

RESTRAINING ORDER

Served by courier and by email (info@francodance.com)

May 12, 2010

Franco Dance Studios Inc.
1222A Bloor Street West
Toronto, Ontario
M6H 1N3

and

420 Euclid Avenue
Toronto, ON
M6G 2S9

Attention: Edgar Franco, 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 Franco Dance Studios Inc. (Franco Dance Studios) 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, Franco Dance Studios is:

- advertising an unregistered private career college and advertising unapproved vocational programs, contrary to sections 11(1) and (2) of the PCCA, 2005, respectively.

Franco Dance Studios 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 Franco Dance Studios:

- has stopped advertising an unregistered Private Career College and unapproved vocational programs that require approval.

If Franco Dance Studios is currently providing unapproved vocational programs as an unregistered Private Career College, these actions would be contrary to sections 7 and 8 of the PCCA, 2005 respectively. Franco Dance Studios would then be required

to **immediately** take the steps outlined below in this order to comply with the PCCA, 2005.

Specifically, Franco Dance Studios:

- must stop operating as a private career college;
- must stop providing unapproved vocational programs that require approval;
- must stop charging fees for unapproved vocational programs that require approval;
- must provide the ministry with a list including the names and addresses of all current students;
- must provide refunds to students who have made a written demand and who were enrolled in unapproved vocational programs that require approval;
- must not hold, directly or indirectly, any monies owing to current, former, or prospective students of unapproved vocational programs that require approval;
- must hold student files to be available for the Superintendent's staff to review; and
- must 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 Franco Dance Studios to comply;
2. The issuance of further Administrative Monetary Penalties;
3. Prosecution for offences under the Act. 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.gov.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

Contravention of section 11 of the PCCA, 2005 – Advertising Unregistered Private Career College and Unapproved Programs Act, s. 11 — Restrictions on advertising and soliciting (\$1,000)

On April 5, 2010, Ministry staff reviewed the Franco Dance Studio website (<http://www.francodance.com>). The review resulted in the following discoveries:



As is apparent, the website describes a “Teacher Training” program which is described as having 10 to 12 month duration at a cost of \$230/month. On another page on the website cites the following:

TEACHERS

Certification

We will help you realize your dream of becoming a **CERTIFIED INSTRUCTOR!**



Dance is not only an excellent way to improve physical fitness, but has proven to reduce stress and promote an overall sense of well-being.



In 10 months or less you will have the knowledge to accelerate your career and take your dancing to a whole new level. For those wanting to teach, improve their teaching, or simply to become excellent social dancers, this course helps participants raise the bar and become the best they can be.

Dance creates positive energy, and we use that energy to keep the passion and fun of dance at the heart of the course. Don't wait another day to pursue this dream - call us to make an appointment and we will take it from there.

Time: 60 - 120 hours tuition

Location: Franco Dance

Qualifications available:

- International Standard (CDTA) (ISTD)
- International Latin (CDTA) (ISTD)
- American Smooth Bronze, Silver and Gold (CDTA) (DVIDA)
- American Rhythm Bronze, Silver and Gold (CDTA) (DVIDA)

For more information about how to get certified at any level please [contact us](#), and we will be more than happy to book an audition for you.

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The webpage describes the program as having between 60 and 120 hours of instruction. The program will also give the student qualifications for several possible credentials for teaching dance. This course corresponds to National Occupational Classification (NOC) code 5134 – Dancers.

According to the description provided on the website, the preceding program fits the definition of a vocational program requiring the approval of the Superintendent according to the PCCA, 2005. Since this institution is not registered and this program is not approved, advertising of same is prohibited in accordance with Section 11(1) and (2) of the PCCA, 2005 respectively.

Legal and Operating Entities

On April 10, 2010, Ministry staff conducted an Ontario Business Information System (ONBIS) search and found that Franco Dance Studio Inc. was incorporated on May 17, 2007. The address on ONBIS is 18 Hillcrest Avenue, Toronto, ON M2N 6T5. Edgar Franco is listed as Director of the corporation.