

**Ministry of Training,
Colleges and Universities**
Office of the Superintendent
Private Career Colleges Branch
9th Floor, Mowat Block
900 Bay Street
Toronto ON M7A 1L2

**Ministère de la Formation
et des Collèges et Universités**
Bureau du Surintendant
Direction des collèges
privés d'enseignement professionnel
9^e étage, édifice Mowat
900, rue Bay
Toronto ON M7A 1L2



COMPLIANCE ORDER

Served by Email nettek-training@rogers.com, by Fax (416) 431-2448, and by Courier

February 2, 2011

Thalayasingam Chandrakumar
Nettek Training & Solutions Inc.
104-868 Markham Road
Scarborough, Ontario
M1H2Y2

Dear Mr. Chandrakumar:

This is a Compliance Order issued under s. 46(2) of the *Private Career Colleges Act, 2005* ("Act"). As the Superintendent of Private Career Colleges, I believe that Nettek Training & Solutions Inc. ("Registrant"), a registered private career college, has contravened or failed to comply with a provision of the Act or regulations. I order that the Registrant:

- Stop using unqualified instructors to teach its programs, contrary to section 41 of Ontario Regulation 415/06; and
- Stop charging students fees that have not been previously reported, contrary to section 44 of Ontario regulation 415/06-Charging fees

Detailed reasons in support of my decision to issue this order are found in Schedule "A", attached. Failure to comply with this order may result in any or all of the following, further enforcement actions:

- Application for an order from the Superior Court of Justice;
- The issuance of further Administrative Monetary Penalties; and/or

- Prosecution for offences under the Act. Upon conviction by a court,
 - A corporation is subject to a fine of up to \$250,000;
 - An individual is subject to a fine of up to \$100,000, a prison term of up to one year, or both; and
 - An officer or director of a corporation, who concurs in the commission of the offence, is subject to a fine of up to \$25,000, a prison term of up to one year, or both.

You must provide written confirmation signed by a person with authority to bind the Registrant, together with all available supporting evidence, that the steps outlined below have been taken. This written confirmation must be delivered by **February 9, 2011** by registered mail or courier to my attention and confirm that you:

- Have stopped using unqualified instructors to teach vocational programs; and
- Have stopped charging fees to students that have not been approved by the Superintendent.

The legislation and regulations are available at www.e-laws.gov.on.ca. If you are unable to access any relevant information on e-laws, you may contact our offices at (416) 314-0500 to request that a copy of the legislation and regulations be sent to you. You are also reminded that pursuant to s. 39 of O. Reg. 415/06, you are required to keep an up-to-date copy of the Act and all regulations at each campus.

Pursuant to sections 49(2) and 49(6) of the Act, this order is published on the Ministry of Training, Colleges and Universities' website.

Kindly govern yourself accordingly,

ORIGINAL SIGNED BY

Allan Scott
Superintendent of Private Career Colleges

Schedule A

Contravention of O. Reg 415/06 s.41- Qualifications of Instructional Staff (\$1,000)

A private career college shall not employ a person to provide instruction in a vocational program unless,

- (a) the person has one of the following qualifications:
 - (i) the person has 48 months of work experience in the vocation,
 - (ii) the person has 24 months of work experience in the vocation and one of the educational qualifications described in subsection (2), or
 - (iii) the person has 24 months of work experience in the vocation and 36 months of teaching experience in the vocation; and
- (b) in the case of a vocation that is governed by a regulatory body that has prescribed qualifications for persons instructing students, the qualifications prescribed by the body. O. Reg. 415/06, s. 41 (1).

On November 8, 2010, designates of the Superintendent of Private Career Colleges made a field visit to the school. During the field visit School staff supplied the designee's with a copy of Instructor Qualification forms for each of the approved programs.

After reviewing Instructor Qualifications for the Accounting courses that are delivered as part of the Computerized Accounting program, it was determined that

Instructor	Program	Qualified (Y/N)
Mr. Sathasivam T.	Accounting Applications	N- Has 24 months vocational experience. Foreign credential with no equivalency
Ms Subashini S.	Business Administration	N- No equivalency for international credential is on file. Claiming 24 months vocational experience and post secondary on Instructor Qualification forms

Schools are required to maintain up to date records of all qualifications for Instructors. As part of those records, there must be evidence that all instructors have the required pre-requisites to teach the respective programs. Based on the evidence outlined above, the School is in contravention s.41 of the Private Career Colleges Act, 2005.

Contravention of O.Reg 415/06 s.44 - Charging fees (\$750)

A facility visit was conducted at the school on November 8 2010. During this facility visit student files were removed for examination.

A review of student files was conducted, and it was determined that there was documented case in June 2010 of the school charging an \$1800 examination fees to a student that was enrolled in the Network Management Technology program. Evidence of this charge is shown below.

[REDACTED]: This student was charged \$1800 for Professional Exam fees

NetTek
Training & Solutions Inc.
 E-mail: nettek-training@rogers.com
 868 Markham Road, Suite # 104, Scarborough, Ontario, M1H 2Y2, Tel: (416) 431-4545 Fax: (416) 431-2448

Date: [REDACTED]

TO: [REDACTED]
 [REDACTED]
 [REDACTED]
 [REDACTED]

Receipt: EI00452

CODE	DESCRIPTION	COURSE PRICE
# NM01	EXAM FEES	\$1,800
G.S.T # 86752-1478 RT0001 [REDACTED]		
Sub Total		\$ 1,800.00
G.S.T Included		
Total		\$ 1,800.00

Paid by Draft - Scotiabank - 430167

(Registered as a Private Career College under the Private Career Colleges Act, 2005)
 We Provide Network Training, Network Consulting, and Software, Hardware Training
 Web: www.nettek-training.com

Under section 44 of Ontario Regulation 415/06, A private career college shall not charge a prospective or enrolled student more than the amount listed for each item on the itemized list provided to the Superintendent under subsection 43 (1) of all fees charged with respect to the vocational program.

All fees charged must be consistent with fees recorded on the Registration Information for Career Colleges (RICC) system.

Based on the evidence obtained in the student files, the School is in contravention of s. 44 of the Private Career Colleges Act, 2005.

BACKGROUND:

Legal and Operating Entities

ONBIS records indicate that Nettek Training and Solutions Inc. was incorporated on June 30, 1999. The Directors of the corporation are listed on record as Chandrakumar Thalayasingam and Thalayasingam Chandrakumar (appears to be the same individual). The corporation is registered to an address located at 868 Markham Road, Scarborough Ontario.