

## Student Claim Based on Being Misled Decision

Complainant: ██████████

Institution: 3162 – CDI College of Business, Technology & Health Care

**1. Introduction**

The Complainant was enrolled in the Logistics & Supply Chain Management Program [Program] and filed a complaint against the Institution [Complaint] on July 22, 2024, after withdrawing from the Program on April 22, 2024.

The Complainant exhausted the Institution’s dispute resolution process [DRP] prior to filing this Complaint.

The matters at issue relate to the representations made by the Institution and its affiliate prior to the Complainant’s enrolment, and the quality of the Program.

**For the reasons outlined below I find the Institution did not mislead the Complainant regarding a significant aspect of the Program and, accordingly, deny the claim.**

**2. Statutory Scheme**

Section 23(1) of the *Private Training Act* [PTA] provides that, a student may file a claim against the Student Tuition Protection Fund [Fund] on the ground that a certified institution misled the student regarding any significant aspect of an approved program of instruction in which that student was enrolled. Claims are filed with the Trustee, being the minister or the person to whom the minister has delegated the relevant powers or duties.

Claims must be filed no later than one year after the student completed or was dismissed or withdrew from the program and only after the student has exhausted the institution’s dispute resolution process.

Following receipt of the complaint, the process is as follows:

Claim the student was misled		
Who	What	When
Trustee	Gives a copy of the claim to the institution	As soon as practicable
Institution	May respond to the claim [Response]	Within 15 days of receiving a copy of the claim from the Trustee
Trustee	Gives the Response from the institution, if any, to the student	Within 15 days of receiving the Response from the institution
Student	May reply to the Response from the institution [Reply]	Within 15 days of receiving the Response from the Trustee
Trustee	Must give the Reply from the student, if any, to the institution	Within 15 days of receiving the Reply from the student

Trustee	Adjudicates the claim to determine whether any refund should be issued, and provides written reasons to the student, the institution, and the registrar.
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If a claim is approved, the Trustee may authorize payment from the Fund of all or a portion of the tuition paid to the institution by or on behalf of the student. Section 25(4) of the *Fees and Student Tuition Protection Fund Regulation* requires that payments from the Fund be directed first to the government if all or a portion of the tuition was paid using funds from a provincial or federal student assistance program, and then to the claimant.

### 3. Program Information

Program:	Logistics & Supply Chain Management
Start date:	January 29, 2024
End date:	January 3, 2025
Withdrawal date:	April 22, 2024
Total charged:	\$ 18,847
Tuition:	\$ 15,698
Application fee:	\$ 150
Assessment and Administration Fees:	\$ 525
E-Resource and Materials Fee:	\$ 2,474
Total amount paid by Complainant:	\$ 12,150
Total amount refunded to Complainant:	\$ 5,887.04
Tuition paid by Complainant:	\$ 4,709.40

### 4. Issues

The following issues arise for consideration: Was the Complainant misled in respect of the representations made prior to enrolment and the quality of the Program?

### 5. Chronology

<b>October 2023</b>	Email exchanges with admission representative of Vancouver Career College
<b>November 1, 2023</b>	Vancouver Career College acknowledges receipt of \$150 Application Fee for the Logistics and Supply Chain Management program
<b>November 8, 2023</b>	Complainant forwards email from Supply Chain Management Association of Canada (SCMA) to the Institution in which SCMA confirms Institution and Vancouver Career College both have an accreditation agreement with SCMA
<b>November 8 or 9, 2023</b>	Complainant signs student enrolment contract with Institution
<b>April 2024</b>	Email exchanges related to Complainant's Business Essential exam (marked zero)
<b>April 22, 2024</b>	Complainant withdraws from Program
<b>June 19, 2024</b>	Complainant initiates DRP
<b>July 2, 2024</b>	Institution issues decision [ <b>Decision 1</b> ]
<b>July 3, 2024</b>	Complainant responds
<b>July 17, 2024</b>	Institution issues decision [ <b>Decision 2</b> ]
<b>July 22, 2024</b>	Complainant files Complaint

## 6. Analysis

The Complainant summarizes her Complaint as follows:

I was seeking an online program regarding SCMP (Supply Chain Management Professional) in November 2023. Vancouver Career College informed me that their course covered/related SCMP, but their program named Logistics and Supply Chain Management and need to sign the agreement with CDI. Therefore, I registered for the online course. I have an email as proof that I was seeking the SCMP online course for the SCMP certificate in November 2023. (Please review the following email snippet.) Your colleague told me that the program at CDI is related to or covers SCMP. But I realized that the online courses are very basic, entry-level, compared to what I learned during my university studies after the courses started.

The Complainant contacted Vancouver Career College to enquire about a program leading to the Supply Chain Management Professional (SCMP) designation. SCMP designation is issued by the Supply Chain Management Association of Canada (SCMA).

The Complainant submits the admission representative of Vancouver Career College represented it would issue SCMP designation upon graduation from the supply chain program. This is the main issue complained about.

After having paid the \$150 application fee to Vancouver Career College, the Complainant was notified the Program would be delivered by the Institution.

In an email to the Complainant dated November 8, 2023, SCMA confirms it has accreditation agreements with both Vancouver Career College and the Institution whereby a graduate of a supply chain program may apply for "Recognition of Prior Learning" and "complete the remaining balance of the designation program to achieve SCMP". The Complainant submits she forwarded SCMA's email to the Institution for confirmation because this information contradicted the representations made by the representative of Vancouver Career College, namely that Vancouver Career College would issue SCMP designation upon graduation from the Program. She adds that the Institution did not confirm the information and, instead, pressured her to sign the enrolment contract "because of the time constraint on Pandadoc e-signature".

The Complainant also submits that the Program was a "waste of my time" because courses were entry-level, and she had covered the material when she attended university.

The Institution denies it misled the Complainant in respect of the representations made, including those made by Vancouver Career College, in respect of SCMP designation. The Institution confirms it has an accreditation agreement and adds that the Program Outline describes the recognition process which is as follows: "Courses in this Program have been designed to meet the requirements and standards set by the Supply Chain Management Association (SCMA). Graduates may seek the SCMA's recognition of their completed courses and receive advanced standing towards SCMA professional certification".

The Institution says the Program starts by foundational courses followed by more advanced courses and the Complainant did not have the opportunity to progress to more advanced courses.

The Institution confirms Vancouver Career College is under the same ownership and submits that “switching the institution brand without a student’s request is not our standard practice”.

The Institution submits the Complainant committed plagiarism in the Business Essentials exam shortly before withdrawing from the Program and the reason invoked by the Complainant for her withdrawal was her difficulty in balancing full-time work with her studies. The Complainant denies she committed plagiarism and explains she was not aware that she could not refer to the textbook during the exam.

Finally, in response to the Complainant’s submission, the Institution acknowledges it did not provide a breakdown of the \$878.56 fee charged for eBooks when the Complainant withdrew and offers to refund that amount to the Complainant.

## **7. Decision**

After having carefully reviewed the parties’ submissions, I find the Complainant was not misled in respect of a significant aspect of the Program and, accordingly, deny the claim.

Firstly, I find enrolling a student at one institution, then unilaterally transferring them to another is a questionable practice. Students are entitled to know, with certainty, which institution they are dealing with. However, this is not the issue before me.

Turning to the merits of the claim, I find the evidence submitted in support of the claim does not support a finding the Complainant was misled.

In respect of the representation that SCMP designation would be issued upon graduation, I have considered the Complainant’s description of what she was told by the admission representative; the information included in the Program Outline; and the November 8, 2024 email from SCMA to the Complainant confirming a graduate from the Program must complete other requirements to be issued SCMP designation. I find, on a balance of probabilities, that prior to her enrolment in the Program the Complainant was aware the Institution would not issue the SCMP designation upon graduation.

In respect of the Program’s quality, I find the Complainant did not provide sufficient evidence for me to find she was misled in that respect.

Accordingly, the claim is denied.

This decision is final. The Trustee does not have authority to re-open or reconsider the decision and there is no appeal under the PTA. Parties may wish to seek legal advice regarding a judicial review by the BC Supreme Court.

Date: October 30, 2024



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**Joanna White**

Trustee, Student Tuition Protection Fund