

## RESTRAINING ORDER

**Served via Fax (613) 686-1805; Email ([info@montessori-academy.com](mailto:info@montessori-academy.com)) and Courier**

July 22, 2010

Tiny Tots Montessori Inc., operating as  
Canadian Montessori Academy  
70 Fieldrow Street  
Nepean, ON K2G 2Y7

This is a **Restraining Order** issued under the authority of section 46 of the *Private Career Colleges Act, 2005*, and it replaces three previous restraining orders issued on January 6, June 21 and July 2, 2010.

As the Superintendent of Private Career Colleges, I HEREBY ORDER Tiny Tots Montessori Inc., operating as Canadian Montessori Academy (Canadian Montessori Academy) TO NOT OPERATE 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, Canadian Montessori Academy was found to have been:

- advertising an unregistered private career college and advertising unapproved vocational programs, and soliciting students to attend an unregistered institution and enrol in unapproved vocational programs, contrary to subsections 11(1) and (2) and (3) of the PCCA, 2005;
- operating as an unregistered private career college, contrary to section 7 of the PCCA, 2005; and
- offering vocational programs that were not approved by the Superintendent of Private Career Colleges, contrary to section 8 of the PCCA, 2005.

The following steps outlined below have not been taken by Canadian Montessori Academy as of July 22, 2010. Canadian Montessori Academy must 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, namely that Canadian Montessori Academy:

- has provided refunds to students who request refunds in writing and who were enrolled in unapproved vocational programs that require approval;
- is not holding, directly or indirectly, any monies owing to current, former, or prospective students of unapproved vocational programs that require approval; and
- will provide the ministry with a list including the names and addresses of all current and former students.

### **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. Application for a court order from the Superior Court of Justice to Canadian Montessori Academy to comply;
2. The issuance of further Administrative Monetary Penalties.
3. Prosecution for offences under the Act. Upon conviction by a court of that offence
  - a. a corporation is subject to a fine of up to \$250,000;
  - b. an individual is subject to a fine of up to \$100,000, a prison term of up to one year, or both; and
  - c. 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.gov.on.ca](http://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.

Sincerely,

ORIGINAL SIGNED BY

Allan Scott  
Superintendent, Private Career Colleges

Attachments:            Schedule A – Detailed Reasons for Decision

**c.        Harris Rosen, Counsel to Canadian Montessori Academy**

## Schedule A – Detailed Reasons for Decision

### Contravention of section 11 of the PCCA, 2005 - Restrictions on advertising and soliciting

On December 18, 2009, an internet search determined that Canadian Montessori Academy was advertising itself as a private career college and advertising vocational programs on its website, as follows:

- Infant/Toddler Education Programme: 13 months in length at a cost of \$5400;
- Early Childhood Teacher Education Programme: 13 months in length at a cost of \$7400;
- Elementary Teacher Education Programme: 13 months in length at a cost of \$9400; and
- Teacher Assistant Education Program: 80 hours in length; students choose to focus on either Infant/Toddler (\$1900) or Primary Certification (\$1900) or can receive Dual Certification by completing an additional 12 hours of lecture content and a second practicum (\$2150).

On June 25, 2010, the Ministry received information that Canadian Montessori Academy was advertising its teacher education programs through the display of advertising materials on a table at the RBC Royal Bank located inside Carlingwood Shopping Centre in Ottawa. The Ministry was provided with photographs and a video recording of the table taken on June 23, 2010 showing various advertising materials:



The Ministry was also provided with the following pamphlet advertising Canadian Montessori Academy's Montessori training, which was offered to the public as part of the above display:

## Montessori



**Classes**



**Weekly Activities**  
for Parents & Infants to 18 mths  
Fun-filled & Educational

## Education at its Best!

School programs for children from  
3 months to 15 years

**Open House - Thursday Mornings**  
**- Selected Evenings**





**Celebrating 30 years**

**613.727.9427**

**Bilingual School**

[montessori-academy.com](http://montessori-academy.com)



Work with children from  
birth to 12 years old  
Earn a B. Ed or M. Ed  
99% placement rate  
Internationally Accredited

**Become a  
Montessori Teacher!**

**March  
Break &  
Summer  
Camps**

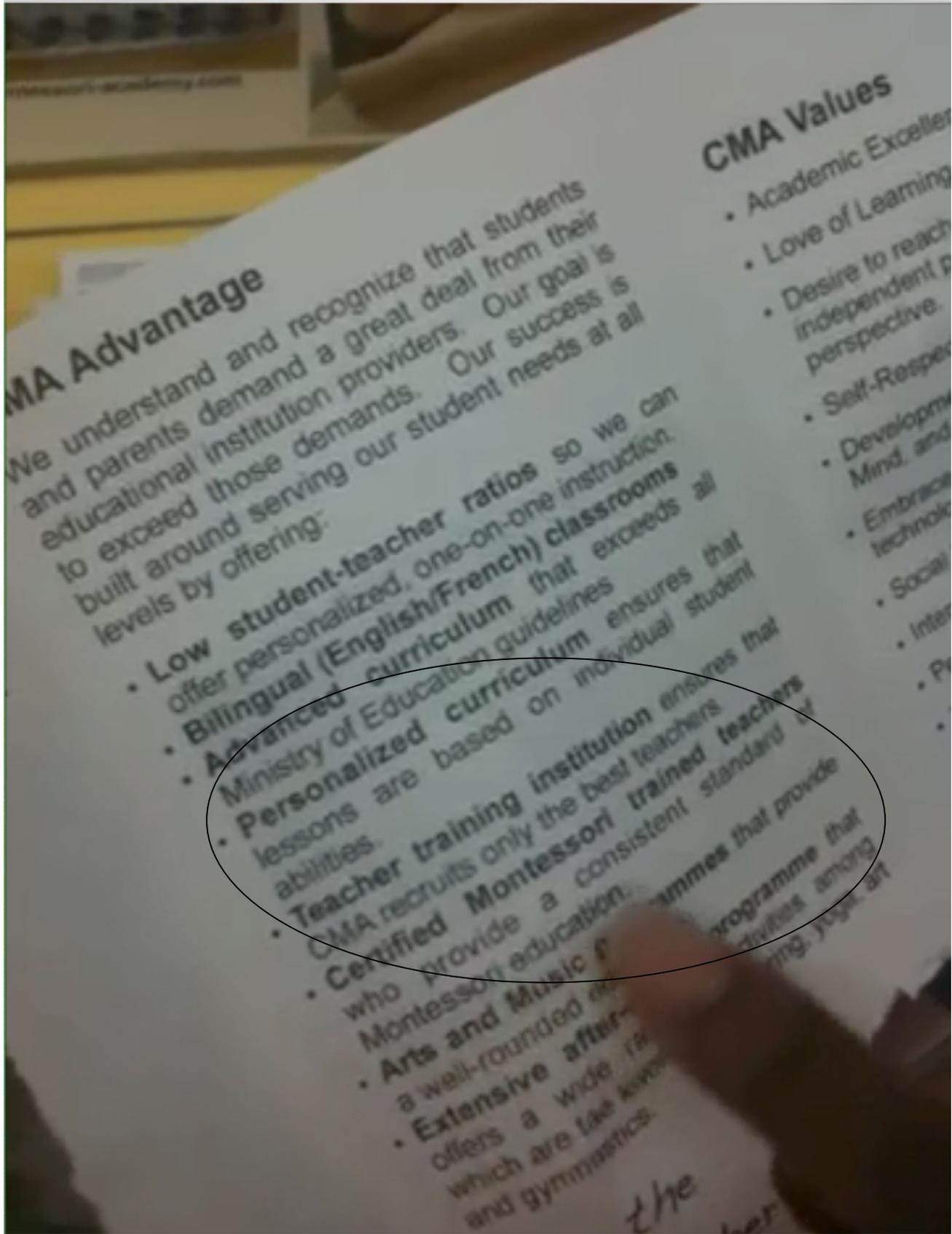
Programs for children from  
3 months to 14 years  
*Canadian Montessori Teachers*



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The video shot on June 23, 2010 of the table displaying Canadian Montessori Academy's advertising materials located at the RBC Royal Bank contained a pamphlet

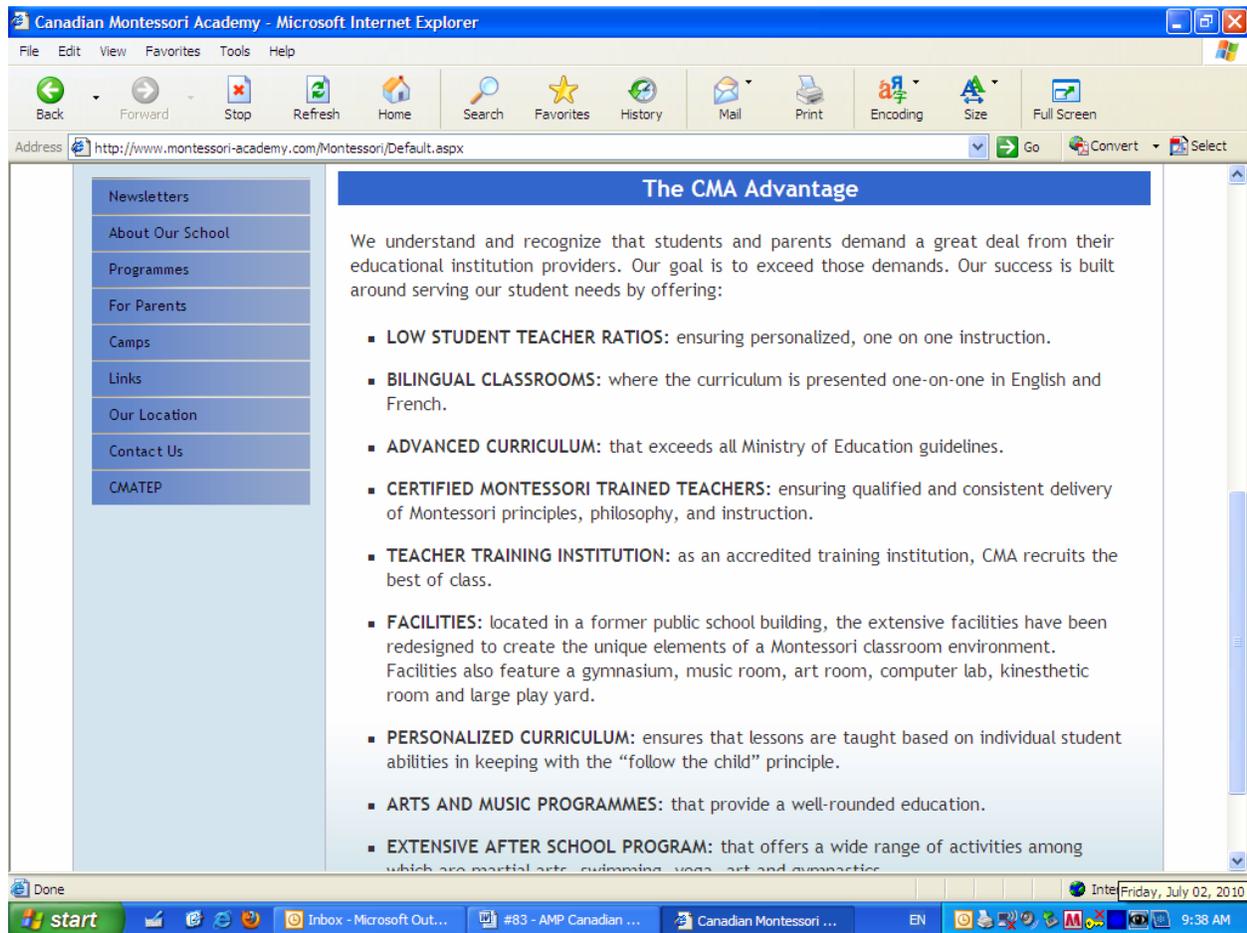
which states: "Teacher training institution ensures that CMA recruits only the best teachers," as follows:



Canadian Montessori Academy's Montessori teacher training is in excess of 40 hours at a cost exceeding \$1,000. For example, in the student file for ██████████ seized by a designate of the Superintendent during the June 11, 2010 field visit to Canadian Montessori Academy's premises, ██████████ file contained an acceptance letter for "The Canadian Montessori Academy Teacher Education Program Primary Level 2010-2011" dated Friday, May 21, 2010 which established the full program fee as \$7500. The signature of Sabena De Mel, who identified herself to the designate when questioned as the Vice-Principal of Canadian Montessori Academy on June 11, 2010, appeared at the bottom of the letter. A second letter in the file addressed to ██████████, dated May 26, 2010, indicated that classes will start on Monday, July 5 and would continue through to August 13, 2010. Class hours were from 8:00 a.m. to 5:00 p.m. 30 days of instruction at 9 per day totals 270 hours.

Canadian Montessori Academy was actively soliciting the enrolment of students into unapproved vocational programs at its unregistered institution by urging prospective students to "Become a Montessori Teacher!" in the pamphlet advertising Canadian Montessori Academy's Montessori training. Canadian Montessori Academy is not registered and does not have the approval of the Superintendent of Private Career Colleges to offer any vocational programs. Therefore, this act of advertising and soliciting the enrolment of students is in violation of section 11 of the PCCA, 2005.

Canadian Montessori Academy also continued to illegally advertise itself as a "Teacher Training Institute" on its website ([www.montessori-academy.com](http://www.montessori-academy.com)), as follows:



## **Contravention of section 7 of the PCCA, 2005 - Prohibition against operating a private career college and**

## **Contravention of section 8(1) of the PCCA, 2005 - Prohibition against providing vocational programs**

On June 11, 2010 at 10:30 a.m., two designates of the Superintendent (“designates”) attended the premises of Canadian Montessori Academy at 70 Fieldrow Street in Nepean, ON to make inquires and conduct examinations under section 38 of the PCCA, 2005. During the course of these activities, the following document contents were viewed:

- A printed copy of an email from Vanessa Good-Davidson, receptionist for Canadian Montessori Academy, that was addressed to Lester de Mel, who identifies himself as Business Manager for Canadian Montessori Academy, indicating that a student named [REDACTED], who is enrolled in the teacher training program, had submitted assignments on May 28, 2010 that were available for his review;
- A printed copy of an email from Vanessa Good-Davidson addressed to Lester de Mel indicating that a student named [REDACTED], who is enrolled in the teacher training program, had submitted assignments on May 11, 2010 that were available for his review. The email also indicated a due date for the assignment of June 13, 2010;
- A printed copy of an email from Vanessa Good-Davidson addressed to Lester de Mel indicating that [REDACTED] had submitted assignments on May 12, 2010 that were available for his review. The email also indicated a due date for the assignment of June 13, 2010;
- Within the contents of a Montessori Teacher Training student file for [REDACTED], a completed Field Evaluation Report for [REDACTED] that was dated as completed on June 3, 2010.

Montessori Teacher Training programs require the approval by the Superintendent of Private Career Colleges to be offered as a vocational program. Consequently, Canadian Montessori Academy was operating an unregistered private career college and offering an unapproved vocational program in violation of sections 7 and 8 of the PCCA, 2005, respectively.

### **No Degree Granting Authority**

The advertising pamphlet picked up at the RBC Royal Bank inside Carlingwood Shopping Centre advertises “Work with children from birth to 12 years old Earn a B.Ed or M.Ed 99% placement rate Internationally Accredited.”

Canadian Montessori Academy has not been granted the authority to grant a degree, provide a program or part of a program of post-secondary study leading to a degree to be conferred by a person inside or outside Ontario, advertise a program or part of a

program of post-secondary study offered in Ontario leading to a degree to be conferred by a person in or outside Ontario or sell, offer for sale or provide by agreement for a fee, reward or other remuneration, a diploma, certificate, document or other material that indicates or implies the granting or conferring of a degree.

## **BACKGROUND:**

### **Previous Warnings**

On July 21, 2009, after receiving a student complaint, Canadian Montessori Academy was advised that it was advertising the Canadian Montessori Academy Teacher Education Programme and to stop operating the program until it received approval to operate from the Superintendent of Private Career Colleges. The institution was also told to pre-screen its Montessori teacher training program. The same day, Lester de Mel, who carries the title of Business Manager, advised that the institution had addressed this concern of this particular student and that the institution was providing professional development programs only.

Since that date the school has been found to contravene multiple provisions of the PCCA, 2005 and has been the subject of numerous enforcement measures designed to encourage compliance with the PCCA, 2005 and to afford vocational students the legislated protections to which they are entitled.

### **Compliance Required**

Teacher training is considered a vocation under the PCCA, 2005 requiring registration. Early Childhood Educators and Assistants fall under federal NOC Code 4214. Therefore, the institution was in contravention of subsections 11(1) and (2) of the PCCA, 2005 for advertising an unregistered private career college and a number of unapproved programs.

### **Legal and Operating Entities**

A corporate search conducted on July 21, 2010 indicates the business is incorporated under the *Canada Business Corporations Act*. The legal name of the corporation is Tiny Tots Montessori Inc. The corporate search indicates the only director is Sherazade de Mel. A business name search conducted on July 21, 2010 specifies the business name as Canadian Montessori Academy.

**NOTE:** Nothing in this Order prevents Canadian Montessori Academy from advertising or operating a Montessori school for children.