

Ministry of Training,
Colleges and Universities

Office of the Superintendent

Private Career Colleges Branch
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900 Bay Street
Toronto ON M7A 1L2

Ministère de la Formation
et des Collèges et Universités

Bureau du Surintendant

Direction des collèges
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900, rue Bay
Toronto ON M7A 1L2



RESTRAINING ORDER

By Email: (info@cacenglish.com), Fax (416-218-0055) and Courier

September 10, 2010

Kang Baek Rhee
Director

Cornerstone Academic College – The Language Schools Inc. operating as
Cornerstone College of Business and Technology also known as Cornerstone
Academic College
80 Bloor Street West, 8th Floor
Toronto, Ontario, M5S 2V1

Dear Kang Baek Rhee:

This is a Restraining Order issued under s. 46(1) of the *Private Career Colleges Act, 2005* (“Act”). As the Superintendent of Private Career Colleges, I believe that Cornerstone Academic College – The Language Schools Inc. operating as Cornerstone College of Business and Technology also known as Cornerstone Academic College (“Cornerstone Academic College”) has contravened the Act and/or regulations, and I order the School to stop contravening the following provisions of the Act and/or regulations:

- advertising an unregistered private career college and advertising unapproved vocational programs, contrary to sections 11(1) and (2) of the PCCA, 2005, respectively.

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 School, together with all available supporting evidence, that the steps outlined below have been taken. This written confirmation must be delivered by September 16, 2010 by registered mail or courier to my attention and confirm that you:

- have stopped advertising unapproved vocational programs that require approval.

If Cornerstone Academic College is currently operating an unregistered Private Career College, these actions would be contrary to sections 7 and 8 of the PCCA, 2005 respectively. Cornerstone Academic College would then be required to **immediately** take the steps outlined below in this order to comply with the PCCA, 2005.

Specifically, Cornerstone Academic College:

- must stop operating an unregistered Private Career College;
- must stop providing unapproved vocational programs that require approval;
- must stop enrolling students into unapproved vocational programs that require approval;
- must provide the ministry with a list including the names and addresses of all current and former students;
- must provide refunds to students who were enrolled in unapproved vocational programs that require approval;
- must not hold, directly or indirectly, any monies owing to current, former, or prospective students of unapproved vocational programs that require approval;
- must hold student files to be available for the Superintendent's staff to review; and
- must not reopen as a Private Career College until such time, if any, as it has been registered.

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. 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.

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"

Detailed Reasons and Findings

The Superintendent has issued this order based on the following findings and supporting facts and evidence:

Contravention of section 11(1) & (2) of the PCCA, 2005 – Advertising Unregistered Private Career College and Unapproved Programs

On September 1, 2010, Roy McCool of Cornerstone Academic College of ESL Teacher Training and Test Preparation Inc. located at 80 Bloor Street West, Suite 800 was sent a response to the pre-screening application by the Private Career Colleges Branch of the Ministry of Training, Colleges & Universities ("Ministry"). The response indicated that the Teaching English to Young Children (TEYC) and Teaching English to Speakers of Other Languages (TESOL) programs did not require registration because these were programs for which a fee of less than \$1,000 was being charged. In that notice, Cornerstone Academic College was also advised that if they wished to charge a total program fee over \$1,000, they must notify the Ministry immediately and prior to offering the program to the general public, as the program may require approval under the PCCA, 2005. The school had originally pre-screened under the name "Cornerstone Academic College." Mr. McCool is currently listed on the school's website as the Academic Director.

On September 2, 2010, Brian B. Lee, who identified himself as the Administration Director of Cornerstone Academic College, responded to an email sent by a designate of the Superintendent and indicated that they offer TEYC and TESOL at Cornerstone Academic College. Mr. Lee advised that both programs were 4 weeks in length at a cost of \$1,000 including the registration fee and material fee. The 2010 starting dates for the TEYC program were specified as September 13 and November 8, 2010 and the 2010 starting dates for the TESOL program were specified as October 12 and November 8, 2010.

Subsequently, on September 7, 2010 the website belonging to Cornerstone Academic College (<http://www.cacenglish.com>) was reviewed by Ministry staff. The website bears the school's name, a description of its TESOL program and its TEYC program, an address for the main campus and for the Scollard campus (91 Scollard St. 2nd Fl., Toronto, ON, M5R 1G4) phone numbers for both campuses, a fax number for the main campus, and an e-mail address for the main campus.

The descriptions for the TESOL program and the TEYC program found on the website belonging to Cornerstone Academic College specify that each program consists of an intensive 4 week, 6 hour a day program (116 hours total). With respect to the TESOL program, the website also specifies that it is "...aimed at non-native speakers who wish to pursue a career in ESL teaching and to enable

them to teach English language communicatively...". Students will receive a Cornerstone College of Business & Technology certificate and a certificate from the American TESOL Institute (ATI), an affiliate of TESOL in the United States.

However, the downloadable "Registration Form 2010" also found on the website belonging to Cornerstone Academic College specifies that TESOL is 28 hours a week and that TEYC is 28 hours a week. The "Registration Form 2010" has a Pricing Chart on the second page specifying that the TESOL diploma program costs \$2,550 and is delivered over the course of 8 weeks with 28 hours per week (224 hours total) and that the TEYC diploma program costs \$1,300 and is delivered over the course of 4 weeks with 28 hours per week (112 hours total).

Both TEYC and TESOL correspond to National Occupational Classification (NOC) code 4131 – College and Other Vocational Instructors and are thus vocational programs within the meaning of the PCCA, 2005. Delivering programs ascribed to this NOC which are over 40 hours in duration at a cost exceeding \$1,000 requires Cornerstone Academic College to have the aforementioned programs approved. Since this college is not registered, and these programs are not approved, advertising of same is prohibited in accordance with section 11 of the PCCA, 2005.

False Information Provided to the Ministry

The Ministry offers a free Private Career College pre-screening process to determine whether an organization is required to seek approval for a program under the *Private Career Colleges Act, 2005*. On February 22, 2009 Cornerstone Academic College submitted a pre-Screening form through the Ministry's online Registration Information for Career Colleges (RICC) system that resulted in a letter being sent from the Ministry indicating that the programs outlined in the letter (TESOL and TEYC) were required to be registered.

On June 2, 2010 the school filed a new pre-screening form indicating that the cost of each program was less than \$1,000, which resulted in a new letter being sent from the Ministry on September 1, 2010 indicating that the programs were not required to be registered as they fell into a class of programs prescribed as non-vocational under sub-section 9 (1) of Regulation 415/06 made under the PCCA, 2005.

As the evidence indicated earlier in this order clearly outlines, the programs cost at least \$1,000, which means that the information provided in the June 2, 2010 pre-screening application was false, and was provided for the express purpose of obtaining a letter of exemption from the Ministry.

BACKGROUND

Legal names

An ONBIS search conducted on September 3, 2010 indicates that the Ontario corporation Cornerstone Academic College – The Language School Inc. was incorporated on October 29, 2001 with Kang Baek Rhee listed as Director and Officer and Geeyeon Rhim listed as an Officer. The registered office address is listed as 80 Bloor Street West, 8th Floor, Toronto, Ontario, M5S 2V1.

The registered business name is Cornerstone College of Business and Technology, which was registered on June 8, 2007.

On the website belonging to the school (<http://www.cacenglish.com>) the name Cornerstone Academic College is used. Two campuses are listed: the main campus at 80 Bloor Street, Toronto, and Scollard Campus at 91 Scollard Street, 2nd Floor, Toronto, Ontario, M5R 1G4.