

Tuesday, August 4, 2009

Golden Star Truck & Forklift Driving School
71 Delta Parke Boulevard
Brampton, ON L6T5E7

Attn: Jag (Paul) Dhaliwal

Via Facsimile and Registered Mail

Dear Mr. Dhaliwal:

Re: Compliance Order pursuant to s. 46 of the Private Career Colleges Act 2005

I am advised that 1511223 Ontario Ltd. o/a Golden Star Truck & Forklift Driving School ("Golden Star") is not operating in compliance with the Private Career Colleges Act 2005 (the "Act") and Regulation 415/06 made pursuant to the Act.

An inspection of the college by the Superintendent's delegate ("Ministry staff") on March 10 and May 6 2009 revealed evidence of contraventions. You entered into dialogue with Ministry Staff and requested until June 1 to correct the deficiencies found in both inspections. Though this extension was granted to you, you have not corrected said deficiencies in the time frame requested. I am writing to you to direct Golden Star to immediately comply with the Act and its regulations.

Compliance

Golden Star will deliver to me by registered mail or courier and by no later than August 18, 2009:

- Current financial statements prepared by a Licensed Public Accountant and signed management schedules as per this office's emailed request dated June 1, 2009

In addition, Golden Star will immediately take the following steps:

Inconsistent Use of Operating Name

1. Confirm the consistent use of the operating name on file with the Ministry in all advertising, internal and external communications. We have found evidence that the following names have been used: Golden Star Truck Driving School; Golden Star Truck Driving School and Pvt. Carrier College. This practice is not compliant with section 16(1)(1) of O. Reg 415/06 that states "the advertisement shall give the operating or business name registered under the Business names Act, or if one, the college's legal name."

Unapproved Programs

2. Confirm that it has ceased offering or advertising unapproved programs and that in future, Golden Star will ensure that all vocational programs are approved before advertising or delivery in accordance with s. 8 and s. 11 of the Act, respectively. The unapproved vocational programs specified in this Order are: Forklift, B, D and DZ.

Instructors and Instructor Qualification Forms

3. As no Instructor Qualification Forms were on site at the time of either inspection, confirm that qualified instructors are in place for all programs currently offered by Golden Star as required by s. 41 of O. Reg. 415/06.
4. Confirm that a central record of all Instructor Qualification Forms is maintained with the requisite supporting documentation as required by s. 42 of O. Reg 415/06
5. Remit copies of the complete Instructor Qualification Forms for each instructor. Ensure that the program which they are instructing is identified.

Student Information

6. As no complaint student contract were on site at the time of either inspection, confirm that each contract entered into by Golden Star and a student for the provision of a vocational program is in writing and includes the mandatory requirements as set out in s. 20 of O. Reg 415/06. Note that a follow up inspection will be conducted to confirm that compliant student files are being kept.
7. Confirm that student files are maintained with all requisite information (s. 45 of O. Reg 415/06), including, in particular, evaluations of student progress, and provide evidence of same in the form of a checklist for the student files. Note that a follow up inspection will be conducted to confirm that compliant student files are being kept.
8. Confirm that evaluations of student progress are done prior to the midpoint of the programs as required by s. 12 of O. Reg 415/06 . Note that a follow up inspection will be conducted to confirm that compliant student files are being kept.

Admission requirements

9. Confirm and provide evidence that Golden Star has purchased and will administer one of the Superintendent approved mature age student qualifying tests at the 10th grade level for all students who cannot provide proof of completion of 10th grade.

Transcripts

10. Confirm and provide evidence that Golden Star has uploaded all transcripts to its transcript maintenance company as required by s. 34 of O. Reg 415/06. Please provide a copy of the contract with said vendor.
11. Confirm that transcripts contain the required detail as per s. 35 of O. Reg 415/06 .

Customising of programs

12. You indicated to Ministry Staff during the May 6th inspection that you offered customised programs to self funded students. Confirm that you have ceased the practice of customising approved programs for individual students and confirm that all approved programs will be delivered as they were approved.

Credentials

13. You indicated to Ministry Staff during the May 6th inspection that credentials were not being provided to students in a consistent way and copies of credentials were not found in student files. Confirm that every graduating student receives a credential and that a copy of said

credential in kept in the student file and then uploaded to the transcript vendor as per item 10 above.

Complaints Procedure

14. As you could not provide Ministry Staff with a copy of a complaint procedure during either inspection or thereafter, confirm that Golden Star maintains a complaints procedure that meets the requirements of s. 36 of O. Reg 415/06 and provide a copy of the compliant complaints procedure.

Expulsion Policy

15. As you could not provide Ministry Staff with a copy of an expulsion policy during either inspection or thereafter, confirm that Golden Star maintains an expulsion policy and provide a copy of the expulsion policy.

Letters to the Superintendent must be sent by registered mail or courier to the address above.

Failure to Comply with the Private Career Colleges Act, 2005

It is my finding as the Superintendent of Private Career Colleges that Golden Star as a corporation and you personally, Mr. Dhaliwal, as Golden Star's director and senior manager fail to comply with the Act and the regulations made thereunder.

Continued operation of Golden Star in contravention of the Act, its regulations and all conditions of registration contained in this letter, would constitute a breach of the Act and may impact the continued registration of Golden Star as a private career college.

If you continue to contravene the Act and its regulations and/or fail to comply with the Instructions in this Order, you may be subject to penalties pursuant to s. 48 of the Act. This may impact continued registration under the Act on the grounds that you are carrying on activities in contravention of the Act.

Note that a corporation that is found guilty of an offence under section 48 of the Act is subject to a fine of up to \$100,000, and any officer or director of a corporation who concurs in the commission of such an offence is also guilty of an offence, and on conviction subject to a fine of up to \$25,000 or imprisonment for a term of up to one year, or both.

Failure to comply with the terms of this Order may result in publication of the Order on the Ministry's public website.

The legislation applicable to this Order is the Private Career Colleges Act, 2005 and Ontario Regulation 415/06 made thereunder. The legislation and regulation is available at www.e-laws.gov.on.ca.

In the event that you are unable to access any relevant information on e-laws or if you have questions regarding this Order, you may contact Dina Waik at 416-314-0500.

Sincerely,

ORIGINAL SIGNED BY

Noah Morris
Superintendent
Private Career Colleges