

Policy and Procedure: Denial and Revocation of the Authority to Grant Credits

Effective September 1, 2023

This Policy and Procedure replaces the policy and procedure relating to the denial and revocation of credit-granting authority set out under the heading “Denial or Revocation of Credit Granting Authority” on pages 28-31 in the *Private Schools: Policy and Procedures Manual, September 2013* (Manual). If there is any inconsistency between this Policy and Procedure and any other policy and/or procedure set out in the Manual, as amended, this Policy and Procedure prevails.

Background

The following background information is provided for information purposes only. The complete requirements of the ministry are set out in the Manual which may be amended from time to time by the ministry issuing new and/or revised policies and procedures documents. If a private school is requesting authority to grant credits toward the Ontario Secondary School Diploma (OSSD) it must meet specific requirements of the Ministry of Education, including submitting annually to the ministry a Notice of Intention (NOI) to operate a private school, and in its first year of operation the school is successfully validated by the ministry as a private school.

If a school has received a successful validation and is requesting authority to grant credits toward the OSSD, an inspection under subsection 16(7) of the *Education Act* will be scheduled. A validation visit is not an inspection, and the school’s credit-granting authority is not determined during a validation visit. Following an inspection, the ministry will notify the school in writing as to whether it has been authorized to grant credits toward the OSSD. A school may not grant credits toward the OSSD, or hold itself out as being able to do so, until it receives written authorization from the ministry.

After the initial inspection, the ministry continues to inspect all private schools requesting authority to grant credits toward the OSSD on a cyclical basis to determine whether schools are meeting the requirements of the ministry and to ensure the integrity of credits leading to the OSSD. The ministry may also inspect private schools, whether or not they have credit-granting authority, on an ad hoc basis pursuant to subsection 16(6) of the **EDUCATION ACT**.

Private schools requesting authority to grant credits toward the OSSD that do not meet ministry requirements may have their request **denied**. Private schools that

have been granted authority to grant credits toward the OSSD that no longer meet ministry requirements may have their authority **revoked**.

Denial of Credit-Granting Authority

A private school that is requesting authority to grant credits toward the OSSD, and did not have such authority in the previous school year, will be inspected to determine whether the school meets the requirements of the ministry.

A private school may be denied authority to grant credits toward the OSSD in circumstances that include, but are not limited to:

- Failure to submit pre-inspection materials by the specified ministry deadline;
- Failure to submit pre-inspection materials that are in compliance with ministry requirements;
- Failure to comply with ministry requirements in scheduling a course for a minimum of 110 hours ;
- Failure to comply with ministry requirements in delivering curriculum expectations;
- Failure to comply with ministry requirements in teaching and learning assessments and evaluations;
- Failure to comply with ministry requirements in management of student records;
- Failure to comply with ministry requirements to verify prerequisites courses;
- Refusal or lack of cooperation by the school to allow for an inspection by the ministry;
- Failure to comply with ministry requirements for the Ontario Secondary School Literacy Test (OSSLT) or the Ontario Secondary School Literacy Course (OSSLC); and
- Failure to submit all required statistical data as per the legislative requirement under 16(5) of the *Education Act*.

Denial Procedure:

A private school's request for the authority to grant credits toward the OSSD may be denied based on the review of the pre-inspection materials and/or the observations made during the inspection process.

Denial at Pre-inspection stage:

A private school's request for the authority to grant credits toward the OSSD may be denied at the pre-inspection stage in one of the following two circumstances:

1. If after the deadline to submit the pre-inspection materials the ministry identifies that some or all of the pre-inspection materials are missing or incomplete, the ministry will notify the school by writing to the principal that the school has the opportunity to submit or complete pre-inspection materials by a specified date. Failure to submit or complete the pre-inspection materials by the specified date will result in the denial of the school's request for the authority to grant credits toward the OSSD.

2. If after the review of all pre-inspection materials the ministry identifies that some or all of the pre-inspection materials are not compliant with ministry requirements, the ministry will notify the school by writing to the principal that the school has the opportunity to re-submit the pre-inspection materials by a specified date.

- 2(a) Failure to submit the pre-inspection materials by the specified date will result in the denial of the school's request for the authority to grant credits toward the OSSD.

- 2(b) If the school re-submits pre-inspection materials by the specified date and some or all of the materials are still not compliant with ministry requirements, the school's authority to grant credits toward the OSSD will be denied.

Denial at Inspection stage:

1. If after an inspection, the ministry identifies that a school is not meeting ministry requirements the ministry may notify the school by writing to the principal that the ministry is considering whether to deny the school's request for the authority to grant credits toward the OSSD. The notice will set out the ministry requirements and the issues of non-compliance with these requirements.
2. The school will be given the opportunity to provide written submissions, by a specified date, as to whether the information set out in the letter relating to the issues of non-compliance with ministry requirements are inaccurate or incomplete, along with documentation or other evidence to substantiate such submissions.
3. If the ministry does not receive any written submissions by the specified date, it will proceed directly to deny the school's request for the authority to grant credits. If a decision is made to deny, the ministry will notify the school by writing to the principal.
4. If the ministry receives written submissions by the specified date, the ministry will carefully review and consider the information received from the school.
5. The ministry will review and consider all relevant information relating to the non-compliance with ministry requirements and make a decision.
6. If a decision is made to deny the school's request for the authority to grant credits, the ministry will notify the school by writing to the principal.

Exception:

The ministry may, in exceptional circumstances, determine that one or more of the above steps does not apply or that an additional step may be required.

Consequences of the Denial of Credit-Granting Authority:

If the school's request for credit-granting authority is denied, the school shall not:

- use the common course codes for credit bearing courses in the Ontario Curriculum to describe the courses offered by the school;
- advertise or represent that it is requesting authority to grant credits toward the OSSD.

If the school continues to operate as a school without the authority to grant credits toward the OSSD (i.e. a non-inspected private school) following the denial of credit-granting authority:

1. The school must immediately:
 - transfer any Ontario Student Records (OSR) in the school's possession to another school upon receipt of a written request;
 - submit all outstanding Ontario School Information System (OnSIS) data to the ministry.
2. The school is expected to:
 - communicate to parents or guardians and students that the school does not have credit-granting authority and that no students are enrolled in credit courses; and
 - advise its international students to review the terms and conditions of their study permits to determine whether they need to notify the Department of Immigration, Refugees and Citizenship Canada.

If the school closes following the denial of credit-granting authority:

1. The school must immediately:
 - organize any Ontario Student Records (OSR) in the school's possession to transfer to another school upon receipt of a written request, or the ministry;
 - submit all outstanding Ontario School Information System (OnSIS) data to the ministry; and
 - not use the Ontario Student Transcript (OST).
2. The school is expected to:
 - communicate the closure of the school to parents or guardians, students and the ministry; and
 - advise its international students to review the terms and conditions of their study permits to determine whether they need to notify the Department of Immigration, Refugees and Citizenship Canada.

Revocation of Credit-Granting Authority

An inspection of a private school that has the authority to grant credits toward the OSSD may lead to the revocation of the school's credit-granting authority if the ministry

determines the school is not meeting the requirements of the ministry and/or there are one or more issues of credit integrity.

Circumstances that may lead to revocation include, but are not limited to:

- Credit granted for a course scheduled for less than 110 hours;
- Diploma granted without completion of all requirements;
- Failure to comply with ministry requirements in delivering curriculum expectations;
- Failure to comply with ministry requirements in teaching and learning assessments and evaluations;
- Failure to comply with ministry requirements in management of student records;
- Failure to comply with ministry requirements to verify prerequisite courses;
- Refusal or lack of cooperation by the school to allow for an inspection by the ministry;
- Failure to comply with ministry requirements for the Ontario Secondary School Literacy Test (OSSLT) or Ontario Secondary School Literacy Course (OSSLC); and
- Failure to submit all required statistical data as per the legislative requirement under 16(5) of the *Education Act*.

Revocation Procedure:

1. If after an inspection, the ministry identifies that a school is not meeting ministry requirements and/or there are one or more issues of credit integrity, the ministry may notify the school by writing to the principal that the ministry is considering whether to revoke the school's authority to grant credits toward the OSSD. Prior to any notice, the ministry will consider factors including, but not limited to, the nature, severity, duration, frequency and effect of the non-compliance. The notice will set out the ministry requirements, the issues of non-compliance with these requirements, and/or issues of credit integrity.
2. The school will be given the opportunity to provide written submissions, by a specified date, as to whether the information set out in the letter relating to the issues of non-compliance with ministry requirements and/or issues of credit integrity are inaccurate or incomplete, along with documentation or other evidence to substantiate such submissions.
3. If the ministry does not receive any written submissions by the specified date, it will proceed directly to revoke the credit granting authority of the school. If a decision is made to revoke, the ministry will notify the school, by writing to the principal, of the effective date of revocation.
4. If the ministry receives written submissions by the specified date, the ministry will carefully review and consider the information received from the school.

5. The ministry will review and consider all relevant information relating to the non-compliance with ministry requirements and/or issues of credit integrity and make a decision.
6. If a decision is made to revoke the school's authority to grant credits toward the OSSD, the ministry will notify the school, by writing to the principal, of the effective date of revocation.

Exception:

The ministry may, in exceptional circumstances, determine that one or more of the above steps does not apply or that an additional step may be required.

Continuation of the Revocation Procedure:

Once the revocation procedure commences under step 1 above, the ministry will continue with the revocation procedure regardless of whether the school decides that it no longer wants to grant credits toward the OSSD.

Consequences of the Revocation of Credit-Granting Authority:

As of the effective date of revocation, the school has no authority to grant credits towards the OSSD and therefore shall not:

- use the common course codes to describe the courses offered by the school;
- advertise or represent that it has the authority to grant credits toward the OSSD.

If the school continues to operate as a private school without the authority to grant credits towards the OSSD (i.e. a non-inspected private school) following the revocation of credit-granting authority:

1. The school must immediately:
 - transfer any Ontario Student Records (OSR) in the school's possession to another school upon receipt of a written request;
 - return any unused/blank OSSDs, regardless of whether they have the current or a previous minister's signature; and
 - submit all outstanding Ontario School Information System (OnSIS) data to the ministry.
2. The school is expected to:
 - communicate to parents or guardians and students that the school does not have credit-granting authority and that no students may be enrolled in credit courses; and
 - advise its international students to review the terms and conditions of their study permits to determine whether they need to notify the Department of Immigration, Refugees and Citizenship Canada.

If the school closes following the revocation of credit-granting authority:

1. The school must immediately:

- organize any Ontario Student Records (OSR) in the school's possession to transfer to another school upon receipt of a written request, or to the ministry;
- return any unused/blank OSSDs, regardless of whether they have the current or a previous minister's signature;
- submit all outstanding Ontario School Information System (OnSIS) data to the ministry; and
- not use the Ontario Student Transcript (OST).

2. The school is expected to:

- communicate the closure of the school to parents or guardians, students and the ministry; and
- advise its international students to review the terms and conditions of their study permits to determine whether they need to notify the Department of Immigration, Refugees and Citizenship Canada.

The ministry will notify the following entities that the authority of the school to grant credits toward the OSSD has been revoked and the effective date of the revocation:

- OCAS (formerly the Ontario College Application Service);
- Ontario Universities' Application Centre (OUAC);
- EQAO (Education Quality and Accountability Office)
- All Registrars at publicly-assisted colleges and universities in Ontario;
- Directors of Education of school boards in Ontario;
- Global Affairs Canada (formerly, the Department of Foreign Affairs and International Trade);
- Ministry of Public and Business Service Delivery;
- Ministry of Colleges and Universities; and
- Other organizations or agencies as required.

The ministry will update its website to indicate that the school's authority to grant credits toward the OSSD has been revoked and the effective date of the revocation.