

MINISTRY OF TRAINING, COLLEGES AND UNIVERSITIES



Private Career Colleges Act, 2005

Superintendent's Policy Directive #6

Esthetics Program Approval Requirements

August 13, 2010

Directive

Pursuant to subsection 23(1) of the *Private Career Colleges Act, 2005* (“PCCA, 2005”), private career colleges (PCCs) that offer program(s) to prepare students for an entry level position in the Esthetics field must have the program(s) approved by the Superintendent of Private Career Colleges (Superintendent).

Programs offered at PCCs intended to prepare or that prepare graduates for an entry level employment in the Esthetics field are required to adhere to the *Esthetician Subject Specific Standard* developed and published by the Ministry of Training, Colleges and Universities (MTCU). The document is attached to this Directive.

All programs that provide training in all the skills and knowledge required to obtain entry level employment in esthetics such as, but not limited to Medical Esthetics, Advanced Esthetics, Cosmetology, and/or Spa Beauty Therapist are subject to this policy directive.

Authority

Clause 53(1)(a) of the PCCA, 2005 enables the Superintendent to issue policy directives setting out standards for vocational programs or classes of vocational programs.

Pursuant to subsection 53(2) of the PCCA, 2005, policy directives issued by the Superintendent are legal requirements that are binding on all PCCs and every PCC must comply with and operate in accordance with the policy directive.

Enforcement

Pursuant to subsection 53(1.1) of the PCCA, 2005 a policy directive issued by the Superintendent may revoke an approval for a vocational program or a class of vocational programs and an approval for credentials that a PCC may grant. The Superintendent is required to provide a PCC with a minimum period of **six months** following the date

the policy directive is issued to comply with the directive prior to revoking a program approval.

Under subsection 24 (1) of the PCCA, 2005, the Superintendent may revoke a PCC's approval to provide a specified vocational program if the Superintendent believes that the program fails to meet the conditions of the approval or the applicable standards or performance objectives set out in the Superintendent's policy directives or no longer offers the skills and knowledge that would enable graduates to obtain employment in the vocation that is the subject of the program.

Compliance

Disclaimer

Some Esthetics programs train students to perform controlled acts that are regulated under the *Regulated Health Professions Act, 1991* (RHPA). Performance of controlled acts, under section 27(1) of the RHPA, is restricted. ONLY a person who is authorized under the RHPA to perform a controlled act, such as a doctor or a registered nurse may perform a controlled act in the course of providing health care services to an individual in Ontario. Performance of controlled acts may also be delegated to a person by an individual who is authorized to perform the act.

PCCs **must** inform their students on the parameters around the delegation of a controlled act and ensure that students are aware that program(s) in the Esthetics field do not provide the necessary competence nor does the completion of the program legally authorize students to perform a controlled act. PCCs are required to do so by adding the attached disclaimer to all student contracts for programs in the Esthetics field.

New Programs

PCCs intending to offer program(s) to prepare students for an entry level position in the Esthetics field must meet the following requirements:

- Adopt the MTCU's *Esthetician Subject Specific Standard*;
- Obtain a third party assessment¹ attesting to compliance with the *Esthetician Subject Specific Standard*;
- Provide proof of compliance with the *Infection Prevention and Control Best Practices for Personal Services Settings*, January 2009²; **AND**
- Submit a complete program approval application through the Registration Information for Private Career Colleges (RICC) system³.
- Upon receipt of program approval, attach the enclosed disclaimer to all student contracts.

Approved Programs

A PCC offering a program leading to an entry level position in the Esthetics field that was approved before this policy directive came into effect on August 13, 2010 will lose its approval to offer this program on January 30, 2012 unless it does the following by July 31, 2011:

- Adopt MTCU's *Esthetician Subject Specific Standard*;
- Obtain a third party assessment attesting to compliance with the *Esthetician Subject Specific Standard*;
- Provide proof of compliance with the *Infection Prevention and Control Best Practices for Personal Services Settings*, January 2009; **AND**
 - Submit a complete Request for Program Changes application, through the RICC system; **OR**

¹ PCCs should refer to the *Fact Sheet #3 – Third Party Program Assessment* for information on third party assessor requirements.

² Please contact your local Public Health Unit for additional information. A list of Public Health Units is available at: http://www.health.gov.on.ca/english/public/contact/phu/phuloc_mn.html.

³ For information on how to enter data in the RICC system, PCCs should refer to the Registration Information for Career Colleges (RICC) User Manual.

- For program(s) that are currently NOT entered in the RICC system a PCC must submit a complete program approval application, by entering the program as a new program in the RICC system; **AND**
- Upon receipt of program approval attach the enclosed disclaimer to all student contracts.

PCC that have adopted the required standard, obtained the appropriate third party evaluation and fully entered the new or amended program into the RICC system by July 31, 2011 will receive a program approval by no later than November 30, 2011. PCCs will have two months to implement the program. If a PCC fails to comply with this policy directive by January 30, 2012 its program approval will be revoked.

Once compliance with this policy directive is verified and the program is approved by the Superintendent the program approval is valid for the period specified by the Superintendent and will be subject to future policy directives.

If a PCC's program does not comply with this directive, the program approval will be revoked on January 30, 2012. If a PCC's program approval is revoked by the Superintendent it is the responsibility of the PCC to train-out current students, provide refunds on tuition paid, or arrange for training completions at other institutions.

Optional Early Submission

A PCC offering a program in the Esthetics field that adopts the required standard, obtains the appropriate third party evaluation and fully enters the new or amended program into the RICC system by March 31, 2011 will not have to pay the usual program submission fees for its application.

Credentials

Pursuant to subsection 25(5) of the PCCA, 2005, despite the revocation of an approval of a credential as the result of a policy directive issued under clause 53(1)(b), a student who is enrolled in a program at the time of the revocation is permitted to graduate and receive the credential

associated with the program, unless the policy directive revoking the approval introduces a new standard related to public health or public safety. All students who commenced a program leading to an entry level position in the Esthetics field prior to January 30, 2012 will be permitted to graduate and receive the credential associated with the program.

Program in Related Field

A PCC offering a program in a related field (such as, but not limited to Cosmetology or Spa Beauty Therapist programs) that does not intend to adhere to this policy directive must ensure that all promotional materials and enrolment contracts do not suggest that the program prepares students for an entry level position in the Esthetics field.

The MTCU *Esthetician Subject Specific Standard* is attached to and forms part of this policy directive.

The Ministry-approved disclaimer is attached to and forms part of this policy directive. It must be used by all PCCs offering training in the Esthetics.

Effective Date

This policy directive is effective August 13, 2010.

This document is a legal document and is binding on all private career colleges. Every private career college shall comply with and operate in accordance with this policy directive.

Need More Information?

If you have questions about the *Private Career Colleges Act, 2005* contact the Ministry of Training, Colleges and Universities' Private Career College Branch at:

Private Career Colleges Branch
Ministry of Training, Colleges and Universities
9th Floor Mowat Block
900 Bay Street
Toronto, ON M7A1L2

Telephone: (416) 314-0500 or 1-866-330-3395
Fax: (416) 314-0499

Email: pcc@ontario.ca

OR

Visit our website at: <http://www.tcu.gov.on.ca/pepg/audiences/pcc/>

The full text of the act and regulations can also be downloaded from the Ontario government E-Laws website at:
www.e-laws.gov.on.ca

