

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

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



Notice of Contravention #84

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

July 8, 2010

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

NOTICE OF CONTRAVENTION

This letter is to inform you that on July 7, 2010, it was determined that 1397280 Ontario Ltd. known as Western Town College (Western 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 (\$1,000)
- Act, s. 7 – Prohibition against operating a private career college (\$1,000)
- Act, s. 8 (1) – Prohibition against providing vocational programs (\$1,000)
- Act, s. 9 – Prohibition against charging fee (\$1000)
- Failure to comply with an order of the Superintendent made under s. 46 of the Act (\$1,000)

As per section 51 of *Ontario Regulation 415/06* made under the *Private Career Colleges Act, 2005*, Western College is subject to a penalty in the total amount of \$5,000 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 \$25,000.

following 15 successive days that the contravention continues the penalty amount due will be \$75,000.

At this time Western 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 College:

- has stopped advertising an unregistered Private Career College and unapproved vocational programs that require approval including removal of all references to said programs on the website <http://www.wtccanada.com/english/main.jsp>;
- 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 September 15, 2009 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 (\$1,000)

On May 23, 2010, Ministry staff received copies of e-mails from a member of the public. They were sent by Amy, a Korean coordinator for Western College's Toronto campus. As the e-mails were written in the Korean language, Ministry staff arranged to have them translated.

On June 1, 2010 Ministry staff received the English translation and found that the Western College employee was providing information about Western's Teaching Young Children (TYC) and Teaching English to Speakers of Other Languages (TESOL) programs. The e-mails state that there is a four week TYC course, and 8 week and a 12 week TESOL courses. The 8 week course is described as being entirely theoretical, while the 12 week course includes a 4 week practical. The employee states that the TESOL program start dates were June 7, July 5, and August 3, and directs the student to the school's schedule found at www.wtccanada.com. The employee proceeds to mention that the four week (TYC) program costs \$1,220, the eight week (TESOL) program costs \$2,440, and the twelve week (TESOL) program costs \$3,420 (not including a \$100 registration fee and \$45 per month in teaching materials), and that the school is currently promoting its courses with a 5% discount on tuition fees.

On July 5, 2010, the website belonging to Western, www.wtccanada.com, was reviewed by Ministry staff who found it advertising TYC and TESOL programs at the Toronto campus.

The screenshot shows a Microsoft Internet Explorer browser window displaying the website http://www.wtccanada.com/english/registration_03.jsp. The page features a navigation menu at the top, a course schedule table, a fee estimate section with buttons for Tuition, Material, Registration, Homestay, and Airport, and a course menu table. The course menu table lists various courses with their respective schedules and durations.

Course	Full-time	Part-time AM	Part-time PM	Duration
ESL	V/T	V/T	V/T	1 TO 12 M
Power Talk	V/T	V/T	V/T	1 TO 3 M
Media Communications			V/T	1 TO 3 M
TOEIC			V/T	1 TO 3 M
TOEFL	V	V/T	V	1 TO 4 M
GTP		V	T	1 TO 2 M
TYC	V/T			1 M
TESOL	V/T			2 M
TESOL(including practicum)	V/T			3 M
UPP			V/T	1 TO 3 M
ITI	V	V	V	1 TO 2 M
Business Communications	V	V	V	1 TO 3 M
International Business	T	T	T	1 TO 6 M
Global Marketing & Trade	V			1 TO 3 M
Hospitality(Hotel) Management	V			1 TO 8 M

Course availability, fees, and descriptions are subject to change. V = Vancouver, T = Toronto, M = Month(s)

According to table found on the “fees” section of the site, TYC is a full time program that lasts one month. According to other tables of fees and hours found on the same site, a one month full time program costs \$1,220 and is 108 hours in duration. Using the same tables, Ministry staff concluded that Western’s two month, full time TESOL program costs \$2,440 and is 216 hours in duration, and the three month full time TESOL program costs \$3,420 and is 324 hours in length. This information is consistent with the statements made by Western’s employee in the above mentioned e-mails.

The screenshot shows the Western Town College website in Microsoft Internet Explorer. The address bar displays http://www.wtccanada.com/english/registration_03.jsp. The page features a green navigation bar with links for Registration, Campus, Life @ WTC, News, Electives, and About WTC. A sidebar on the left lists program categories: General English (ESL, Power Talk, Media Communications, University Preparation Program(UPP), Grammar for Test Preparation(GTP)), Test Preparation Courses (TOEIC, TOEFL IBT), and Teacher Training (Vancouver Campus Only) (TESOL, Teaching Young Children (TYC), Online TESOL). The main content area is titled 'Registration' and includes a banner image with the text 'To help students reach their education and career goals, WTC offers students a safe and friendly studying environment.' Below this is the 'Fees' section, which contains a table of Tuition Fee.

Month	Full-time or Part-time AM+PM	Part-time AM	Part-time PM
1	\$ 1,220	\$ 690	\$ 600
2	\$ 2,440	\$ 1,380	\$ 1,200
3	\$ 3,420	\$ 1,950	\$ 1,710
4	\$ 4,560	\$ 2,600	\$ 2,280
5	\$ 5,700	\$ 3,250	\$ 2,850
6	\$ 6,540	\$ 3,720	\$ 3,120
7	\$ 7,630	\$ 4,340	\$ 3,640

On July 6, 2010, Ministry staff attended Western College at 2040 Yonge St. Suite 300, Toronto, Ontario and found posters pinned to a corkboard near the entrance to the school’s third floor suite. The posters promoted Western College’s TYC and TESOL programs.



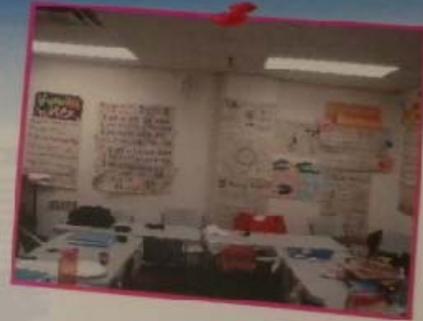
Western Town
College

Toronto Activity

TYC Demo

**TYC means
Teaching Young Children
Levels 5-8 with Ashley**

Time? 4:10 pm ~5 pm



TYC, our 4 week full-time diploma program is a course that will give you the fundamental tools to teach young children. Highlights include lesson Planning, skills-based activities and language acquisition and development.

06.07.2010 08:48



Western Town
College

Toronto Activity

TESOL Demo

**TESOL means
Teaching English to
speakers of other languages
Levels 5-8 with Heather**

Time? 4:10 pm ~5 pm



TESOL, our eight week full-time diploma program covers the full spectrum of English Teacher Training, with modules on the characteristics of good teachers and learners, class management, language teaching methods, lesson planning and assessment.

06.07.2010 08:48

TYC and TESOL programs correspond to National Occupational Classification (NOC) code 4131 – College and Other Vocational Instructors. Based on the evidence gathered the TYC and TESOL programs offered by Western 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 July 6, 2010, Ministry staff attended Western College at 2040 Yonge St. Suite 300, Toronto, Ontario and spoke with Suzy, a representative of Western College about the programs being offered by the school. Suzy acknowledged that Western College had students enrolled in its TESOL and TYC programs. During the investigation, Ministry staff obtained lists of the current students enrolled in TESOL and TYC. According to the lists, Western College has 22 students enrolled in its TESOL program, and 8 students enrolled in its TYC program.

Ministry staff proceeded to review a sampling of student files and database entries and collected copies of documents that confirmed students had enrolled TESOL and TYC programs at Western college. These documents include acceptance letters, invoices, receipts, and database pages that state the student is currently or was recently enrolled in a TYC or TESOL program, or both. By enrolling students in and delivering these programs, Western 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 July 6, 2010, Ministry staff attended Western College at 2040 Yonge St. Suite 300, Toronto, Ontario and spoke with Suzy, a representative of Western College about the programs being offered by the school. Suzy acknowledged that Western College had students enrolled in its TESOL and TYC programs. During the investigation, Ministry staff obtained lists of the current students enrolled in TESOL and TYC. According to the lists, Western College has 22 students enrolled in its TESOL program, and 8 students enrolled in its TYC program.

Ministry staff proceeded to review a sampling of student files and found that these files contained receipts and invoices for students who were enrolled in TESOL and TYC programs. The invoices confirm that students had been charged, and had paid for enrolment in Western College's TYC and TESOL programs.

As Western College has not received approval to deliver its TYC and TESOL 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 (\$1,000)

On September 15, 2009 the Superintendent of Private Career Colleges issued a Restraining Order to Western 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. In spite of this order, as has been demonstrated above, Western College has resumed operating as a private career college, advertising unapproved vocational programs, and enrolling students in unapproved vocational programs. As Western College is not a registered private career college, and has not received approval to deliver any vocational programs, it has failed to comply with the September 15, 2009 Restraining Order.