

RESTRAINING ORDER

Served by fax to 905-851-0077, by e-mail to info@tasoc.ca, and courier

January 28, 2010

Nancy Baglione
The Aesthetic School of Canada Inc.
And
The Aesthetic School of Canada (Woodbridge) Inc.
661 Chrislea Rd. Unit 1
Woodbridge, ON, L4L 8A3

And

The Aesthetic School of Canada (Barrie) Inc.
31 King Street Unit 3
Barrie, ON, L4N 6B5

Attention: Nancy Baglione, Director

This is a **Restraining Order** issued under the authority of section 46 of the Private Career Colleges Act, 2005 (PCCA, 2005). As the Superintendent of Private Career Colleges, I HEREBY ORDER The Aesthetic School of Canada Inc., The Aesthetic School of Canada (Woodbridge) Inc. and The Aesthetic School of Canada (Barrie) Inc. (The Aesthetic School) TO STOP OPERATING IN CONTRAVENTION OF THE PRIVATE CAREER COLLEGES ACT, 2005 (PCCA, 2005).

The detailed reasons supporting my order are set out in Schedule A, attached. In brief, The Aesthetic School is:

- advertising an unregistered private career college and advertising unapproved vocational programs, contrary to sections 11(1) and (2) of the PCCA, 2005, respectively,
- operating as an unregistered private career college, contrary to section 7 of that Act and
- offering vocational programs that are not approved by the Superintendent of Private Career Colleges, contrary to section 8 of the PCCA, 2005.

The Aesthetic School must provide written confirmation signed by a person with authority to bind the school, together with all available supporting evidence, that the steps outlined below have been taken. This written confirmation must be delivered **immediately** by registered mail or courier to my attention and confirm that The Aesthetic School:

- has stopped advertising an unapproved Private Career College and unapproved vocational programs in Ontario.
- has stopped operating as a private career college;
- has stopped providing unapproved vocational programs;
- has provided the ministry with a list including the names and addresses of all current students;
- has provided refunds to students who were enrolled in unapproved vocational programs;
- is not holding, directly or indirectly, any monies owing to current, former, or prospective students of unapproved vocational programs;
- is holding student files to be available for the Superintendent's staff to review; and
- will not reopen as a private career college until such time, if any, as it has been registered.

Consequences of Failure to Comply with this Order

Failure to comply with this order may result in any or all of the following actions by the Superintendent:

1. Application for a court order from the Superior Court of Justice to The Aesthetic School to comply;
2. The issuance of further Administrative Monetary Penalties.
3. Prosecution for the offence of failure to comply. Upon conviction by a court of that offence, a corporation is subject to a fine of up to \$100,000; an individual, including an officer or director of a corporation who concurs in the commission of the offence, is subject to a fine of up to \$25,000, a prison term of up to one year, or both.

Obtaining a Copy of the PCCA, 2005

As noted above, the applicable legislation is the *Private Career Colleges Act, 2005* and the regulations made thereunder. The legislation and regulations are available at www.e-laws.on.ca. If you are unable to access any relevant information on e-laws, you may contact our offices at (416) 314-0500 to request that a copy of the legislation and regulations be sent to you.

Sincerely,

ORIGINAL SIGNED BY

Allan Scott
 Superintendent
 Private Career Colleges

Attachments: Schedule A – Detailed Reasons for Decision

Schedule A – Detailed Reasons for Decision

Background:

On September 4, 2009, the Ministry sent a letter to Nancy Baglione of The Aesthetic School of Canada Inc., advising her that her Esthetics program required approval under the Private Career Colleges Act, 2005.

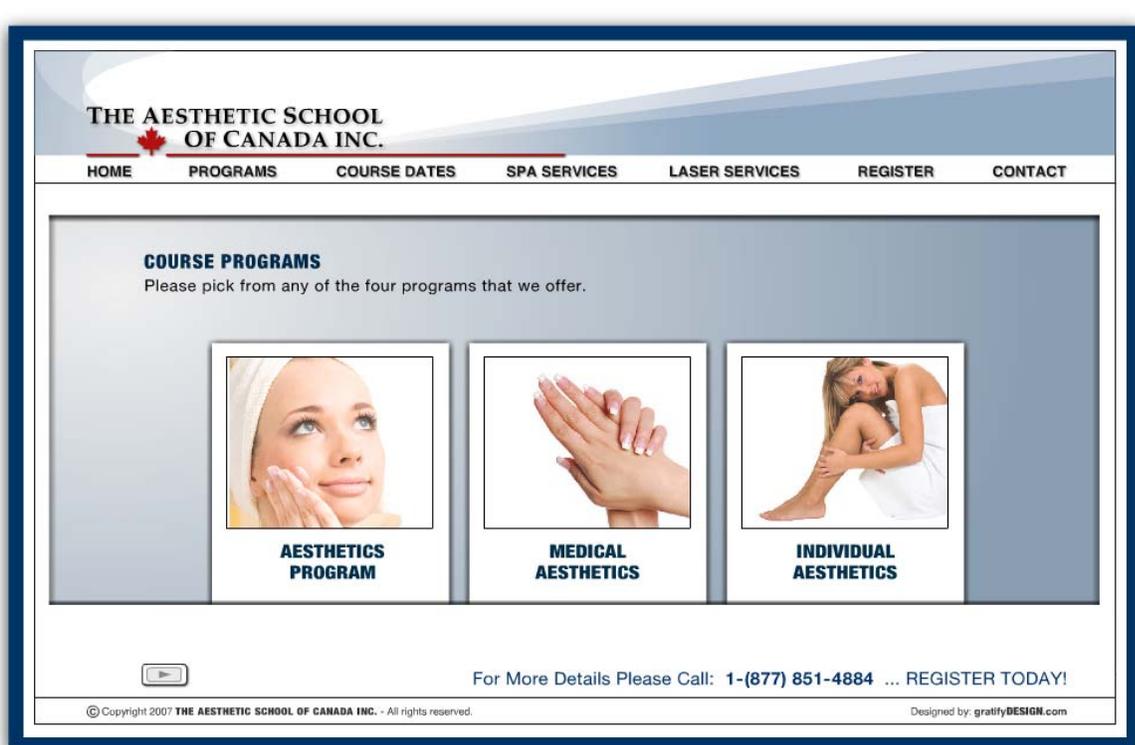
Between September 4, 2009 and January 26, 2010, Ministry staff repeatedly advised Nancy Baglione to stop advertising and providing courses which require approval.

On October 3, 2009, The Ministry received a payment of \$1,616.00 from The Aesthetic School of Canada Inc.

On December 1, 2009, The Ministry received an application to register a new school and a new program at the Woodbridge Campus location. The school and program have not yet been approved. No application has been submitted for the Barrie campus. It is therefore unlawful for The Aesthetic School to operate as a private career college or to deliver vocational programs within Ontario.

Contravention of Subsection 11(1) of the PCCA, 2005 – Advertising Unregistered Private Career College.

On January 27, 2010, Ministry staff reviewed The Aesthetic School of Canada Inc. website, <http://www.tasoc.ca/>, and it advertising an Aesthetics Program which corresponds to National Occupational Classification (NOC) code 6482 Estheticians, Electrologists and Related Occupations. Delivering programs ascribed to this NOC requires an institution to be registered and have the aforementioned program approved.



Contravention of section 7 of the PCCA, 2005 - Prohibition against operating a private career college

Contravention of section 8 of the PCCA, 2005 - Prohibition against providing vocational programs

On January 26, 2010, Ministry staff phoned The Aesthetic School of Canada Inc.'s Woodbridge location and spoke with Nancy, who advised that a new round of classes will begin on February 2, and that classes were currently in session.

On January 27, 2010, Ministry staff phoned The Aesthetic School of Canada Inc.'s Woodbridge location and confirmed that the cost of the Aesthetics Program was \$5,500.00 plus GST.

Ministry staff then phoned The Aesthetic School of Canada Inc.'s Barrie location and spoke to an instructor named Paula. Paula stated that the Barrie location is offering an aesthetics program, a medical aesthetics program, and a packaged program. When asked, she said that the aesthetics course cost \$5,500, the medical aesthetics course cost \$6,500, taking both together would cost \$8,500.00 and that each course would take three months to complete. Ministry staff proceeded to ask if any courses are currently in session, and she confirmed that students were currently enrolled and attending classes.