

Ministry of Training,
Colleges and Universities
Student Support Branch
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Direction du soutien aux étudiants
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900, rue Bay
Toronto ON M7A 1L2



RESTRAINING ORDER

Friday, October 23, 2009

1619936 Ontario Inc. o/a A One Windsor Truck Driving School
11697 County Road 42
Tecumseh, ON N8N 2M1

Via Regular and Registered Mail

Attention: Gurmeet Singh

This is a **Restraining Order** issued under the authority of section 46 of the Private Career Colleges Act, 2005 (PCCA, 2005). As the Superintendent of Private Career Colleges, I HEREBY ORDER 1786742 1619936 Ontario Inc. o/a A One Windsor Truck Driving School TO STOP OPERATING IN CONTRAVENTION OF THE PRIVATE CAREER COLLEGES ACT, 2005 (PCCA, 2005).

The detailed reasons supporting my order are set out in Schedule A, attached. In brief, however, the violations of the PCCA, 2005 are that 1619936 Ontario Inc. o/a A One Windsor Truck Driving School ("A One") is not registered as a private career college, contrary to section 7 of the PCCA, 2005, nor are its vocational programs approved, contrary to section 8 of that Act. Further, A One is advertising an unregistered private career college contrary to subsections 11(1), and (2) of that Act.

A One must **immediately** take the steps outlined below in this order to comply with the PCCA, 2005. A One must also provide written confirmation signed by a person with authority to bind the school, together with all available supporting evidence, that the steps outlined below have been taken. This written confirmation must be delivered by registered mail or courier to my attention **by November 10, 2009** and confirm that A One:

1. has stopped operating;
2. has stopped enrolling students;
3. has stopped advertising;
4. has issued refunds to students who were enrolled in unapproved vocational programs if required under section 25 of Ontario Regulation 415/06; and

5. a) will not reopen at all, OR
b) will not reopen until and unless it is properly registered as a private career college and has obtained approval for all vocational programs as required under the PCCA, 2005.

If A One proposes to offer vocational programs, it may only do so after the school is registered and its vocational programs are approved by the Superintendent. You must apply for registration and approval **by November 10, 2009** by doing the following:

6. Submit completed online applications for registration of a private career college and for approval of all vocational programs as listed in Schedule A.
7. Submit required hard copy documents for the application for registration of a private career college and for approval of all vocational programs.
8. Submit a list including the names and addresses of all current and former students;
9. Confirm that A One is not holding, directly or indirectly, any monies owing to current, former, or prospective students of unapproved vocational programs;
10. Confirm that A One is holding student files, and sets out a date and time **no later than November 10, 2009** when files will be made available for the Superintendent's staff to review; and
11. Explain in writing why A One was offering, and enrolling students in, vocational programs prior to obtaining approval of those programs from and prior to registration of A One by the Superintendent.

Further information regarding applications for registration and approval is found in Schedule B, attached.

Consequences of Failure to Comply with this Order

Failure to comply with this order may result in any or all of the following actions by the Superintendent:

1. Publication of this order on the Ministry's public website;
2. Application for a court order from the Superior Court of Justice to compel Academy to comply;
3. Prosecution for the offence of failure to comply. Upon conviction by a court of that offence, a corporation is subject to a fine of up to \$100,000; an individual, including 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.

Obtaining a Copy of the PCCA, 2005

As noted above, the applicable legislation is the Private Career Colleges Act, 2005 and the regulations made thereunder. The legislation and regulations are available at www.e-laws.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.

Sincerely,

ORIGINAL SIGNED BY

Noah Morris
Superintendent
Private Career Colleges

Attachments: Schedule A – Detailed Reasons for Decision
 Schedule B – Compliance with the PCCA, 2005

Schedule A – Detailed Reasons for Decision

Background

On September 18, 2009, the Ministry was notified that A One Windsor Truck Driving School was operating in Windsor and provided with a telephone number and address for the operator. No electronic or print advertising was located. The answering machine message for the telephone number provided indicates that the caller has reached A One Truck Driving School. On October 9, 2009, Ministry staff received photographic evidence of advertising of A One Driving School appearing on a tractor trailer. A corporate search has confirmed that the truck driving school is registered and the name of the administrator matches a telephone directory record for the address provided to the Ministry on September 18, 2009.

Legal and Operating Entities

1619936 Ontario Inc. was incorporated on May 21, 2004. Its registered operating name is A One Windsor Truck Driving School.

Contravention of Section 7 of the PCCA, 2005 – Operating an Unregistered Private Career College. Contravention of Subsection 11(1) of the PCCA, 2005 – Advertising Unregistered Private Career College.

Photographic evidence indicates that A One is advertising an unregistered private career college. The answering machine message for the telephone number provided indicates that the caller has reached A One Truck Driving School.

Schedule B – Compliance with the PCCA, 2005

If you wish to operate a private career college, the first step towards ensuring compliance with the PCCA, 2005 is the submission of full and complete registration documents for this unregistered private career college and for all unapproved vocational programs. Please note that a separate registration is required for each campus (different location) of a private career college, together with separate approval of programs to be offered at each campus.

As reflected in the Restraining Order attached, you must not operate, advertise, collect fees from or enrol students until and unless your private career college is registered and your programs are approved. If you have been operating, you must stop and wait for the registration and approval.

All private career college registration forms and guidelines can be found at www.serviceontario.ca. Simply click on *Get the Forms You Need Quickly and Easily*, and follow the *Education and Training* link to *Private Career Colleges*.

If you have any questions after reviewing the forms and the manual, please call the Private Career Colleges Unit at (416) 314-0500.