

Ministry of Training,
Colleges and Universities
Office of the Superintendent
Private Career Colleges Branch
9th Floor, Mowat Block
900 Bay Street
Toronto ON M7A 1L2

Ministère de la Formation
et des Collèges et Universités
Bureau du Surintendant
Direction des collèges
privés d'enseignement professionnel
9^e étage, édifice Mowat
900, rue Bay
Toronto ON M7A 1L2



Notice of Contravention #124

Served by Email nettek-training@rogers.com, by Fax (416) 431-2448, and by Courier

February 2, 2011

Thalayasingam Chandrakumar
Nettek Training & Solutions Inc.
104-868 Markham Road
Scarborough, Ontario
M1H2Y2

NOTICE OF CONTRAVENTION

This letter is to inform you, Thalayasingam Chandrakumar, as the Director of Nettek Training & Solutions Inc. ("school") that on 11/01/2011, it was determined that the School contravened the following section(s) of the *Private Career Colleges Act, 2005* and/or regulations made under the Act:

- O.Reg 415/06 s.41- Qualifications of Instructional Staff (\$1,000)
- O.Reg 415/06 s.44-Charging fees (\$750)

For a Summary of each contravention see attached Schedule A.

As per section 51 of *Ontario Regulation 415/06* made under the *Private Career Colleges Act, 2005*, ("the Act") the School is subject to a penalty in the total amount of \$2,000 per day. It is important to note that the penalty is levied daily. The total penalty amount is calculated by multiplying the penalty amount indicated above by the number of successive days that the contravention continues.

For example: following 5 successive days that the contravention continues the penalty amount due will be \$8,750.

following 15 successive days that the contravention continues the penalty amount due will be \$26,250.

At this time you are required to provide the ministry with written confirmation of compliance with the Act and its regulations. Please supply the ministry with documentation confirming that you have come into compliance with the Act. Specifically that you:

- have ceased using unqualified instructors; and
- have ceased charging fees that have not been approved by the Superintendent

Once you have confirmed compliance with the Act, the penalties will cease to accumulate and you will receive an invoice that sets out the total penalty outstanding. Payment of the full amount is due within **30 days** of the date of your notification.

If payment is not received within **30 days** after the date the notification was received, the amount will be subject to interest at the current post judgment interest rate beginning on the 31st day following the date of the invoice. The current rate can be found at the following address:

www.attorneygeneral.jus.gov.on.ca/english/courts/interestrates.asp.

Review

If you believe that the decision made above is inaccurate you may request a review of this decision by submitting a Request for a Review of a Notice of Contravention form to the Minister of Training, Colleges and Universities within **15 days** of receipt of the Notice of Contravention.

ORIGINAL SIGNED BY

Allan Scott
Superintendent of Private Career Colleges

Schedule A

Contravention of O.Reg 415/06 s.41- Qualifications of Instructional Staff (\$1,000)

A private career college shall not employ a person to provide instruction in a vocational program unless,

(a) the person has one of the following qualifications:

(i) the person has 48 months of work experience in the vocation,

(ii) the person has 24 months of work experience in the vocation and one of the educational qualifications described in subsection (2), or

(iii) the person has 24 months of work experience in the vocation and 36 months of teaching experience in the vocation; and

(b) in the case of a vocation that is governed by a regulatory body that has prescribed qualifications for persons instructing students, the qualifications prescribed by the body. O. Reg. 415/06, s. 41 (1).

On November 8, 2010, designates of the Superintendent of Private Career Colleges made a field visit to the school. During the field visit School staff supplied the designates with a copy of Instructor Qualification forms for each of the approved programs.

After reviewing Instructor Qualifications for the Accounting courses that are delivered as part of the Computerized Accounting program, it was determined that:

Instructor	Program	Qualified (Y/N)
Mr. Sathasivam T.	Accounting Applications	N- Has 24 months vocational experience. Foreign credential with no equivalency
Ms Subashini S.	Business Administration	N- No equivalency for international credential is on file. Claiming 24 months vocational experience and post secondary on Instructor Qualification forms

Schools are required to maintain up to date records of all qualifications for Instructors. As part of those records, there must be evidence that all instructors have the required pre-requisites to teach the respective programs. Based on the evidence outlined above, the School is in contravention s.41 of the Private Career Colleges Act, 2005.

Contravention of O.Reg 415/06 s.44 - Charging fees (\$750)

A facility visit was conducted at the school on November 8 2010. During this facility visit student files were removed for examination.

A review of student files was conducted, and it was determined that there was documented case in June 2010 of the school charging an \$1800 examination fees to a student that was enrolled in the Network Management Technology program. Evidence of this charge is shown below.

[REDACTED]: This student was charged \$1800 for Professional Exam fees

NetTek
Training & Solutions Inc.

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888 Markham Road, Suite # 104, Scarborough, Ontario, M1H 2Y2, Tel: (416) 431-4545 Fax: (416) 431-2448

Date: - [REDACTED]

TO - [REDACTED]

Receipt: EI00452

CODE	DESCRIPTION	COURSE PRICE
# NM01	EXAM FEES	\$1,800
<small>G.S.T # 86752-1478 RT0001</small>		
Paid by Debit [REDACTED]		SubTotal \$ 1,800.00
		G.S.T Included
		Total \$ 1,800.00

(Registered as a Private Career College under the Private Career Colleges Act, 2005)
 We Provide Network Training, Network Consulting, and Software, Hardware Training
 Web: www.nettek-training.com

Under section 44 of Ontario Regulation 415/06, A private career college shall not charge a prospective or enrolled student more than the amount listed for each item on the itemized list provided to the Superintendent under subsection 43 (1) of all fees charged with respect to the vocational program.

All fees charged must be consistent with fees recorded on the Registration Information for Career Colleges (RICC) system.

Based on the evidence obtained in the student files, the School is in contravention of s. 44 of the Private Career Colleges Act, 2005.