unique perspective into the issues and the day-to-day workings of PCCs as they relate to the ministry.

I'm speaking today to Bill 43 as it relates to the Private Career Colleges Act, 2005.

I understand that there were opposing views within our sector representation to what I will be presenting. With all due respect to those stakeholders and their positions, it is my strong belief that their views are only reflective of the larger schools with considerable finan-

cial power and overlook the small and medium-sized schools.

I have read the debates, and many erroneously have come to the conclusion that this bill is necessary to crack down on criminals intent on hurting students. This is emphatically wrong. Let me be extraordinarily clear here: This bill has been completely misunderstood. Bill 43 is not about protecting students against illegal operators. Bill 43 focuses on how the ministry can revoke approval of an already approved program and its associated credential and then force the school to reapply. The point that is being missed is that the reason for the revocation is not due to some issue of contravention but rather administrative triggers. The most concerning change is the addition that this requirement can also be triggered by some "to be determined" policy directive.

The act states that in order for a school to offer an approved program, it must be registered. Hence, it is clear that the ministry plans to apply this amendment to compliant, registered colleges, not anyone intent on fraudulent activity.

Much has been said about Bill 43 as being not very significant and that it does not do very much. Actually, this perception is far from accurate. Bill 43 increases the subjective power TCU already has. Under current legislation, TCU has the right of search and seizure without the requirement of a warrant. In fact, they have powers now that our own police do not. Due process is not part of the equation. I fail to see how in any context the ministry would seek to not only increase those powers but make them more subjective by giving the impression that they cannot enforce schools with the existing tools in place.

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There has been considerable reference in the debates to the Ombudsman's report on this sector. There were two reports: one for private and one for public. The common denominator in the both of those reports was systemic failures by the ministry. The common message I read is that TCU requires better internal organization, not increased power.

The Ombudsman took an extreme example, at a time when new law was trying to be implemented, which focused on an illegal operator who blatantly refused to come into compliance. There appeared to be considerable pressure on the ministry to respond to the Ombudsman's recommendations, resulting in a knee-jerk reaction on the part of the ministry that targeted registered private career colleges, not simply those that would intentionally seek to violate the act. I cannot speak to the Ombudsman's intent but I would hope this was not the outcome he sought. It appears that he wanted TCU to be more accountable to the legislation, not downshift its responsibility onto the shoulders of subordinate ministry staff and the sector itself.

Since the proclamation of the act, the ministry has undergone enormous change. There have been no less than four superintendents in four years, with a couple of interim acting superintendents; staff has significantly

increased; there have been three major reorganizations; staff turnover has been staggering; school portfolios have changed hands internally more times than I can count. But there has not been any formal training offered to TCU staff or the sector, except for one presentation in 2006.

The result of these changes is the following: Unbelievable powers of investigation, with little understanding of their meaning and consequence; very little training for inspectors and investigators; there exist no training manuals for ministry staff; there's no ongoing training for the sector; TCU investigative staff do not have a clear understanding of their roles, boundaries and/or legal consequences of their actions. There is a great deal of documented evidence to support this statement. For example, one TCU inspector has made the following statement in writing: "I anticipate in advance of any discussion with my colleagues that you will never see 100% consistency with program approval." I emphasize the point "never see 100% consistency." This raises the obvious question, then: How do you expect schools to follow the rules and be 100% compliant, then require them to accept the consequences of those policies when there is no transparent understanding?

While one time is one time too many, I've had more than one client and even non-clients express that they are afraid to challenge or ask questions of clarification regarding the legislation for fear of being investigated or issued a contravention notice due to their lack of understanding. In fact, given my representation of the sector, I too can admit feeling the same trepidation being in front of you today. However, my belief in my government's ability to accept constructive criticism, do the right thing and protect all of its citizens has allowed me to set aside my reservations and speak to you today.

PCCs are being unfairly penalized for a system that, frankly, is just not working, the result being that all PCCs are all being painted with the same brush of dishonesty, one which has even been reiterated in this House. Jeff Leal's comments in the debate clearly demonstrate the vilification of PCCs in Ontario. He states, "But many of them"—he's referring to new immigrants—"arrive here, and unfortunately, we have predators out there who want to take advantage of new Canadians coming in and, like the old snake oil salesmen, often try to sell them a bill of goods very quickly. That can be a very disheartening experience for newcomers...."

While it is true in any society, industry or sector that the dishonest will try and take advantage of the vulnerable, it is an extremely broad generalization that all PCCs prey on these unwilling victims to make a quick buck. Moreover, it is offensive to all business owners, not just PCCs. I am appalled that in Canada any politician elected to represent the best interests of his constituency and the greater society would correlate any person's right—my right—to operate a business, make a profit, earn a living and contribute to the GDP as predatory.

The crackdown on issuing reprisals has created another victim: registered private career colleges. They have

become easy targets to download huge punitive sanctions and financial penalties for administrative oversights simply because they are easy to find. The irony here is that the sector fully supports the ministry's efforts to bring down fraudulent individuals who steal from students.

For those individuals bent on setting up phony schools, the legislation has more than adequate power—actually, excessive power—to find these people and bring them to justice.

Liz Sandals states: "I make it clear that we're not denigrating all private career colleges, but that what we're trying to do is sort the wheat from the chaff, as it were." However, when you punish the masses for the failings of a few and put the responsibility of ministry shortcomings on the shoulders of businesses, that's exactly what you are doing: denigrating an entire sector. Would you punish an entire police department if someone impersonated a peace officer with intent to defraud the public? Of course not. But again, that's exactly what's happening in the PCC sector.

The combination of excessive control, little understanding of the sector, lack of set guidelines and accountability for ministry staff has led to what can only be deemed as rogue policy and investigation, and a state of fear within the sector, which is completely unacceptable.

As a Canadian citizen, there are two things I expect from my government. I expect it to both serve and protect its citizens. If government can cast an entire sector of businesses as criminals—as in Mr. Leal's statement—implement policies that assume guilt before innocence and deem those businesses not worthy of due process, then our government is failing us.

There has also been considerable reference to the Open Ontario plan. While there are no accurate statistics about the number of graduates PCCs produce since TCU suspended KPIs, the belief is there are anywhere between 30,000 and 60,000 annually. These are the masses of satisfied graduates who now have new or better-paying jobs and careers. These happy graduates essentially fuel the front-line skilled labour force. Not a single Ontarian can get through the day without being helped in some way by a PCC graduate.

Retraining, employment, strong businesses and GDP contribution are the foundations to ensuring that the Open Ontario plan is successful. I would think that government would want to support a sector that has a proven track record of over 100 years in achieving these goals.

To say that I'm disturbed and fearful about the lack of understanding about the real consequences of Bill 43—and even the act itself—would be a monumental understatement. A change in legislation would only serve to complicate an already out-of-control situation. I implore you to see the devastating impact that this will have on businesses, students, immigration, employment and the provincial economy. I urge you to understand the real underlying reasons for this bill's creation. I challenge you to keep Ontario open, not close it. I'm asking for your support in rejecting Bill 43.

Now I need some water.

Questions?

**The Chair (Mr. David Oraziotti):** Thanks, Ms. Cooper, for your presentation. That's time for your presentation—that's 10 minutes, anyways, and then a little bit. So grab a glass of water; catch your breath. We're going to move on to our next presentation.

**Ms. Paula Cooper:** Okay, great. Thank you very much.

**The Chair (Mr. David Oraziotti):** Thank you very much for coming today.

ACADEMY OF LEARNING,  
CORPORATE OFFICE

**The Chair (Mr. David Oraziotti):** The next presentation is the Academy of Learning, corporate office, Mr. Giancarlo Ongaro. Thank you for being here this afternoon. Welcome to the Standing Committee on General Government. Please state your name for Hansard.

**Mr. Giancarlo Ongaro:** Thank you, Mr. Chair, and members of the standing committee. My name is Giancarlo Ongaro. I am the manager of product development and support for the Academy of Learning. We are a Canada-wide private career college organization. We span from province to province to the territories, and we offer vocational programs.

My presentation today is to delve into the process and how we go about producing and developing programs for our schools and ultimately our students.

The Academy of Learning's approach to developing programs is quite comprehensive. Our initial step is to get a clear understanding of the labour market today, tomorrow and in the near future. We achieve this by conducting a thorough labour market analysis from a national perspective, which the Academy of Learning commissions every two years. This report takes into account a variety of publications, from government labour market reports at federal, provincial, regional and city levels, to sector council publications like the Information and Communications Technology Council, the Conference Board of Canada and other private sector reports.

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Once completed, the report is reviewed and careers in demand are identified. We also take this opportunity to ensure that our existing programs meet the current needs of the labour market. The in-demand careers are then gauged as to whether they are required within the local labour markets where the Academy of Learning's colleges are present and operating, and whether the skill and knowledge outcomes can be achieved within a program at the college level. Our process also includes consultation from franchise owners and, by extension, local area employers. We validate these findings by conducting searches of local job postings within Academy of Learning college markets and also seek feedback and comments from industry and employers.

Once these in-demand careers are identified as potential programs and viable in the Academy of Learning labour markets, we then proceed with identifying the skills required to fill these jobs. In identifying these

skills, we use a variety of data. First and foremost, we use the National Occupational Classification tool, which is through the Human Resources and Skills Development Canada organization, which is the authoritative resource on occupational information in Canada. The NOC tool classifies occupations with a four-digit code according to skill type and skill level. The classification system also supports a variety of career information sources published by the government of Canada and others, which we use in our labour market research report.

Secondly, we also make use of the Essential Skills tool, again through HRSDC. This identifies the skills needed for work, learning and life which provide the foundation for learning all other skills, enabling people to evolve with their jobs and adapt to workplace change. We use job-specific postings obtained from various regional markets, as these assist the validation of the skills needed and identify any further employer-required skills. We also seek employer feedback as required. Based on our consultation process with franchise owners from the various regions, variants may be identified to satisfy region-specific skill requirements. This provides us the ability to modify slightly the program outlines so that these region-specific skills are met.

At this point, a program outline is designed whose courses have been identified and mapped to fulfill skills requirements identified in NOC and other contributing information, as mentioned prior. During the course development process, we continuously validate that the skills required are being met by referring back to the knowledge and skills for that particular job. Our programs are also assessed by an independent program design specialist, a third party, to ensure that the program delivers its intended outcomes. In addition, we consult with program advisory committees or employers to validate our programs: that they do meet the required vocational skills and knowledge.

To ensure quality in the delivery of our courses and programs amongst the colleges across Canada, Academy of Learning courses are standardized in terms of course content and method of delivery, thus ensuring the required quality level is met and vocational skill goals are achieved.

Private career programs are vocational in nature, and accordingly, our courses are vocationally focused. The difference is that private career college programs are developed with a NOC code and employer skills requirements in mind throughout the whole process, and the quality of our program is maintained. Vocational skills are constantly reviewed and thus continuously met.

In closing, it is my belief that the career colleges play a vital role in training adults for jobs. They are critical to helping Ontario meet its explosive demand for skills that public institutions cannot always meet.

**The Chair (Mr. David Oraziotti):** Thank you very much for your presentation.

Mr. McMeekin?

**Mr. Ted McMeekin:** Giancarlo, I really appreciated your presentation, especially the overview of your acad-

emy. As I listened to you speak, I couldn't help but think I'd love to get a copy of your report that is predicated on all the available sources about job trends, and how you do that. That would be useful to me personally and I suspect useful, perhaps in many other ways, to the Minister of Training, Colleges and Universities, so I appreciate that.

I didn't hear you say much about Bill 43.

**Mr. Giancarlo Ongaro:** Again, I'll leave it to my colleagues who will also be represented by—

**Mr. Ted McMeekin:** Okay. But let me ask this question.

**Mr. Giancarlo Ongaro:** Sure.

**Mr. Ted McMeekin:** Is the material that you produce, which clearly—I'm a social scientist; that's my background. What gets measured gets done. You obviously are spending a fair bit of time and investment in terms of trying to ascertain that. Is that something that you currently share with the ministry or would be willing to share with the ministry?

**Mr. Giancarlo Ongaro:** It is public in terms of reports. We do pull from futures Ontario, and the futures province documentation. We then make an assessment based on the trends out there and we identify programs that we feel our organization would best be suited in delivering.

**Mr. Ted McMeekin:** Your process, and I say this with a great deal of humility and respect, seems to be quite comprehensive.

**Mr. Giancarlo Ongaro:** It is.

**Mr. Ted McMeekin:** Again, with respect, more comprehensive than many other similar processes that I'm familiar with. It might be helpful to a ministry that strives on a good day—and most days are good days—to understand what the stakeholder group out there is thinking and feeling to have access to the kind of quality information that you clearly could provide. So I just offer that up as a suggestion and want to say how much I appreciate the overview. I'm confident that you're doing some good things. Thank you.

**Mr. Giancarlo Ongaro:** Thank you very much.

**The Chair (Mr. David Oraziotti):** Mr. Clark?

**Mr. Steve Clark:** Thank you very much for your presentation. I look forward to some of the owner/operators of a couple of eastern Ontario locations in a few moments to speak about their experiences.

I've spoken to a number of private colleges, and we've heard from a number as well today, about the feeling of bias within MTCU against the career colleges. You have a number of facilities in Ontario and I'd be interested to hear your view on that, whether you feel that there is a bias in the ministry against private career colleges.

**Mr. Giancarlo Ongaro:** "Bias" is a strong word. That being said, I think there is a lot of confusion by PCC owners in understanding what to expect on Monday and then what to expect on Tuesday. There are a lot of inconsistencies. Paula identified some, for us, frustrating aspects, and those are program approvals and registration.

We can call our program adviser, or whatever they're called today, and our request to find out what kind of time frame it would take to have a program approved or reviewed is an abyss. I don't know—it might be three months; it might be six months.

We've had programs in the hopper that have taken well over a year to get approved. If there is a market need for these programs, that's 12 months, 16 months already past its due date type of thing. We need to act quickly, and we take the necessary steps of creating and looking at the data that is available to us. This is public data; we're not picking it out of the air. This is all relevant data that is supported by various provincial governments, in Ontario specifically. We will look at the various data and identify those programs and say, "You know what? This is something for us to look into and to further explore," which we do. And we don't do it unilaterally. We look for consultation from our partners, our franchise owners, as well as employers and industry.

1520

**The Chair (Mr. David Oraziotti):** Thank you very much. I'm going to have to stop you there. We're over time. We appreciate you coming in today for your presentation.

**Mr. Giancarlo Ongaro:** Thank you for the opportunity.

#### ACADEMY OF LEARNING, KINGSTON CAMPUS

**The Chair (Mr. David Oraziotti):** Our next presentation is from the Academy of Learning. Good afternoon, and welcome to the Standing Committee on General Government. As you know, you have 10 minutes for your presentation, so you can start when you're ready and state your name for Hansard.

**Mr. Michael Teglas:** Good afternoon. My name is Michael Teglas. I'm the owner, operator and director of the Kingston, Ontario, campus of the Academy of Learning.

I want to start with a little housekeeping first. I will be speaking to the PCC Act, 2005, component of Bill 43 only. I will be using two acronyms throughout my presentation. The first is TCU, which is a reference to the Ministry of Training, Colleges and Universities of Ontario. The second is PCC, which refers to a private career college which is registered and has their programs approved through TCU. It also means that they have passed an annual inspection and provided statistical and financial data requested by TCU, some of which is audited. This is just to name a very few of the many criteria that qualifies them to be called a PCC.

I've sort of followed the Ombudsman approach and I've titled my presentation today: It's called Nothing but Negative. I would like to start by saying that I have attended a public university in the province of Ontario. I am a graduate of a community college in the province of Ontario. I have run a private career college for the past 20 years in the province of Ontario. I have two children

currently enrolled in two separate universities in the province of Ontario. I feel that this gives me a uniquely special place in this room. I don't think there are very many other people who can say that they've actually had hands-on experience with all three formal, recognized paths of education this great province has to offer.

I want to draw your attention to this wonderful poster that the ministry sent out to us. I take great offence to the statement, "Protect Yourself."

Sorry. I get very passionate about this.

My college was established in 1990 and for the past 20 years, we have worked each and every day to help our students in every way that we can to improve their lives. Since opening our doors, there has never been a complaint lodged with TCU from a student attending our campus. Students do not need protection from my college.

This is not just a statement but a full warning. Even the design used, with black on yellow, screams "approach with caution." Unfortunately, this design disseminates a negative image of PCCs among the public. The message itself of "make sure your program is government-approved" in small print down here at the bottom is welcome; however, the execution of getting this important determination to the public is less than desirable and borderline defamatory. When we approached the ministry to suggest that the word "protect" be changed to "inform" or "educate", as it would be more representative of the industry, we were met with an emphatic "No."

To add insult to injury, TCU is using the social media site Facebook to publicize this message. However, when you visit this site you land on a page containing a list of negative orders/penalties brought against, primarily, illegal trainers that aren't even registered as PCCs with TCU. Why not direct prospective students to the existing TCU site that actually lists all registered PCCs and their approved programs, which is what this message is suggesting they should do in the first place? Nothing but negative.

There's so much that needs bringing into proper perspective surrounding post-secondary education in Ontario and unfortunately I don't have time to touch on them all. To start, a lack of understanding of the important role PCCs play in post-secondary education is constantly overshadowed by the negativity that has been cast by the uninformed, one-sided stories that hit the media on what seems to be a regular basis lately. What is most interesting in this regard is that the majority of the negative press does not even involve a PCC, but rather illegal operators masquerading as such. It is vital to understand the difference I speak of. It is fundamentally important that the two are clearly understood as not being the same. This misunderstanding has been quite evident during the debate on Bill 43 in the House, and the best example that everyone is most familiar with is Bestech, which became famous in the Ombudsman's report bearing the title *Too Cool for School*. This unscrupulous operator was never a PCC.

The Ombudsman also made reference to the fact that they found TCU's handling of Bestech Academy to be "abjectly inept"—very strong wording. I would like to provide some background that may better help understand why these strong words may be the appropriate ones.

Over the past five years, as Paula Cooper had mentioned—my numbers might be a little different—PCCs have been subjected to numerous TCU restructurings. We have had to deal with four different superintendents, and my college has been subjected to five different program consultants, now better known as inspectors and investigators. This ministry has such an enormous scope of responsibility, and very important responsibility at that, and with such a turnover of staff I ask, how do they expect to avoid systemic issues of ineptness?

PCCs have been suffering from this for some time, from not shutting down illegal operators to ridiculously long program approval delays, knee-jerk punitive reactions to student complaints, policies being made up on the fly etc. I would like to suggest that it is this lack of proper functioning within TCU that has contributed to the negative image being cast upon legitimate registered PCCs.

It also speaks to the near impossible frustration of gaining and sustaining complete compliance under the PCC Act, 2005, which Paula spoke to. With policies continually changing, it makes compliance prohibitively expensive and administratively elusive at best, and forces PCCs to operate in an environment of constant concern that should they stumble, the heavy-handed approach will be bestowed upon them. Nobody is perfect. We are only human and we all make mistakes.

It is also important to understand how registered private colleges are treated differently from public colleges. In a second Ombudsman report, *Too Cool for School Too*, the Ombudsman stated that TCU, out of respect for the independence of public colleges, abdicates any responsibility for ensuring that they, the public colleges, deliver the programs they promise. To illustrate this insane disconnect between public and private college treatment in this regard, I will speak to two coinciding events that are currently under way as I speak.

Recent complaints from three students attending the Niagara-on-the-Lake Culinary School, a PCC, led to an immediate suspension that has caused undue hardship to the owners. At the same time, there's a group of students attending George Brown College in Toronto, and when they complained that they did not get what the college promised, nobody listened. Unfortunately, the only resolve these students had was to muster up the fortitude to go before a judge and register a class action lawsuit against the college.

PCCs should not have to live with the possibility of their livelihood being destroyed because of a student complaint, nor should students have to register a class action suit to be heard by the public college system.

Bill 43 is going to do nothing to improve the way TCU handles these situations. These are systemic issues that need to be dealt with properly. Bill 43 needs to be



stopped, and the PCC Act, 2005, needs to be reviewed and revised. I agree with Mr. Wilson and I find it deplorable that the minister has chosen to hide this in amongst really good news about the Ontario College of Art and Design becoming a university.

It's very hard for an industry that has been told time and time again by ministers and superintendents alike that they play such an important role in post-secondary education to be constantly subjected to the negativity that TCU is dishing out. There needs to be more clearly identified rules that differentiate between those that are operating outside the law and those that are working hard to be compliant with the act. If you take away the competition, you take away choice for the 35,000 to 40,000 Ontarians who graduate from PCCs every year. Education happens at many levels, and PCCs help the working people of Ontario acquire the skills they need to be contributors to society and to build a strong, economically diverse workforce. Private career colleges have been around for decades. We do not deserve to be blamed for the inept handling of problems that the Ombudsman has made reference to.

Let me read to you an excerpt from a meeting that took place back in June 2008 when the community colleges in Ontario had a three-day strategic meeting, and from that published a document referred to as Profile of Non-Direct Entrants to Ontario's Colleges, 2008. In this document, the public colleges of Ontario professed to the following: "Systemic constraints inhibit the ability to react to market demands and deliver responsive programming.

"Non-direct entrants (those not coming directly from high school) often need more flexible options to meet their family and work responsibilities. Constraints created by the funding formula and established practices related to the collective agreement make it very difficult for" public "colleges to provide flexible delivery and student services that combine daytime and nighttime/weekend options to meet the needs of many non-direct students. Faster completion options are also difficult to deliver. Private colleges are much more responsive in offering fast completion and flexible timetables."

1530

Even the public colleges profess to the private sector's ability to provide a discernibly different product and service, so why all the negativity? I see it as some kind of necessary deflection to distract from the real issues.

In closing, I want to say that this is just the tip of the iceberg, and Bill 43 is not even close to an answer. If you want to improve post-secondary education in the province, then you need to work more closely with those stakeholders who live and breathe it every day, even if they are privately operated. If you take the time to understand the vocational training we bring to our local labour markets, you will begin to better understand how we fuel Ontario's economic engine by getting the unemployed mature worker back into workforce quickly and with higher skills. Our sector has provided this for the people of Ontario for over 100 years.

The PCC act deals with two distinctly different groups: registered PCCs, which for the most part are compliant with the act, and illegal private trainers who may or may not know they must be registered. The existing suspension powers are suitable for illegal private trainers who have to register before they can continue—

**The Chair (Mr. David Oraziotti):** Sorry, I'm going to have to ask you to wrap up.

**Mr. Michael Teglas:** —but are unreasonably punitive to apply to registered PCCs because of a student complaint: two different sectors, two different enforcement strategies. Please open the PCC act so we can fix this for the betterment of post-secondary education in this great province. Thank you for your time.

**The Chair (Mr. David Oraziotti):** Thanks for coming in. That's the time for your presentation.

#### ASSOCIATION OF PRIVATE COLLEGES

**The Chair (Mr. David Oraziotti):** Our next presentation is the Association of Private Colleges. Good afternoon, and welcome to the Standing Committee on General Government. As you know, you have 10 minutes for your presentation. State your name and start when you're ready.

**Mr. Michael Nurse:** Good afternoon. My name is Michael Nurse. I'm the executive director of the Association of Private Colleges.

It was the Association of Private Colleges that pushed the button that sent the email that brought these good folks today. I knew that if I could get enough passionate individuals in the room, perhaps we could dissuade the government from passing this bill. Unfortunately, we had a very limited amount of time, and it's remarkable that these individuals could take time away from their day to come here.

Realize that what you're dealing with here are not entrepreneurs and not owner/operators; you're dealing with educators. Every one of the individuals who spoke today is a committed individual. As Paula Cooper said, and it's my contention as well, you can't get through your day without it being facilitated in some way by a private career college grad.

We're the Association of Private Colleges. We were founded in 2007. We're an advocacy group for private career colleges. All we do is advocacy for private career colleges. Examples of that would have been illuminating to the Ministry of Training, Colleges and Universities: "inform" versus "protect." We simply wanted to have the word "inform" inserted. The message I brought from our schools is that they were overly insulted by that particular use of phrase.

I took over the position six months ago. I was an admissions director at a private career college and sort of loosely aware of the challenges that are affecting PCCs. My first 30 days were head-spinning in terms of the number and scope of challenges that are being faced by private career colleges, whether it was their tuition completion assurance fund bills, which in some cases had

gone up sixfold; or Second Career funding limits that were clearly punitive to the private career college sector. A quick example is massage therapy, taught in 33 PCCs in the province. Not one of them offers a program at less than \$15,000, and the limit was set at \$10,000. All those programs were therefore Second Career ineligible, or they had to discount their programs.

**Lack of MTCU support:** When I met with the new superintendent—he identified himself as a regulator—I expressed that the sector had concern about the powers of the superintendent. His simple response was, “Well, if they’re compliant and they have nothing to worry about, there’s no reason for them to be nervous.” But in fact, you can see that I have a number of nervous colleagues today.

**Long waits for approvals:** The record I have heard is 13 months. But if I canvass the room again, the waiting time for new program approvals is clearly out of control and needs some attention.

**Negative media attention:** We’ve all been tarred with the same brush. We brought to you today some private career colleges. The other group, the folks we want and are helping to get, is the illegal private trainers. AOPC has reported illegal private trainers. We applaud the MTCU approach to illegal private trainers. If there’s a way we can give them more powers to go after that group, then I’ll fill the room with individuals in support of that. But we don’t need to give the superintendent any more powers for private career colleges. We register each year, we’re inspected, and they know our name and address. They don’t need any significant powers to come to us.

We need to draw a clear line between the private career colleges and the illegal private trainers. The phrase “illegal private trainers” is currently not in the PCC act, that I’m aware of, but we need to open the legislation and insert language like that so the private career colleges can be protected, not threatened, not made nervous by this.

The Association of Private Colleges was notified the night before these amendments were introduced in the legislation. I received a call on my cellphone at 6 o’clock from a policy individual inside Minister Milloy’s office and was told there would be four amendments to the PCC act, that they would all be small and that in some cases only a few words were going to be changed. I was offered a briefing for our organization but then told, “Probably not necessary because this is such a small thing.”

Thirty six hours later, we were in this room hosting the first annual association of private career colleges PCC day and were given copies of the act by Mr. Wilson. I was fortunate to have individuals from my board here, specifically Paula Cooper, who could dissect this, look at it from the place of implementation and see that there are significant challenges here. While we feel frustrated that Bill 43 has lots of good in it, what we are specifically encouraging you to do today is remove sections 16 through 21 as they relate to the PCC act.

Let’s take a step back, consult with the sector—we’re more than willing to consult—and then insert some new amendments into the PCC act that allow it to work for the two distinct groups: the private career colleges and the illegal private trainers.

**The Chair (Mr. David Orazietti):** Thank you. Mr. Marchese, do you have any questions for our presenter?

**Mr. Rosario Marchese:** Thank you, Michael. I have to admit that Paula, Michael Teglas and you have made some very persuasive arguments that I hadn’t considered.

Some of the points Paula made are very instructive. I have been very critical of the government in that regard, because we’ve had many, many turnovers. She identified that, and I think it’s a good point. Not only have we had, as she said, four superintendents in four years, including other comments such as staggering turnover of staff and abysmal training, which I suspect is true; but in addition, and she didn’t mention this, we’ve had a number of deputy ministers that have turned over in the last five or six years, which has made it even more difficult. Not only that, but ministers have gone through that portfolio on a regular basis, which only compounds the administrative problems in that office.

I have to admit that I found those arguments powerful in terms of the kinds of problems the ministry has been facing, and that’s why the Ombudsman could go to such an illegal operator that wasn’t registered and make a big case out of it, creating the impression as it did in my mind and in the minds of others that the industry is rife with those particular problems. I appreciate the fact that many of you have been tarred; I do. I also appreciate—

**Mr. Michael Nurse:** Sorry to interrupt, but also understand that we’re contributing to the search for those illegal private trainers. We’ve partnered with MTC. We’ve reported illegal trainers.

**Mr. Rosario Marchese:** You mentioned that, and I appreciate that as well.

**Mr. Michael Nurse:** We know where they are.

**Mr. Rosario Marchese:** And it’s a fair comment in terms of how you distinguish between the private career colleges and illegal trainers, and how you deal with one versus how the other one seems to be subsumed in the same category.

**Mr. Michael Nurse:** Exactly.

**Mr. Rosario Marchese:** So you make some good points, including section 21, where it talks about, “A policy directive ... may revoke an approval,” and in my mind I think, “Well, we’re talking about illegal trainers, but it may not necessarily be. So, what are those policy directives that could trigger such a revocation?” I don’t really know what they are, and you don’t either, I imagine. Is that correct?

**Mr. Michael Nurse:** No, but I could leave the room, go out and find out what they are; I can guarantee you that.

**Mr. Rosario Marchese:** It would be useful to hear what those policy directives could be that could trigger such a revocation, because that might help in terms of how I deal with that. I just wanted to make those points.

Thank you, and I think we can consider some of the amendments I am hoping the government will bring to bear on the basis of what many of you have said.

1540

**The Chair (Mr. David Oraziotti):** Thanks. Mr. McMeekin, very briefly if you have something.

**Mr. Ted McMeekin:** Well, very briefly, the best political advice I ever got was from the late, great Sterling Hunt, who said, "Tell them what's broke and how you're going to fix it." I don't think that there's any dispute that there may well be some things that are broke that need fixing. I think the trick is: How do we move forward with this?

We have had conversations, pre-presentation, on this bill—perhaps not with as many people as, in hindsight, we might have, although your group was one—and we're absolutely committed to ongoing consultation at the regulatory process. I just want to provide you with that assurance. Be assured, sir, that we want to hear from you as we move forward, hopefully together—everyone prefers to arrive together rather than to be driven anywhere—and will be counting heavily on your expertise and advice.

**Mr. Michael Nurse:** Thank you.

**The Chair (Mr. David Oraziotti):** Thanks. That's time for the presentation. We appreciate you coming in today. Thank you for your presentation.

#### CANADIAN WELDING SKILLS

**The Chair (Mr. David Oraziotti):** The next presentation is Canadian Welding Skills. Good afternoon. Welcome to the Standing Committee on General Government. We appreciate you being here today. You have 10 minutes for your presentation, as you know. You can state your name and start when you're ready.

**Mr. Jonathan Bennett:** Thank you, sir. My name is Jonathan Bennett. Chair, committee members, thank you for this opportunity so that I may be able to speak to you today regarding Bill 43.

We own and operating Canadian Welding Skills, a PCC in Ennismore, just outside of Peterborough. I'm here with Ms. Olga Palatics, my partner, as well as Mr. Bill Mandris and Ms. Gail McCallum from Barrie, who are seated behind me. We're here representing the Association of Registered Private Welding Career Colleges of Ontario.

Due to the halt of EI-fundable trainees through our PCCs, half or possibly more of our group of seven welding private schools expect to be forced to close in a few weeks. Due to the strict rules imposed on us, numerous if not all PCCs may be facing closure or hard times. Ironically, we will be out of work, like the countless now-employed EI recipients were before they met us. EI-funded trainees used to research three training facilities and were allowed to choose. They are now being told to go to a community college. Where is the fair choice?

Recently, a mature trainee asked the MTCU in Peterborough for permission to attend my school because of

our good reputation. The rep said, "You need to go to the college; just don't attend the classes you don't like."

In February, I complained about two illegal welding schools under my nose. Good news—really good news: The MTCU shut down the one in Pickering in two weeks. Thank you for the good work. This is proof that Bill 43, in that regard, is unnecessary. I asked a MTCU employee, "What about the other one?" "On a reserve," he said; "We don't go there. That's not our department." That school still runs within commuting distance of my fee-paying PCC. Therefore, I hereby declare that 50% of the time a PCC such as mine, working with the MTCU, can shut down a crooked school. I feel we don't need Bill 43. I just gave you proof.

In 1971-72, I attending the welding specialist course at George Brown College here in Toronto. I didn't learn a thing in 10 months that was greater than my high school welding class. At the end of the first week at my first job, I was almost fired, but my lead hand asked his boss to keep me on. I heard him say, "He doesn't know anything, but he's trying really hard."

The following is a list of some of the events that my PCC has had to endure over the years with the MTCU. In the very beginning, I applied for a letter of exemption, which was refused. My MPP at the time met with someone in Ottawa. I got my letter two weeks later. Thank you, Mr. Gary Stewart, Peterborough.

Shortly after, an MTCU inspector then left a message on my answering machine demanding that we shut down. We were operating illegally. I guess she didn't check the files for my letter of exemption. She said she tried to find our school, as she was in the area, but wasn't able to locate the building, so she called and left a stern message telling me to close. The address was posted at the end of the driveway.

Later on, we submitted our application for a licence. The MTCU lost our file for 30 days. I called to inquire about the status as we had been cut off of EI-funded trainees because the rules had changed again without letting us know. The MTCU knew nothing of our application even though we had negotiated tirelessly with them by phone as we filled out the forms. I had to resort to a screaming match with them to get the job done. We got a phone call the very next day to tell me to check their website: Our school was now listed and registered.

Last summer, we moved to a new shop that cost me \$250,000. I wish I hadn't done it. Just after moving in, the funding system collapsed. I'm now running six to eight trainees per day, half of our capacity, which isn't paying the bills.

During the hectic move, we forgot to notify the MTCU of our change of address. Immediately, we went to their website and made the correction. We learned that we had 30 days to notify them. We phoned our inspector to apologize for our serious error and I asked, "Are we in a position of non-compliance?" He said, "No." He then called us 20 minutes later and threatened us with, "You are in non-compliance." I asked, "Where should I learn about the 30 days' notice required?" He implied that I

must know this, but he couldn't really tell me where to look other than maybe on the e-laws website. We looked there to learn that you only have a 10 days' grace period to notify of an address change. I emailed a supervisor and asked, "If the law says 10 days, why did your staffer say 30?" She emailed back, "Thanks for pointing that out. I will notify the superintendent." She didn't even know if it's 10 or 30 days.

We were told to mail a cheque for \$338 for a site inspection fee. I politely said, "Why should I do that? I paid you years ago for a site inspection. Nobody showed up." I was told I must pay. I refused—sorry. They said not to pay the fee. No site inspection as of yet.

I asked our local MTCU rep, "Do you monitor the colleges for accuracy in their advertising?" He said, no, that they didn't care. Why should they?

I had applied to a college welding program using an alias advertised to start in May. I was told to pay a \$50 fee to secure a May start date. The college emailed me and said, "Oh, we forgot. The welding shop is closed until September."

A college in Peterborough has a welding instructor. She was one of my former trainees. She's a good welder, but not an instructor. One of her recent trainees took her course, didn't learn enough, then came to our 10-week course. He wouldn't talk to me about it.

We recently developed a welding program for a literacy improvement organization. After a successful first run, the training job was handed over to the college.

Last week, I asked the chief MTCU rep in Peterborough how long it had been since he knew about Bill 43. In a very threatening and raised tone of voice, he said, "Are you asking me a skill-testing question?" I then reminded him that Sir Sandford Fleming College is getting \$30 million for a 28,000-square-foot trades training school. They are barely a 20-minute drive from where we are, and what do I get? Bill 43.

I mentioned to him that I was going to continue to try and train better welders out of a smaller, self-funded school. He said I was getting confrontational with him. I told him that earlier that morning, I had just talked with a student who completed a college welding course. There were 45 in that class. I said, "Wow. One instructor can teach 45 students." The student said, "No. There were two other men who were babysitters." I asked him, "What does that mean?" He said that he worked with the welding instructor occasionally, but most of the time the two other men babysat the class. I am repeating what he told me last Thursday morning. I said to the MTCU rep, "Are you not responsible for the colleges as well as the PCCs? What are you going to do? You have 45 young men and women wandering the streets who do not have the skills to get a job." In a very sour tone of voice, of course, he said that I should take it to the political level. I sit before you today.

Another person in the same class wrote, "While I did learn something, I see now that it's not nearly enough to get a job."

We can tell when another college in the province lets out another class: The phone rings off the wall with irate moms crying that their sons and daughters can't pass the weld tests. We bring them in and help them out with that.

**1550**

Gentlemen, please: The MTCU does not need more power. They need to do the job already at hand. What are we paying them for? They can't enforce the rules they already have.

Gentlemen, please: Get the MTCU out of the ivory tower at Mowat Block, put one or two of them in each MTCU office across the province, and tell them to go into the field and visit the PCCs. I would be glad to see him or her drop in twice a year. Presently, I live in fear of them with their present system. They threaten myself and others by telephone and email. They don't even know where I am.

Gentlemen, please: Ask for volunteers from each trade or occupational sector and form an advisory committee to help the MTCU stamp out the bad schools. If we keep going the way we are, all this province will have left is colleges. Trainees deserve a choice, as was in the past. We're littered with illegal schools who are ripping off the public and tarnishing our good name because the MTCU isn't doing what they're paid to do. The money stolen from the MTCU funding coffers by illegal schools will go a very long way to help the good PCCs do their job.

**The Chair (Mr. David Oraziotti):** I need you to wrap it up in a couple of seconds. Could you do that? Thanks.

**Mr. Jonathan Bennett:** Thank you. We want to be governed respectfully. We want to be heard. We deserve to be treated fairly, not threatened with Bill 43. My business may be for sale. Thank you for your time.

**The Chair (Mr. David Oraziotti):** Thanks very much for your presentation and for coming in today.

#### ACADEMY OF LEARNING, BELLEVILLE CAMPUS

**The Chair (Mr. David Oraziotti):** The last presentation of the day: the Academy of Learning, Belleville campus. Good afternoon, sir. Welcome to the Standing Committee on General Government. As you know, you've got 10 minutes for your presentation, so go ahead when you're ready.

**Mr. Michel Ringuette:** Okay. Thank you very much, Mr. Chairman and fellow board members. My name is Michel Ringuette. I'm a co-owner and co-director of the Academy of Learning, Belleville campus. I'll try not to be as passionate as my predecessor. A very nice guy when you really meet him, but he is very passionate about what he believes in. I do share a lot of his sentiments. I'll try not to over-repeat too many of the items that were discussed here earlier.

In preparation for this—it was very short notice. I took the time to read a lot of the debates that occurred in the past week. I've listened to some of the items and read the items. There are a few concerns that I have; one in particular is the policy directives that could be coming

out and about. If I were a paranoid person, this policy could probably wipe out all of my programs and I'd be out of business, but I'm not a paranoid person. I believe that the intention of the government is wanting to go the right way, but you're also giving the power to a person who can actually do that, so be cautious. Please. That's step one. I'll keep it shorter than what I've actually written out.

Another thing that was discussed earlier, the distribution of an order: It could be done by mail, home, address, and so on and so forth. That could also be a little dangerous, because here's an order that can be sent out and not really received by the appropriate person. There is no way of confirming that it was actually sent and received. So I'm feeling a little odd at that, because if I was to be served as being in an infraction of whatever policy and order and find out maybe three weeks or a month later I've been fined on a daily basis for something I didn't even know about, that's shameful. If we're going to be training our students with proper business ethics and approaches, delivery of such sensitive documents certainly shouldn't be happening in this very way.

Some of the things that I've noticed in the debates—and there are a lot of good comments. I appreciate that some did see the value of some private vocational schools in and around the province. Unfortunately, others did not see the value. I didn't hear much other than Mr. Wilson—I believe he mentioned one of the colleges in Sudbury where they had major issues, where students were there for a couple of years and, shamefully, did not get what was promised to them.

Just recently, again, Mr. Teglas also pointed out that George Brown College has had, unfortunately, another lawsuit against them.

Obviously, our public system may not be as good as one would like it to be. It's good in many ways. There are a lot of good productions but there are still a few flaws. I believe that MTCU also has a responsibility to look after them, to look into their business and make sure that there are no future flaws in there.

We're all human beings; we all make mistakes. Last week, I was sent an invoice for my TCAF. Part of that process is that the ministry contacts Equifax to see what my delinquency risk is. They used my home address instead of my business address, so Equifax has nothing to send to MTCU. Therefore, I had no report—high risk. That alone would have cost me an additional \$3,000 in fees had I not caught that and brought the corrections to it. I did it. Actually, the ministry was very good in resolving it very quickly last week.

Last year, I was out of luck. It was my own fault. I didn't check with Equifax and I assumed that Equifax was a good, ethical business—obviously not. They had me lost somewhere in God knows where—la-la land. They just didn't know about me. So last year, I was too late to put in the report and say, "I do pay my bills, rest assured."

Earlier in the presentations, I heard a few questions. Mr. Wilson, you asked the question, "How can we make

things a little better?" I remember about seven years ago, when Susan Hoyle was at the helm. She took the time to meet with the Academy of Learning at the head office and discuss how private colleges work. On that very same day, I gave her the invitation to come and see my particular campus. I was very pleased and very proud of what we do, and she actually came. Some of the changes are perhaps to encourage the ministry to better understand the private colleges; go out there, visit them and see exactly what's going on. I think there would be a little better appreciation for what we do.

In the package, I've put in a few testimonials from my students. People make choices when they come to private colleges for various reasons. Yes, a degree, but also for the great service that we provide. I take great pride in that. We're hands-on owners and everything that we do is dedicated to the student to make sure they do succeed. We make great efforts.

Mr. Clark, you said earlier, "Is there a bias out there?" When the Second Career strategy came into play, if somebody was unemployed and went to the ministry, here's the policy: "Go out there and research a few colleges. If you go to a private college, you have to check with a public college to see if they have a comparable program. If you go to a public college, that's good enough; don't worry about the private ones." Is there a bias? You tell me.

What we're looking for is very much the same as what you want: success for our students. Our success is equally the government's success. Help us out and we can work together, seriously. We have an association that's very dedicated and very passionate about what they do as well. They're the front line that can work with you. I hope that you do extend the invitation to them and sit and really talk and make sure that things do happen for the positiveness of the private vocational schools.

Are there any questions? I'm all over the place.

**The Chair (Mr. David Oraziotti):** Thank you very much for your presentation. I believe Mr. McMeekin—

**Mr. Ted McMeekin:** Thanks very much for sharing. I particularly appreciated your acknowledgement that—I think you acknowledged that the government clearly has a role in terms of regulating private career colleges.

**Mr. Michel Ringuette:** Absolutely.

**Mr. Ted McMeekin:** And we do that—I'm maybe stating the obvious—so that all the good players and those who have goodwill aren't mitigated negatively by those who aren't up to speed.

**Mr. Michel Ringuette:** Granted, the intentions are all there. However, with the negativity that we've been receiving, being clumped in with the illegal operators, it has really shone a bad image on us. I deal with WSIB clients. I speak with their counsellors and their counsellors say, "Oh, my God. I'm looking at this again in the news. What's going on?" Are we concerned? Are you guys going to be around down the road? It is affecting our businesses.

**Mr. Ted McMeekin:** It's not the government's intent to reflect negatively on any good operator, clearly. You

referenced, I think at the outset of your presentation, your admonition to be cautious as we move forward. I think we're trying to be cautious here; in fact, we've been criticized in the assembly for not going far enough. We're looking for a balance, and we acknowledge quite openly that we're going to need to get more input from stakeholders as we go forward. I'm assuming that you're willing to be engaged with TCU in that process.

**Mr. Michel Ringuette:** I could be engaged. I certainly would recommend, as well, our association. They've studied this inside and out a lot better than I have, but I'd be more than happy to participate as well.

**Mr. Ted McMeekin:** They're one of the two major groups we have engaged with.

**The Chair (Mr. David Oraziotti):** Thanks, Mr. McMeekin. That's the time for your question. Mr. Wilson, go ahead.

**Mr. Jim Wilson:** Thank you very much, Mr. Ringuette. You mentioned also in your presentation here—the example I was given about a policy directive that would revoke an already-approved program during the briefing I had with ministry staff—there were some political staff there, too, from the minister's office. I just want you to comment on this—an example was nursing. One of the lawyers said, "Well, you know, Mr. Wilson, we have a surplus of nurses, or we're going to have a surplus of nurses. So we may want to send out a policy directive to tell career colleges to stop teaching nurses in their programs." I said to them, "These things are businesses. They are trying to respond, generally, to the market that's out there. If there's no market for nurses, they're likely to wind down the course themselves." That's what I was told, because it came up, going back to the two Michaels' presentations.

That showed me the lack of understanding, as you're all saying, in the ministry. Maybe none of them have been in business before—I don't know—but they didn't seem to understand the marketplace very well. That was the example, and I didn't have time that day to pursue other examples with them, but I would ask the association to make sure that we get other examples so that the government and legislators have a good understanding.

I must admit that in the 20 years I've been here, I don't think I ever met with career colleges. Some of your associations aren't that old, I guess. If it wasn't for the 2005 act, I probably never would have heard of you except through the newspaper. So I'm glad to see that you're getting organized and you took the time to come forward.

Do you want to comment on the policy directive?

**Mr. Michel Ringuette:** I don't know. To be honest with you, I don't know what—

**Mr. Jim Wilson:** It could be anything.

**Mr. Michel Ringuette:** It could be anything, but the thing is, you're giving somebody that kind of power, and that scares me. It really does. Just what is going to happen to us down the road if this policy—if somebody has a bad day or these inspectors who come in have a bad day and they start throwing things around—it does make me very nervous. We go out of our way to make sure that we are running within the guidelines of the ministry, but we're all human beings. If something was to tick somebody off for whatever reason, I don't know.

Our college is not a very big college; it's a very small college. We have approximately 60 students in our morning—are they all 100% happy? There are a few of them who are through the system because they're being told to be there through their caseworkers and so on, so they may not be so happy. A very large percentage are extremely happy.

**The Chair (Mr. David Oraziotti):** Sir, I'm going to have to stop you there. Thanks very much for your comments today and your presentation. That's all the time that we have.

**Mr. Michel Ringuette:** Okay. Thank you for having me.

**The Chair (Mr. David Oraziotti):** Just for the information of the members, so that you're aware, amendments that are proposed to this bill need to be filed by next week, Wednesday the 26th at noon. We will have clause-by-clause consideration on Monday the 31st after constituency week.

That's it. The committee is adjourned.

*The committee adjourned at 1603.*

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