

Particulars of Notice of Contravention and Review Decision

S. 49(1) Private Career Colleges Act, 2005

Wednesday March 24, 2010

These particulars are posted following the issuance of an administrative penalty for which a review was requested. Penalties may be reviewed upon request within 15 days of receipt of a Notice of Contravention. The review decision is made considering not only the information originally available at the time the Notice of Contravention was issued, but also any new information not previously available that may have been supplied in support of the request for a review. On review, an administrative penalty may be upheld, rescinded or reduced. A review decision is final.

Original service date: January 26, 2010

Gail Acton
Access Care Academy of Job Skills Inc.
1630 O'Connor Drive
Toronto, ON M4B3P4

AND

Gail Acton
118 Drive-In Cr
R.R. #5, Owen Sound
ON N4K5N7

Description:	Original Amount:	Review Decision:
<p>Act. s. 7 – Prohibition against operating a private career college</p> <p>At an inspection on January 21, 2010 at 1630 O' Connor Drive by Ministry staff, it was determined through an interview with Aurora Caballero, Manager of the Access Care Job Skills Academy, that the institution was offering a Certified Personal Support Worker Program (CPSW), on behalf of Gail Acton who is the owner of the company. She also confirmed that Access Care Job Skills Academy had four students currently enrolled in a 'Bridging to Personal Support Worker' Program and one student enrolled in the CPSW program. CPSW requires approval under the Private Career Colleges Act,</p>	<p>\$1,000 per day</p>	<p>Penalty of \$1,000 per day is upheld. The penalty accumulated from January 26, 2010 to February 03, 2010 (inclusive) and continues to accumulate as of the date of this notice.</p> <p>The balance of evidence available indicates that Access Care Academy of Job Skills Inc. was operating an unregistered private career college.</p>

<p>2005. Other evidence collected included:</p> <ul style="list-style-type: none"> • A student list with enrolment; • An attendance sheet showing student enrolment between the periods of October 2008-January 2010; • A classroom schedule for the Certified Personal Support Worker (CPSW) Program; • Copies of student files with contracts dating back to September 27 2008; • A list of student names and fee schedules for each program; • A license agreement between Creative Career Systems Inc. (another company owned by Gail Acton) and Access Care Academy of Job Skills for the operation of a private vocational college; • Course curriculum binders for each of the four modules of the Certified Personal Support Worker (CPSW) and the ‘Bridging to Personal Support Worker’ program; and • Certified Personal Support Worker Diplomas for a number of students. 		
<p>Act, s. 8 (1) – Prohibition against providing vocational programs</p> <p>At an inspection on January 21, 2010 at 1630 O’ Connor Drive by Ministry staff, it was determined through an interview with Aurora Caballero, Manager of the Access Care Job Skills Academy, that the institution was offering a Certified Personal Support Worker Program (CPSW), on behalf of Gail Acton who is the owner of the company. She also confirmed that Access Care Job Skills Academy had four students currently enrolled in a ‘Bridging to Personal Support Worker’ Program and one student enrolled in the CPSW program. CPSW requires approval under the Private Career Colleges Act, 2005.</p>	<p>\$1,000 per day</p>	<p>Penalty of \$1,000 per day is upheld. The penalty accumulated from January 26, 2010 to February 03, 2010 (inclusive) and continues to accumulate as of the date of this notice.</p> <p>The balance of evidence available indicates that Access Care Academy of Job Skills Inc. was providing an unapproved vocational program.</p>
<p>Act, s. 9 - Prohibition against charging fee</p> <p>Evidence collected at the institution on January 21, 2010 included a fee schedule for each program and a payment spreadsheet for 25 students that included:</p> <ul style="list-style-type: none"> • The fees charged and the date of payment; and • Outstanding balances owing per student. 		<p>Penalty of \$1,000 per day is upheld. The penalty accumulated from January 26, 2010 to February 03, 2010 (inclusive) and continues to accumulate as of the date of this notice.</p> <p>The balance of evidence available indicates that Access Care Academy of Job Skills Inc. was charging a fee for an unapproved vocational program.</p>

<p>Act. s. 11 – Restrictions on advertising and soliciting</p> <p>Advertising violations include:</p> <ul style="list-style-type: none"> • Outdoor signage at the 1630 O’ Connor Drive location; and • Advertising found in Balita Filipino Newspaper, November 16-30 2009 issue no. 22 Page 64 	<p>\$1,000 per day</p>	<p>Penalty of \$1,000 per day is upheld. The penalty accumulated from January 26, 2010 to February 03, 2010 (inclusive) and continues to accumulate as of the date of this notice.</p> <p>The balance of evidence available indicates that Access Care Academy of Job Skills Inc. was advertising an unregistered private career college.</p>
<p>Total:</p>		<p>\$36,000 on the date of this notice and continuing to accumulate at \$4,000 per day.</p>