



## POLICY ON DISPUTE RESOLUTION

**ISSUE DATE:** May 15, 2022

**LAST REVISION DATE:** May 15, 2022

**REVIEW REQUIREMENTS:** Every two (2) years

**PERSON RESPONSIBLE FOR POLICY:** Senior Education Administrator

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### POLICY PURPOSE

Seabird College provides an opportunity for students to resolve disputes of a serious nature in a culturally appropriate, fair and equitable manner.

### SCOPE

This policy applies to all current and former enrolled students, all individuals employed by the College, and any other individuals acting as representatives or holding a titular position of the College.

### POLICY

#### A. REGULATIONS FOR STUDENT DISPUTE RESOLUTION

- i. All student complaints and College responses must be in writing.
- ii. The student making the complaint is permitted to be represented by an agent or a lawyer.
- iii. The College may not impose any fees in regards to the student dispute resolution process.
- iv. A student will not be subject to any form of retaliation as a result of filing a complaint.
- v. Student complaints must be resolved within 30 days of the complaint being made.

#### B. STUDENT DISPUTE RESOLUTION PROCEDURE

- i. When a concern arises, the student should address the concern with the staff member most directly involved, or the staff member with whom he/she is most comfortable. If the student is not satisfied with the outcome at this level, the student should put his/her concern in writing and deliver it to the Education Manager.
- ii. If the Education Manager is absent or is named in the complaint, the student's written request will be forwarded to the Senior Education Administrator who will perform the review on behalf of the Education Manager.



- iii. The Education Manager (or Senior Education Administrator) will arrange to meet with the student to discuss the concern and desired resolution within 5 school days of receiving the student’s written concern, or as soon as practicable.
- iv. Following the meeting with the student, the Education Manager will conduct whatever inquiries and/or investigations necessary and appropriate. Those inquiries may involve further discussion(s) with the student and with appropriate Seabird College personnel.
- v. The necessary inquiries and/or investigations shall be completed no later than 10 school days following the receipt of the student’s written concerns. The Education Manager will do one of the following within 10 days of receiving the student’s written concerns:
  - 1. Determine that the student’s concerns are not substantiated; or
  - 2. Determine that the student’s concerns are substantiated in whole or in part;
  - 3. Determine that the student’s concerns are frivolous and vexatious.
- vi. The student and the institution’s personnel involved shall receive a written summary of the above determination. All parties should sign a copy of all documentation relating to the student’s complaint. A copy shall be given to the student, a copy will be placed in the school’s Student Conduct File, and the original will be placed in the student file.
- vii. If it has been determined that the student’s concerns are substantiated in whole or in part, the Education Manager shall include a proposed resolution of the substantiated concern(s) within 30 days of receiving the complaint.
- viii. If the student is not satisfied with the determination of the Education Manager, the student must advise the Education Manager within 48 hours of being informed of the determination. The Education Manager will immediately refer the student to the Senior Education Administrator. The Senior Education Administrator will review the matter and meet with the student within 5 school days. The student’s written request for a reconsideration to the Senior Education Administrator must include:
  - 1. Copies of all documentation submitted to and received from the Education Manager regarding the original dispute;
  - 2. A copy of the written notification of the Education Manager’s decision and, if applicable, the proposed resolution;
  - 3. Any relevant new information that is directly related to the dispute; and
  - 4. A detailed explanation of why the student believes the decisions and proposed resolutions are flawed.
- ix. Within seven (7) days of receiving the student’s request for reconsideration, the Senior Education Administrator must:



1. Review all submitted documentation to determine if the student’s complaint is substantiated;
2. Determine whether the decision and, if applicable, decision of the Education Manager is fair and reasonable;
3. Provide the student with a written notice that includes the following:
  - a. Whether the outcome of the reconsideration is accepted or rejected in part or in whole, the decision and, if applicable, proposed resolution of the Education Manager or, if absent, their designate;
  - b. The reasons underlying the decision outlined in sub-section 2.5.3.; and a clear statement that either confirms and restates the Education Manager’s decision and proposal or that communicates the new decision and, if applicable, the new proposed resolution.
- x. If the issue is of a serious nature, Seabird College may engage the services of a third-party mediator to assist in the resolution of the dispute.
- xi. A student dissatisfied with Seabird College’s final decision may file a claim with the Private Training Institutions Branch (PTIB) (<http://www.privatetraininginstitutions.gov.bc.ca>) on the grounds that Seabird College misled the student regarding a significant aspect of the program. The time limit for filing the claim is one (1) year after the student completes, is dismissed from, or withdraws from the program.

## POLICY NOTES

This policy consolidates the measures included in, and replaces, the following archived policies of the College:

- Policy – Student Dispute Resolution Policy

## ACCOMPANYING POLICIES

This policy is a part of a suite of policies under the Seabird College Policies category.