

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
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9^e étage, édifice Mowat
900, rue Bay
Toronto ON M7A 1L2



Notice of Contravention #98

Served by fax to (416)593-1849, e-mail to jasonj@wtccanada.com, and courier

September 24, 2010

Jason Joo
1397280 Ontario Ltd.
Known as Western Town College
2040 Yonge St. Suite 300
Toronto ON M4S 1Z9

2nd NOTICE OF CONTRAVENTION

This letter is to inform you that on September 24, 2010, it was determined that 1397280 Ontario Ltd. known as Western Town College (Western Town College) contravened the following section(s) of the *Private Career Colleges Act, 2005* and/or regulations made under the Act:

- Act, s. 11 — Restrictions on advertising and soliciting (\$2,000)
- Act, s. 7 – Prohibition against operating a private career college (\$2,000)
- Act, s. 8 (1) – Prohibition against providing vocational programs (\$2,000)
- Act, s. 9 – Prohibition against charging fee (\$2,000)
- Failure to comply with an order of the Superintendent made under s. 46 of the Act (\$2,000)

As per section 51 of *Ontario Regulation 415/06* made under the *Private Career Colleges Act, 2005*, Western Town College is subject to a penalty in the total amount of \$10,000 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 \$50,000.

following 15 successive days that the contravention continues the penalty amount due will be \$150,000.

At this time Western Town College is required to provide the ministry with written confirmation of compliance with the Act. Please supply the ministry with the following documents confirming that you have come into compliance with the Act:

Written confirmation that Western Town College:

- has stopped advertising an unregistered Private Career College and unapproved vocational programs that require approval;
- has stopped operating as a private career college;
- has stopped providing unapproved vocational programs that require approval;
- has stopped charging fees for unapproved vocational programs that require approval; and
- has come into compliance with the July 8, 2010 Restraining Order issued 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 notice of contravention was received, the amount will be subject to interest at the current postjudgment interest rate beginning on the 31st day following the date of notice. 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
Private Career Colleges

Schedule A

Act, s. 11 — Restrictions on advertising and soliciting (\$2,000)

On September 16, 2010 Ministry staff received an e-mail from an anonymous person who advised that she was referred to Western Town College by a recruitment agency for a Teaching English to Speakers of Other Languages (TESOL) course. In response to the tip, a Designate of the Superintendent (Designate) reviewed Western Town College's website and found advertisements for both a TESOL course and a Teaching Young Children course, though the website stated that they were only available in Vancouver.

Western Town College

LOGIN | JOIN MEMBERS | SITEMAP | OTHER LANGUAGE English

Start dates Fee Register

Registration Campus Life @ WTC News Electives About WTC

Program

- General English
 - ESL
 - Power Talk
 - Media Communications
 - University Preparation Program(UPP)
 - Grammar for Test Preparation(GTP)
- Test Preparation Courses
 - TOEIC
 - TOEFL iBT
- Teacher Training (Vancouver Campus Only)
 - TESOL
 - Teaching Young Children (TYC)
 - Online TESOL

WTC Program

To help students reach their education and career goals, WTC offers students a safe and friendly studying environment.

Home > Program > Teacher Training Programs > TESOL

TESOL

(Vancouver Only)

The TESOL program at Western Town College consists of eight weeks of classroom instruction followed by a four-week practicum at a local school or (between the months of April and September) at different student programs (either for adults or children) within the city.

The program is divided into AM and PM portions and students study from 9:00am to 4:00pm Monday to Thursday and 9:00am to 12:00pm on Friday. There are no classes on Friday afternoons. Generally, Friday mornings are spent in presentations where students present prepared materials to the class.

This program also includes:

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On September 20, 2010, a Designate attended Western Town College at 300-2040 Yonge St to obtain further information. During the visit the Designate interviewed staff members, Andy An, Vice President, and Helen Song, Academic Coordinator. When the Designate asked Andy and Helen if Western Town College is delivering a TESOL or Teaching Young Children (TYC) course, they stated that the school stopped offering those courses pursuant to the July 8, 2010 restraining order. They did, however, acknowledge that Western Town College is delivering two similar programs named Teacher Training Preparation Program (TTPP) (which replaced TESOL) and English as a Second Language Methods for Children (EMC) (which replaced TYC). Andy stated that TTPP is eight weeks long and costs \$2,600 and EMC is four weeks long and costs \$1,300. A class schedule was provided to the Designate which stated that each day has 5.6 classroom hours. Therefore, TTPP is 224 hours and EMC 112 hours in length.

The Designate proceeded to speak with a Western Town College instructor who described the TTPP program as being “TESOL lite” and confirmed that the focus of the course is teaching people how to teach English. The Designate also obtained a copy of Western Town College’s syllabus for the TTPP and EMC courses, and compared their contents against that of the Western Town College’s former TESOL and TYC courses. The Designate found them to have extremely similar content, except TTPP and EMC have no practical component.

The Designate asked Andy and Helen how Western Town College recruits its students. They advised that all of their students are sent to them by agents. The Designate found several copies of two brochures; one in Japanese and the other in English. The Designate was advised that the content was the same in both documents. The English version was found to promote Western Town College’s TESOL and TYC programs. The Designate asked Andy if these brochures are still in circulation. Andy confirmed that all of Western Town College’s agents still have and use these brochures. The Designate also obtained confirmation that the agent listed by the abovementioned anonymous person does work with Western Town College.

Further, the aforementioned brochures are still being used by Western Town College’s agents, who are in turn sending students to their school for their TTPP and EMC programs. Western Town College is, therefore, using promotional materials for its TESOL and TYC programs to recruit students for its TTPP and EMC programs.

On July 8, 2010 in response to the Superintendent’s Restraining Order, Jason Joo of Western Town College sent a letter to the Superintendent containing the statement: “All advertising of Western Town College as a career college and advertising of all its vocational programs (TESOL/TYC) in Toronto have been stopped.” Contrary to Jason Joo’s claim, Western Town College did not, in fact, come into compliance with the July 8, 2010 Restraining Order as it knowingly left a brochure in circulation that promoted TESOL and TYC programs.

TTPP, EMC, TYC and TESOL programs correspond to National Occupational Classification (NOC) code 4131 – College and Other Vocational Instructors. Based on the evidence gathered the TTPP, EMC, TYC and TESOL programs offered by Western Town College fit the definition of vocational programs requiring the approval of the

Superintendent according to the PCCA, 2005. Since these programs are not approved, advertising of same is prohibited in accordance with Section 11 (2) of the PCCA, 2005.

Act, s. 7 – Prohibition against operating a private career college (\$1,000)

Act, s. 8 (1) – Prohibition against providing vocational programs (\$1,000)

On September 20, 2010, a Designate attended Western Town College at 300-2040 Yonge St to make inquiries into the training being delivered by that school. The Designate interviewed staff members Andy An, Vice President, and Helen Song, Academic Coordinator, who confirmed that Western Town College was currently delivering a TTPP and a EMC program. Upon request, Andy and another Western Town College staff member provided the Designate with a list of 13 students who are currently enrolled in the TTPP program and 10 others who are enrolled in the EMC program.

By enrolling students in and delivering these programs, Western Town College has operated an unregistered private career college, and provided unapproved vocational programs in contraventions of sections 7 and 8 of the *Private Career Colleges Act, 2005*.

Act, s. 9 – Prohibition against charging fee (\$1,000)

On September 20, 2010, a Designate attended Western Town College at 300-2040 Yonge St to make inquiries into the training being delivered by that school. The Designate interviewed staff members Andy An, Vice President, and Helen Song, Academic Coordinator, who confirmed that Western Town College was currently delivering a TTPP and a EMC program. Upon request, Andy and another Western Town College staff member provided the Designate with a list of 13 students who are currently enrolled in the TTPP program and 10 others who are enrolled in the EMC program.

On September 21, 2010 at 3:10pm a Designate required Helen Song of Western Town College to confirm whether the students enrolled in the TTPP and EMC programs had paid fees. At 4:47pm Helen sent an e-mail to the Designate confirming that they had.

As Western Town College has not received approval to deliver its TTPP or EMC programs, charging fees for these programs is prohibited by section 9 of the *Private Career Colleges Act, 2005*.

Failure to comply with an order of the Superintendent made under s. 46 of the Act (\$2,000)

On September 15, 2009 the Superintendent of Private Career Colleges issued a Restraining Order to Western Town College, ordering the school to stop operating as a private career college, stop advertising unapproved vocational programs, and stop enrolling students in unapproved vocational programs.

On July 8, 2010, the Superintendent of Private Career Colleges issued a second Restraining Order to Western Town College, ordering the school to stop operating as a private career college, stop advertising unapproved vocational programs, stop enrolling

students in unapproved vocational programs, and stop charging fees for unapproved vocational programs.

In spite of these orders, as has been demonstrated above, Western Town College has resumed operating as a private career college, advertising unapproved vocational programs, enrolling students in unapproved vocational programs, and charging fees for an unapproved vocational program. Western Town College has therefore failed to comply with both the Superintendent's September 15, 2009, and July 8, 2010 Restraining Orders.