



Policy and Advisory Notes on Cessation of Operations and Teach-out Arrangements for Cessation of Accredited Programmes

Introduction

1. Operators of accredited programmes may decide to cease operations or cease operating accredited programmes for various reasons. To protect the interests of learners, HKCAAVQ has developed this policy and advisory notes to inform orderly cessation of an operator and/or its accredited programme(s).

Policy

2. This policy covers HKCAAVQ accredited operators, excluding operators offering accredited self-financing post-secondary programmes at sub-degree level or above who are registered with the Education Bureau (EDB). Such operators should approach EDB for advice.
3. Moreover, this policy only pertains to the welfare of learners and does not cover operators' obligations to other parties such as EDB, the Labour and Welfare Bureau, Employees Retraining Board, Home Affairs Bureau and/or other relevant bodies in regard to the cessation of their education/training provision.
4. An operator is obliged to inform HKCAAVQ in the following circumstances:
 - a. when it decides to cease operation as an educational/training institution; or
 - b. when it decides to cease operating accredited programmes before or upon expiry of the validity period of the programmes.

5. To keep the entries in the Qualifications Register up-to-date, operators should provide sufficient notice to the Qualifications Register Authority for cessation of enrolment of accredited programmes or cessation of operation as appropriate.

Principles

6. Operators should plan appropriately and thoroughly for the cessation of their operations or accredited programmes. Operators have the sole responsibility for planning and undertaking proper exit and/or teach-out arrangements that best serve the interests of enrolled and past learners.
7. In its capacity as the Accreditation Authority and the Qualifications Register Authority, HKCAAVQ plays an advisory role in overseeing orderly cessations with the objective of protecting learners' interests.

Advisory Notes for Cessation of Operations / Accredited Programmes

8. To ensure an orderly cessation of operations and cessation of operating accredited programmes, operators are advised to follow the processes listed below.

Notification to HKCAAVQ

9. In the case of cessation of operations, operators should notify HKCAAVQ in writing as soon as a decision on cessation of operations has been made by an authorised representative of the organisation (preferably no later than 14 days after the decision is made). It is to ensure proper arrangements, such as updating of accreditation records, varying or withdrawing accreditation status can be made in a timely manner.

10. The notice shall be accompanied by the following information:
 - a. the planned cessation date and reason(s) for the cessation;
 - b. the last date of instruction/operation of each accredited programme;
 - c. number of learners who were enrolled but cannot complete their programme of study prior to the cessation of operation of the programmes; and
 - d. teach-out arrangements for affected learners.

Teach-Out Arrangement for Learners

11. For cessation of operations or accredited programmes, operators should stop admitting new learners into programmes that will extend beyond the planned cessation date.
12. Operators must continue to assure there will be adequate and appropriate teaching/training staff, teaching facilities and learner support services until the graduation of all existing enrolled learners. When operators envisage that not all enrolled learners will be able to complete the programmes before cessation of operations or discontinuation of a programme, there should be a teach-out plan in place to provide learners a reasonable opportunity to complete their programmes with another institution (which preferably has self-accrediting status or is accredited by HKCAAVQ) that has agreed to accept the learners into a comparable programme.
13. In identifying suitable receiving institution(s) for the teach-out, operators should ensure that the receiving institution(s):
 - a. has/have the necessary experience, resources, and support services;
 - b. provide(s) learning programmes that can meet the learning objectives of those provided by the operator or are comparable in content, structure, length, and professional recognition (if applicable);
 - c. is/are administratively and financially stable to carry out its mission and meeting all obligations to its existing learners;
 - d. provide(s) learners with information about any additional charges they may incur; and

- e. assure(s) that the number of transferred learners of a programme will not exceed the approved maximum number in the accredited programmes in the receiving institution unless prior approval has been sought from HKCAAVQ. If the receiving intuitions are self-accrediting operators they have the responsibility to ensure that they have the capacity to absorb the students from the programmes being taught out.
14. Operators should sign a written teach-out agreement with the receiving institution(s) that details the treatments of enrolled learners from the time when it stops offering accredited programmes until all learners have completed their programmes of study. The teach-out agreement should detail the obligations being agreed to by each party.
 15. In implementing the teach-out arrangements, operators should make every effort to assist learners in transferring, such as:
 - a. provide the receiving institution(s) with the complete study records and all other related information to facilitate the prompt transfer of learners;
 - b. record the arrangements made with the receiving institution(s) in writing, including the acceptance of learner records; and
 - c. inform the relevant government agencies if financial aid of enrolled learners is involved.

Refund to Learners

16. For learners who do not wish to participate in the teach-out, Operators should make arrangements to refund any fees proportionate to the undelivered parts of the programme to the learners as soon as practicable so that they can enrol in other programmes.

Communication to Learners

17. Operators should have a clear communication plan to keep affected learners adequately and timely informed of the exit arrangements, including learners'

rights and options, such as the availability of the teach-out and refund (please refer to Appendix 1 for sample letter to students).

18. Operator should de-activate their website or remove marketing materials of the accredited programmes after having fulfilled their obligations for learners to complete the programmes.

Custodian of Records

19. In the event of cessation of operations, operators need to make suitable arrangements for the location, safe storage and custody of learner records.
20. The disposition of all learner records should be made in accordance with the applicable legal requirements.
21. Current and past learners have to be notified how and where records are being stored and the contacts for accessing those records after cessation (a copy of such records may be provided to individual learners before cessation for their retention).

Enquiries

22. The above lists are not exhaustive. For enquiries and further advice, operators may consult HKCAAVQ for matters related to cessation and teach-out arrangements.

HKCAAVQ

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Sample Letter to Students

(For reference only, operators should adjust the content based on individual circumstances)

Dear Students,

We regret to have to inform you that effective from <Date>, <Name of the Institution> will cease operations. We are in the process of making teach-out arrangements with other institutions that would enable you to complete your studies.

We will be hosting meetings for you to learn about options for continuing your education and other administrative arrangements, such as methods to obtaining transcripts. We encourage you to continue checking our website for further information.

We sincerely apologise for the disruption to your education journey. We pledge all of our efforts to helping you complete your education.

If you have any questions, please contact <Name of the contact person and post title> at <contact number and email address>

Yours sincerely,

<Signature>

<Name and post title of the senior management>