Fee Refund Policy

Fee Refund Policy as Prescribed under s. 25 to 33 of O.Reg. 415/06

Full refunds

25. (1) An Ontario career college shall refund all of the fees paid by a student under a contract for the provision of a vocational program in the following circumstances:

1. The contract is rescinded by a person within two days of receiving a copy of the contract in accordance with section 36 of the Act.
2. The Ontario career college discontinues the vocational program before the student completes the program, subject to subsection (2).
3. The Ontario career college charges or collects the fees,
   i. before the registration was issued for the college under the Act or before the vocational program was approved by the Superintendent, or
   ii. before entering into a contract for the provision of the vocational program with the student, unless the fee is collected under subsection 44 (3).
4. The Ontario career college expels the student from the college in a manner or for reasons that are contrary to the college's expulsion policy.
5. The Ontario career college employs an instructor who is not qualified to teach all or part of the program under section 41.
6. The contract is rendered void under subsection 18 (2) or under section 22.
7. If an Ontario career college fails to, or does not accurately, provide in the itemized list provided to the Superintendent under section 43 a fee item corresponding to a fee paid by a student for the provision of a vocational program, the college shall pay the student,
   i. in the case of an item not provided by the college, the full amount of the fee for the item, and
   ii. in the case of a fee in excess of the amount of the fee provided for the item, the difference between the amount of the fee for the item provided to the Superintendent and the fee collected.

(2) A full refund is not payable in the circumstances described in paragraph 2 of subsection (1) if the discontinuance of the vocational program coincides with the Ontario career college ceasing to operate.

(3) A refund is not payable under paragraphs 1 to 6 of subsection (1) unless the student gives the Ontario career college a written demand for the refund.

(4) A refund under subsection (1) is payable by the Ontario career college within 30 days of the day the student delivers to the college,

(a) in the case of a rescission under section 36 of the Act, notice of the rescission; or

(b) in the case of a refund under paragraphs 2 to 6 of subsection (1), a written demand for the refund.

Partial refund where student does not commence program.

26. (1) If a student is admitted to a vocational program, pays fees to the Ontario career college in respect of the program and subsequently does not commence the program, the college shall refund part of the fees paid by the student in the following circumstances:

1. The student gives the college notice that he or she is withdrawing from the program before the day the vocational program commences.
2. In the case of a student who is admitted to a vocational program on the condition that the student meet specified admission requirements before the day the program commences, the student fails to meet the requirements before that day.
3. The student does not attend the program during the first 14 days that follow the day the program commenced, and the college gives written notice to the student that it is cancelling the contract no later than 45 days after the day the program has commenced.

(2) The amount of a refund under subsection (1) shall be an amount that is equal to the full amount paid by the student for the vocational program, less an amount equal to the lesser of 20 per cent of the full amount of the fee and $500.

(3) A refund under subsection (1) is payable,

(a) in the case of a refund under paragraph 1 of subsection (1), within 30 days of the day the student gives notice of withdrawing from the program;

(b) in the case of a refund under paragraph 2 of subsection (1), within 30 days of the day the vocational program commences; and

(c) in the case of a refund under paragraph 3 of subsection (1), within 45 days of the day the vocational program commences.

(4) For the purposes of paragraph 3 of subsection (1), it is a condition of a contract for the provision of a vocational program that the Ontario career college may cancel the contract within 45 days of the day the vocational program commences if the person who entered the contract with the college fails to attend the program during the 14 days that follow the day the vocational program commences.

(5) An Ontario career college that wishes to cancel a contract in accordance with subsection (4) shall give written notice of the cancellation to the other party to the contract within 45 days of the day the vocational program commences.

Partial refunds: withdrawals and expulsions after program commenced.

27. (1) An Ontario career college shall give a student who commences a vocational program a refund of part of the fees paid in respect of the program if, at a time during the program determined under subsection (3),

(a) the student withdraws from the program after the program has commenced; or

(b) the student is expelled from the program in circumstances where the expulsion is permitted under the Ontario career college's expulsion policy.

(2) This section does not apply to vocational programs described in sections 28 and 29.

(3) An Ontario career college shall pay a partial refund under this section only if the withdrawal or expulsion from the vocational program occurs at a time during the program determined in accordance with the following rules:

1. In the case of a vocational program that is less than 12 months in duration, the withdrawal or expulsion occurs during the first half of the program.
2. In the case of a vocational program that is 12 months or more in duration,
   i. for the first 12 months in the duration of the program and for every subsequent full 12 months in the program, the withdrawal or expulsion occurs during the first six months of that 12-month period, and

ii. for any period in the duration of the vocational program remaining after the last 12-month period referred to in subparagraph i has elapsed, the withdrawal or expulsion occurs in the first half of the period.

(4) If the student withdraws or is expelled from a vocational program within the first half of a period referred to in subsection (3), the amount of the refund that the Ontario career college shall pay the student shall be equal to the full amount of the fees paid in respect of the program less,

(a) an amount that is equal to the lesser of 20 per cent of the full amount of the fees in respect of the program and $500; and

(b) the portion of the fees in respect of the portion of the period that had elapsed at the time of the withdrawal or expulsion.

(5) If the student withdraws or is expelled from a vocational program during the second half of a period referred to in subsection (3), the Ontario career college is not required to pay the student any refund in respect of that period.

(6) An Ontario career college shall refund the full amount of fees paid in respect of a period that had not yet commenced at the time of the withdrawal or expulsion.

Partial refunds: distance education programs

28. (1) This section applies to a vocational program that is offered by mail, on the internet or by other similar means.

(2) An Ontario career college shall give a student who commences a vocational program referred to in subsection (1) a refund of part of the fees paid in respect of the program if,

(a) the student withdraws from the program or the student is expelled from the program in circumstances where the expulsion is permitted under the Ontario career college's expulsion policy; and

(b) at the time of the withdrawal or expulsion, the student has not submitted to the Ontario career college all examinations that are required in order to complete the program.

(3) The amount of the refund that an Ontario career college shall give a student under subsection (1) shall be determined in accordance with the following rules:

1. Determine the total number of segments in the vocational program for which an evaluation is required.

2. Of the total number of program segments determined under paragraph 1, determine the number of segments in respect of which an evaluation has been returned to the student.

3. The amount of the refund that the Ontario career college shall pay the student shall be equal to the full amount of the fees paid in respect of the program less,

i. an amount that is equal to the lesser of 20 per cent of the full amount of the fees in respect of the program and $500, and

ii. the portion of the fees in respect of the number of segments determined under paragraph 2.

(4) An Ontario career college is not required to give a student any refund if the student, at the time of withdrawal or expulsion, has been evaluated in respect of more than half of the total number of segments in the program.

Partial refunds: non-continuous programs

29. (1) This section applies to a vocational program approved by the Superintendent to be provided through a fixed number of hours of instruction over an indeterminate period of time.

(2) An Ontario career college shall give a student who commences a vocational program referred to in subsection (1) a refund of part of the fees paid in respect of the program if, before completing the required number of hours of instruction,

(a) the student has given the college notice that he or she is withdrawing from the program; or

(b) the student is expelled from the program in circumstances where the expulsion is permitted under the Ontario career college's expulsion policy.

(3) The amount of the refund that an Ontario career college shall give a student under subsection (1) shall be equal to the full amount of the fees paid in respect of the program less,

(a) an amount that is equal to the lesser of 20 per cent of the full amount of the fees in respect of the program and $500; and

(b) a portion of the fees in respect of the program that is proportional to the number of hours of instruction that have elapsed at the time of the withdrawal or expulsion.

(4) A career college is not required to give a student any refund if the student, at the time of withdrawal or expulsion, has completed more than half of the required number of hours of instruction in a program.

No retention of refund

30. An Ontario career college shall not retain, by way of deduction or set-off, any refund of fees payable to a student under sections 25 to 29 in order to recover an amount owed by the student in respect of any service or program other than a vocational program offered by the Ontario career college.

Treatment of books and equipment

31. In calculating a refund under sections 25 to 29, an Ontario career college may retain the retail cost of books or equipment that the Ontario career college supplied to the student if the student,

(a) fails to return the books or equipment to the Ontario career college within 10 days of the student's withdrawal or expulsion from the program, or

(b) returns the books or equipment to the Ontario career college within the 10-day period referred to clause (a) but fails to return it unopened or in the same state it was in when supplied.

Refund for international students

32. A notice to an Ontario career college that is provided by or on behalf of an international student or of a prospective international student and that states that the student has not been issued a temporary resident visa as a member of the student class under the Immigration and Refugee Protection Act (Canada) is deemed to be,

(a) notice of a rescission of the contract for the purposes of section 36 of the Act if the notice is given within two days of receiving a copy of the contract; and

(b) notice that the student is withdrawing from the program for the purposes of paragraph 1 of subsection 26 (1) or clause 29 (2) (a) if the notice is received on or before half of the duration of the program has elapsed.

Currency

33. Any refund of fees that an Ontario career college is required to pay under the Act shall be paid in Canadian dollars.