

**DELIVERED BY REGISTERED MAIL**

23 September 2008

Sunrise Academy Inc.  
o/a George Yonge College of Applied Science & Technology  
869 Yonge Street, Toronto ON M4W2H2

**Attn: Parviz Armini**

Dear Mr. Armini

**Re: Contravention of the Private Career Colleges Act, 2005 and Ontario Regulation 415/06 – Compliance Order**

I am writing to you to direct Sunrise Academy o/a George Yonge College of Applied Science & Technology to immediately cease and desist violating the provisions of the *Private Career Colleges Act, 2005* (“PCCA, 2005”) and Regulation 415/06 made pursuant to the PCCA, 2005.

I am advised that George Yonge College of Applied Science & Technology is not operating in compliance with the PCCA, 2005 and Regulation 415/06 made pursuant to the PCCA, 2005.

My decision is set out below. The facts in support of that decision are found at Schedule “A”.

**DECISION – Compliance Order**

The cease and desist order is issued pursuant to my authority under subsection 46 (2) of the PCCA, 2005, which provides that:

*If the Superintendent believes that a registrant has breached a condition of the registrant’s registration or has otherwise contravened or failed to comply with a provision of this Act or the regulations, the Superintendent may order the registrant to comply with the conditions of the registration or with the provisions of this Act or the regulations.*

As a result of my decision,

1. George Yonge College of Applied Science & Technology will immediately cease the distribution of any advertisements, in whatever form, that contravene s. 16 of Ontario Regulation (O.Reg) 415/06.
2. George Yonge College of Applied Science & Technology will immediately cease operating any programs for which substantial program changes have been made

without the approval of the Superintendent [as set out in s.13 of Ontario Regulation 415/06]. Furthermore, George Yonge College of Applied Science & Technology must seek immediate approval of the Superintendent for any such changes.

3. George Yonge College of Applied Science & Technology will immediately cease using unqualified instructors in the delivery of their programs. s.41 of O.Reg 415/06.
4. George Yonge College of Applied Science & Technology is hereby ordered to ensure that transcripts issued to students are done in accordance with s. 35 of O.Reg 415/06;
5. George Yonge College of Applied Science & Technology has provided the Superintendent with a copy of its transfer and advanced standing policy. George Yonge is hereby ordered to inform the Superintendent of any updates to this policy, and that students granted transfer and advanced standing are admitted in accordance with this policy.
6. George Yonge College of Applied Science & Technology will immediately ensure that all PCCA contracts are completed in their entirety and are in compliance with s.20 of O.Reg 415/06.
7. George Yonge College of Applied Science & Technology will immediately ensure that all refund calculations are done in compliance with s.25 to 33 of O.Reg 415/06.
8. George Yonge College of Applied Science & Technology will immediately cease the provision of access to the student file cabinets by all students in the absence of a school administrator. George Yonge College of Applied Science & Technology must implement a process to ensure that all student files are kept in a locked storage area to ensure privacy and confidentiality is maintained for all student information and records.
9. George Yonge College of Applied Science & Technology will deliver to me by registered mail or courier and by no later than **October 8th 2008** a written confirmation signed by an authorized officer or other official of Sunrise Academy Inc. o/a George Yonge College of Applied Science & Technology
  - a. that George Yonge College of Applied Science & Technology has ceased the distribution of any advertisements, in whatever form, that contravene the provisions of s.16 of Ontario Regulation 415/06;
  - b. that George Yonge College of Applied Science & Technology has only qualified instructors teaching approved programs and provide the Superintendent with updated Personal Data forms for all active instructors listed. Also, provide the Superintendent with a list of all current instructors and the course(s) they instruct;
  - c. that a revised transcript template has been submitted to the Superintendent for review and that this template contains the requirements outlined in s.35 of O.Reg 415/06;

- d. that an up to date advanced standing/transfer policy is in place and will be followed when admitting transfer and advanced standing students into the program. A copy of this revised policy must be provided to the Superintendent;
- e. that student files are being kept in accordance with the requirements in s.45 of O.Reg 415/06. George Yonge College of Applied Science & Technology must provide the Superintendent with a list of all active students for each program. Along with this list, George Yonge College of Applied Science & Technology must confirm that it will only use the student contract submitted and approved during re-registration and provide assurance that all of the required elements of the contract will be completed thoroughly, all of which must contain the elements listed in s.20 of O.Reg 415/06.  
George Yonge College of Applied Science & Technology must also include an entry to practice waiver in student contracts signed for dental hygiene, denturism and other programs where students must obtain accreditation to practice;
- f. that clinical files will be kept in a separate location from administrative files and the area where student files will be kept is locked when there is no administrator in attendance;
- g. that steps have been taken to address the issues raised in the complaints referred to in Schedule 'A' (*Student complaints*). In addition, provide confirmation that there are no further complaints at the college that remain unresolved;
- h. that the Superintendent has been provided with a detailed breakdown of fees referred to in 'Schedule A' (*Refund/withdrawal calculations*) and an explanation as to how these fees are categorized and handled under the college's refund policy.
- i. that there will be sufficient spacing for the continued delivery of the Food Service Worker program in the manner in which it was originally approved. An updated equipment list and floor plan of the facility is required.

**The legislation applicable to this Order is the *Private Career Colleges Act, 2005* and Ontario Regulation 415/06 made there under. The legislation and regulation are available at [www.e-laws.gov.on.ca](http://www.e-laws.gov.on.ca).**

**In the event that you are unable to access any relevant information on e-laws, you may contact Teca Cameron at (416) 212-6737 to request that copies of the relevant legislation be sent to you or if you have questions regarding this Order.**

**Failure to comply with the contents of this Order by October 8th 2008 will result in the issuance of a proposal for refusal to re-register your institution**

Sincerely,

ORIGINAL SIGNED BY

Richard Jackson  
Superintendent of Private Career Colleges

## Schedule “A”

### Reasons for Order

**Information on the legal framework of the proposal** is set out in Schedule “A”, attached to this letter.

### **Facts in Support of Decision**

A facility inspection by the Superintendent’s designate on July 15 2007 revealed that there are many contraventions of the *Private Career Colleges Act, 2005* resulting from poor administrative practices at George Yonge College of Applied Science and Technology. The areas of concern are as follows:

#### *Advertising*

Advertising on the college’s website does not use the approved wording when referring to the schools registration under the PCCA, 2005. The wording on the college’s website was:

- “..George Yonge College is a private post-secondary college registered and approved under the *Private Career Colleges Act*.”

The college is using the name Canadian Business College (CB College) in its advertising, on contracts and on the internet.

#### *Instructor qualifications*

The PCC has or previously had unqualified instructors, personal data forms are not completed correctly and/or are missing for some instructors which resulted in the inability to confirm which instructors are on the college’s payroll and whether or not they were qualified to instruct the respective program.

#### *Transcript issuance and transfer policy*

There was evidence of conflicting documentation in a student file which leads to the conclusion that George Yonge College did not have an existing policy in place at the time that the student was admitted. If a policy was in place, the school did not follow the transfer policy when accepting the student in question.

The school issued a false transcript that is not consistent with the requirements outlined in their own transfer policy process that should have existed when the student was admitted; this calls into question the integrity of the college’s admissions process.

### *Student contracts*

10 of 11 files reviewed at the facility inspection contained contraventions of s. 20 of O.Reg 415/06 as the contracts were either incomplete or missing relevant required elements.

### *Security of filing system*

During the site inspection, the designate witnessed students removing files from the filing cabinet. Upon questioning the administrators about this practice the designate was informed that the students access the cabinet to pull their clinical files. This is a serious breach of security. All student files must be kept in a locked and secured cabinet as required under s. 6.4.4 and Appendix 4 of The OSAP "Performance Requirements, 2007"

### *Student complaints*

An unresolved student complaint was found in two of the files reviewed. One student [REDACTED] cited lack of professionalism, plagiarism, class cancellations, and previous unresolved complaints as reason for withdrawing from the program. There was no evidence on the student file of an acknowledgement or resolution by school administrators.

Another complaint lodged by [REDACTED] alleged racist practices by George Yonge College's instructors. No acknowledgement or resolution was evidenced on the file. There was no evidence of a student complaint process as is required under s. 36 of O. Reg 415/06

### *Refund/withdrawal calculations*

Following review of a student file [REDACTED], it was identified that the refund calculation for the student's withdrawal was based on a 72 week program. The approved dental hygiene program is 73 weeks.

In addition, there were unclear details on how books and equipment were treated for the purpose of the refund calculation as the student was only in the program for 11 weeks. It is unclear whether or not all four books purchased by the student were actually used and if the student was given an opportunity to return the books in unused condition as per s.31 of O.reg 415/06. It was also unclear how lab fees were determined and categorized for the purpose of the refund policy

### *Substantial program changes*

Changes to the facility layout have been made to reduce the space available for the Food Service Worker program resulting in the designee's inability to confirm that programs are being delivered as they were previously approved.