

Trustee Decision on Student Complaint

Complainant: ██████████

Institution: 3581 – Visual College of Art and Design (VCAD)

1. Introduction

The Complainant was enrolled in the 3D Modelling Animation Art and Design Program [Program]. The Complainant filed a complaint against the Institution [Complaint] on July 22, 2025, after having been dismissed from the Program on July 7, 2025.

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

The Complainant alleges she was misled regarding the “quality, structure, and delivery” of the Program. The Institution denies misleading the Complainant as alleged, or at all.

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.	

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:	3D Modelling Animation Art and Design
Start date:	April 3, 2023
End date:	September 21, 2024
Contract Amendment #1	
Revised end date:	March 29, 2025
Contract Amendment #2:	
Revised end date:	June 28, 2025
Dismissal date:	July 7, 2025
Total charged:	\$ 49,059
Tuition:	\$ 54,805
Course Materials Fees:	\$ 481
Textbooks Fee:	\$ 788
Administration Fee	\$ 185
Tuition Reduction:	\$ 7,550
Amount paid to date by Complainant:	\$ 49,059
Amount refunded to Complainant:	\$ 644
Amount of tuition paid to date by Complainant:	\$ 47,605

4. Issues

The following issue arises for consideration: Did the Institution mislead the Complainant regarding the delivery of the Program?

5. Chronology

April 3, 2023	Program start date
January – April 2024	Instructor absences (MA 303); Complainant fails course
May 2024	Contract amended to extend Program end date (to March 29, 2025) due to failed course (MA 303) and reduced course load
Summer Term 2024	Complainant fails courses MA504, GA40B, MA502; Complainant temporarily returns to [REDACTED]
Winter Term 2024	Compositing and Editing (MA601) – various issues
January 2025	[REDACTED]
April 6, 2025	Complainant emails Institution detailing challenges in past term
April 8, 2025	Grade appeal for MA601
May 6, 2025	Email exchange regarding alleged “academic mismanagement” and student expectations

June 8, 2025	Level 1 DRP complaint
June 12, 2025	Complainant's last day in attendance
June 17, 2025	Level 1 DRP decision
June 26, 2025	Level 2 DRP complaint
June 30, 2025	Study permit expiry date
July 7, 2025	Dismissal
July 22, 2025	Complaint filed

6. Analysis

The Complainant alleges she was misled regarding the “quality, structure, and delivery” of the Program. She says the stress related to her experience at the Institution resulted in her [REDACTED] and that she felt pressured and harassed by the Institution during [REDACTED]. The Complainant takes responsibility for failing two courses (Portfolio 1 and Maya Scripting) but says the other failures were caused by the Institution's errors.

The Institution denies that it misled the Complainant in respect of the delivery of the Program and maintains that her academic record is accurate. In recognition of the challenges faced by the Complainant and to support her in completing her studies, the Institution includes in the Response a settlement offer that would allow the Complainant to complete the two remaining courses remotely at no additional cost, together with a \$7,000 graduation scholarship.

I have summarized the specific issues complained about and the Institution's responses below:

1. Instructor Absences (Spring 2024)

The Complainant was enrolled in Character Modelling II (MA303) from January 6 - March 24, 2024. She alleges the instructor for this course was repeatedly absent with no notice which contributed to a “disorganized and unsupported learning environment”.

In response, the Institution says that only one class was cancelled in January 2024 due to illness and that the instructor remained active for the remainder of the term as evidenced by LMS activity logs showing that materials were posted. The Institution acknowledges that the Complainant had difficulties accessing information about make-up sessions and may have misunderstood and thought that all classes were cancelled.

2. Grading errors (Summer 2024)

The Complainant says that a grading error resulted in an unjustified failure.

The Institution attributes the course failures to non-submission of assignments. It says these issues were ultimately resolved through the grade appeal process.

3. Scheduling - Compositing and Editing (MA601) and Portfolio II (GA60A) (Winter 2024)

The Complainant says that due to a scheduling error she was enrolled in Compositing and Editing (MA601) without also being enrolled in Portfolio II (GA60A). She says that the final demo reel for MA601 required Portfolio II work, which she had not yet completed, and this situation contributed to her failing MA601.

The Institution says there was no error and confirms that Compositing and Editing (MA601) is a stand-alone course with no pre-requisites. The Institution says the Complainant was enrolled in MA601 concurrently with Portfolio I (GA50B), with Portfolio II scheduled for a later date and that this was an appropriate sequence of courses.

4. 2D demo reels

The Complainant says she was provided conflicting information about whether 2D demo reels were acceptable. This contributed to her failing MA601, which she appealed. During the grade appeal process, the Complainant explained to her instructor that she was “primarily a 2D artist” but did not include her 2D artwork in the demo reel because she “understood that 2D art was not acceptable for the demo reel requirement” and she only had limited 3D work to include.

The instructor responded (April 9, 2025 email):

Who said that 2D animation isn't acceptable? It does need to be of high quality, and getting into the field can be quite challenging. However, companies like WildBrain, Titmouse, and Atomic are actively looking for talent in this area. Sony Pictures also has some projects involving 2D animation, so there are opportunities out there—you just need a great reel to showcase your work. create a 2D reel. I'd love to see what you've done. I know your portfolio teacher, and they will likely support the idea of a 2D reel.

The Complainant replied:

Previously, when I asked if I could use my 2D character designs in the demo reel, I believe you mentioned that the industry mainly focuses on 3D, and that it would be acceptable if the 2D designs were developed into 3D. However, I may have misunderstood your response. If I had known that a demo reel composed of compliance-approved and personal 2D artwork was acceptable, I would have been able to create one during the previous term.

In response to this allegation, the Institution says the Program “is structured to prepare students for careers in 3D, with program learning outcomes firmly rooted in 3D graphics and animation.” The Institution acknowledges the April 9, 2025 email “may have been interpreted as broader approval for a 2D final project” but the “[...]feedback on the 2D elements was provided within the context of encouraging overall portfolio development, not as confirmation that a 2D reel could replace the required 3D final project.”

5. Institution suspension

The Institution's certificate was suspended by PTIRU in August 2024. The Complainant says she was not notified about the suspension.

The Institution says this issue was not raised during the DRP and should not form part of the Complaint. It clarifies that the suspension was a temporary measure that did not affect enrolled students, including the Complainant.

6. Charges for learning materials

The Complainant says the Institution failed to provide learning materials she was charged for.

The Institution says this issue was not raised during the DRP.

7. Decision

As a preliminary matter, I have determined the DRP was not exhausted with respect to Issues 5 & 6, and as a result, those issues do not form part of the Complaint. I therefore make no finding on whether the Institution misled the Complainant with respect to the Institution's suspension and charges for learning materials.

Turning to the other issues complained about (Issues 1-4), I find that while the communication by the Institution was at times lacking, the conduct of the Institution was not misleading within the meaning of PTA 23(1)(b).

It is evident that the Complainant had multiple challenges, both academic and personal, during the time she was enrolled in the Program. The Complainant acknowledges that she failed two courses (Portfolio 1 and Maya Scripting) and attributes the failure to her temporary return to [REDACTED]. She claims that the other courses she failed were due to marking errors, instructor absence, and a "scheduling oversight".

An additional challenge also appears to be related to language barriers. There were numerous examples of miscommunication which likely contributed to the Complainant's inability to successfully progress through the Program. For example, the Complainant seems to have misunderstand routine scheduling changes due to instructor absence, interpreting them as program interruptions. Similarly, there was also a misunderstanding about the requirements for the Compositing and Editing course.

The Institution bears some responsibility for the miscommunication. It is incumbent on institutions who host international students to ensure that language proficiency requirements are properly assessed at admission and that students are fully apprised of program expectations.

In this case, while I appreciate that the Complainant had a negative and frustrating experience, it is also evident on the record that the Institution made efforts to accommodate and work with the Complainant through her personal and academic challenges. I am not persuaded on the evidence before me that the Complainant was misled.

For these reasons, 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.

17 March 2026



Joanna White
Trustee, Student Tuition Protection Fund