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## **eCAP™ - Education Completion Assurance Plan Program Closure Procedures and Guidelines**

### **Program Closure Commitment - from Languages Canada Code of Ethics**

- In the event of a Languages Canada member program closure, the association is committed to minimizing the damage caused by the closure.
- Member organizations are expected to assist affected students whenever possible, by offering alternative courses to students that are of an equal value, similar content and in the same geographical area of Canada where the student was originally studying.

### **SEAF – Student Education Assurance Fund**

As a requirement of membership, all Private Language Program Members are required to contribute to the SEAF – Student Education Assurance Fund, as levied by Languages Canada, until the fund has reached \$200,000. This funding will be held in trust in the event that the Association is unable to find a suitable placement for a student where their LC Member program ceases to operate. Member programs will be levied annually over 3 years, or as needed, to ensure the fund reaches \$200,000 by March 31, 2014.

In the event that LC members are unable to train out a student under the eCAP™ program, students will then be able to apply to the SEAF for a refund of the unearned tuition payments.

### **Overview**

This is a short-term, voluntary plan addressing the possibility of a program closure. This plan does not take into account the various legal and financial liability issues which may arise in the event of a program closure, and is only designed to assist with a closed program's tuition commitments (not accommodation or other extra-curricular matters). Furthermore, because it relies on voluntary participation from members, it may have limitations in its ability to assist.

- Languages Canada – Administration Person(s) appointed by Languages Canada Board of Directors to oversee the implementation of the plan
- Receiving Program – any institution which accepts students affected by the closure of a program
- Affected Students – any student who must be reassigned to a receiving program as a result of the closure.

### **Conditions/Considerations**

- If the Association can find voluntary assistance from member programs, students will be offered a credit for the remaining tuition they have paid, to apply to a comparable program in terms of hours and content at another institution.
- In the event that the Association is unable to find a comparable program in terms of hours and content at another institution, the student will be able to apply for a refund of the unearned tuition fees from the SEAF – Student Education Assurance Fund.
- Students will not be able to choose/change programs. They must study at the assigned program. Languages Canada may make considerations for special circumstances (e.g. family members who wish to study in the same program.)
- Students cannot receive course refunds from the receiving program.
- Students should not be required to pay a registration fee; however, they will be responsible for purchasing any necessary course materials.

- Affected Students must file a claim with Languages Canada within 10 business days of their program closure, in order to be considered for placement with a Receiving Program.
- Proof of course registration and payment must be made available in order for a student to be reassigned to a Receiving Program. This will either be obtained through records provided by the closing program, or by the student, if the program is unable/unwilling to provide Languages Canada with students' documents.
- All registrations and program reassignments should be coordinated by Languages Canada. Receiving programs should not accept direct registrations from students of the closing program, but rather refer them to the Languages Canada representative.
- The Receiving Program is not responsible for outstanding fees, such as commissions that may be outstanding between the affected student and affected agent.
- Specialized programs (for example: TEFL/TESL Training, Internships, etc.) will not be covered under this plan.
- Only students studying at the time of closure, and those who have been accepted to study at the closing program and have paid fees in advance, will be covered under the plan.
- Languages Canada will only be responsible for handling students from programs registered with Languages Canada.
- Non-member programs may be considered for assistance on a case-by-case basis.
- Languages Canada will make an effort to assist students with homestay issues, but receiving programs will not be responsible for any homestay fees paid to the Closing Program.
- Receiving Programs may, or may not, receive partial or full payment of tuition for courses provided, depending on the financial status of the closing program.

### **Benefits of accepting affected students**

- Develop new agent contacts.
- Preserve the reputation of our industry regionally, as well as nationally and internationally.
- Students may extend period of study.
- Potential payment for courses provided (depending on financial status of closing program).
- Enhance reputation of program through goodwill gesture.
- Increase credibility of Languages Canada as an organization by acting as facilitator of this emergency plan.

## **Responsibilities**

### **Closing Program**

- Inform the Languages Canada Secretariat with as much forewarning as possible that they will close OR inform Languages Canada Secretariat immediately once the program closure has been decided/required.
- Organize student files and forward student information to Languages Canada Secretariat. (Documentation should include information regarding course of study, pre-paid fees, and agents.)
- Provide Languages Canada with details surrounding the closure.
- Cooperate with Languages Canada in assisting students with 'changeover' process (registration, filing with Languages Canada, liaison, etc.)

### **Languages Canada**

- Define the affected parties (i.e. students, agents) and gather all relevant data.
- Using data collected, determine obligation to affected parties.
- Contact other programs to inform them of the closure, and provide continuous updates thereafter regarding the status of the closure.
- Work with receiving programs to determine courses offered, space availability, etc.
- Assign students to receiving programs based on program of study, hours, etc.
- Contact students directly with program/course information, or forward it to programs acting as 'claim centers'.
- Advise local media of the closing, and of the steps taken by Languages Canada to assist the affected parties.
- Issue press releases and undertake interviews with the media as deemed necessary.
- Provide updates to concerned parties. (These may include the following: government officials, agents, embassies, etc.)
- If there is no program disclosure, Languages Canada will attempt to identify the receiver.

### **Student**

- Report to Languages Canada or member program as soon as possible, with proper documentation (if not provided by the closing program).
- Purchase any required material for new courses.
- Remain in contact with Languages Canada coordinator or liaison for information.

### **Receiving Program**

- Provide courses for affected students.
- Work closely with Languages Canada to provide a smooth transition for the students.

## Administrative

The closing of any program will likely occur under one of two circumstances:

1. The program fully cooperates with Languages Canada, providing ample forewarning and assisting with the placement of students in other programs.
2. The program does not cooperate with Languages Canada according to set guidelines, requiring the Languages Canada 'coordinator' to gather all information to the best of his/her ability, and facilitate the placement of affected students with little, or no, assistance from the closing program.

The following outlines the step-by-step procedures for dealing with program closures under both circumstances. (Languages Canada will need to deal with other issues surrounding the closure, but which do not necessarily directly affect receiving programs or the affected students.)

### ORDERLY CLOSURE

'XYZ' Program closes for business, announcing its closure to Languages Canada in advance.



'XYZ' program ceases to accept students, and forwards all requests for program information to Languages Canada. The program also informs any affiliated agents of the situation and assists them in any way necessary.



Students studying at the program at the time of closure, and those who have pre-paid for courses before the announcement of closure, are informed of the situation (as early as possible prior to closure date)



Languages Canada Coordinator contacts area programs to inform them of the program closure, and to determine space availability.



All student records (regarding courses and fees paid) are submitted to the Languages Canada office.



Languages Canada works directly with the staff of the closing program to place students in other institutions.



### SUDDEN CLOSURE

'XYZ' Program closes suddenly, without any forewarning to Languages Canada or to students.



Immediately upon learning of the closure, contact information for Languages Canada will be posted, advising affected students to contact the Languages Canada Secretariat.



Languages Canada Coordinator contacts area programs to inform them of the program closure, and to determine space availability.



Languages Canada Coordinator attempts to meet with the operators of the program to obtain student records and details surrounding the closure.



Languages Canada may issue a press release to announce/acknowledge the closure, and to ensure all concerned parties (i.e. overseas agents, government officials, embassies, etc.) that measures are being taken to assist the affected students.



Students are contacted directly or through their agent by the Languages Canada and given new program and course information.



Languages Canada works directly with the staff of the closing program to place students in other institutions.



Closing program acts as liaison between Languages Canada and students. Provides students with new program and course information.



Student reports to Receiving Program according to instructions provided by Languages Canada.



Receiving Program confirms attendance of new student with Languages Canada.

Students are contacted directly or through their agent by the Languages Canada and given new program and course information.



Languages Canada forwards student information to Receiving Program.



Student reports to Receiving Program according to instructions provided by Languages Canada.



Receiving Program confirms attendance of new student with Languages Canada.

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#### **Administrative:**

- File as a creditor on bankruptcy claims or arrange documentation for students to assign Languages Canada to look after their interests. (Students would be unsecured creditors, while Languages Canada would not, unless the program owed Languages Canada money for some reason).
- Languages Canada will endeavor to spread students to a variety of programs within the region to reduce the financial burden of any one institution.
- Sign on door of closed program - directing students to contact Languages Canada. Telephone number, cell phone number, email address etc. Voice mail to advise students to leave their name and contact information so that the office can contact them.
- If necessary, set up temporary claim centre, using member program for a period of 2 weeks. Languages Canada Administrator can set up temporary office using cell phone and laptop computer. Additional temporary personnel will be hired to staff Languages Canada Secretariat as required.
- Qualifiers – Student must have started the program OR proof of payment to the program must be provided if the student has not commenced the program. No student will be placed if the agent is withholding fees from the Program Closure.