

Particulars of Notice of Contravention and Review Decision

S. 49(1) *Private Career Colleges Act, 2005* (“Act”)

Friday March 25, 2011

These particulars are posted following the issuance of an administrative penalty for which a review was requested. Penalties may be reviewed upon request within 15 days of receipt of a Notice of Contravention. The review decision is made considering not only the information originally available at the time the Notice of Contravention was issued, but also any new information not previously available that may have been supplied in support of the request for a review. On review, an administrative penalty may be upheld, rescinded or reduced. A review decision is final.

Original service date: December 8, 2010

O.J.C. Oilfield Job Connections Inc. operating as Rodgers School of Transport Training Ltd. and/or known as Rodgers School of Transportation Ltd.
240 Bayview Drive, Unit #10
Barrie, ON L4N 4Y8

and

7 Michelle Drive
Barrie, ON L4N 5Y1

Description:	Original Amount:	Review Decision:
<p>Act, s. 11 — Restrictions on advertising and soliciting</p> <p>On November 1, 2010, a Designate of the Superintendent of Private Career Colleges (“Designate”) examined the school’s website (http://www.rodgersschool.com) and observed that it was advertising several AZ, DZ, AZ Oilfield and DZ Oilfield driving programs which had not been pre-screened with the Private Career Colleges Branch. None of the AZ programs advertised on the website were being advertised with the approved name given to this school’s vocational program which has the approval of the Superintendent (6 week, 195 hour Tractor Trailer Driver Training Program for \$6,595 plus \$20 book fees and \$185 in other fees).</p> <p>Designates conducted a field visit at the school on November 1, 2010 and met with Mr. Saccary, who identified himself as the owner of the business. During the field visit, Mr. Saccary provided substantial documentary evidence detailing the illegal program offerings in the AZ Advanced, AZ Intermediate, DZ Advanced, DZ Intermediate, AZ Oilfield and DZ Oilfield</p>	<p>\$1,000 per day</p>	<p>Penalty of \$1,000 per day was upheld for December 8, 2010.</p> <p>The balance of evidence available indicates that Rodgers School of Transport Training Ltd. was advertising unapproved vocational programs.</p>

<p>vocational trucking programs. All of these fit the definition of vocational training requiring the approval of the Superintendent according to the Act. Since the school does not have approval to deliver these programs, advertising of same is prohibited in accordance with subsection 11(2) of the Act.</p>		
<p>Act, s. 33 — Advertising, read with O. Reg. 415/06, s. 16 (1) paragraph 2 — Content of advertisement</p> <p>Advertising appearing on the website belonging to the school provides the school is “recognized as one of the best in the industry!” This advertising does not comply with the standard set out in section 33 of the Act read with subsection 16(1) paragraph 2 (i) of the Regulation because it misleads or is likely to mislead the public in potentially creating a false impression about the school’s credentials. This advertising may also affect the decision-making of prospective students to attend this particular school instead of attending another institution.</p>	<p>One time penalty of \$1,000</p>	<p>Penalty was reduced to \$500.</p> <p>The balance of evidence available indicates that Rodgers School of Transport Training Ltd. advertisement contained information that could have misled prospective students.</p>
<p>Act, s. 33 — Advertising, read with O. Reg. 415/06, s. 16 (1) paragraphs 1, 3, 4, 5 and 6 — Content of advertisement</p> <p>Where a registered school’s advertising refers to the fact that a person has been registered under the Act to operate the college, the advertisement must use the following words to do so: “Registered as a private career college under the <i>Private Career Colleges Act, 2005</i>.”</p> <p>During the field visit on November 1, 2010, a Designate advised Mr. Saccary that the wording on the photograph of the truck appearing on the school’s website contravenes the Act. The wording on the side of the photograph of the truck reads: “Registered and approved Private Career College.” This advertising does not comply with the standard set out in section 33 of the Act read with subsection 16(1) paragraph 3 of the Regulation.</p>	<p>One time penalty of \$750</p>	<p>Penalty of \$750 was upheld.</p> <p>The balance of evidence available indicates that Rodgers School of Transport Training Ltd. advertisement in reference to its registration and program approval status under the PCCA, 2005 did not correspond to the prescribed wording.</p>
Total:		\$2,250