

## STUDENT COMPLAINT POLICY and PROCEDURE

### POLICY

The Create Institute is committed to providing an educational environment that supports the personal and professional growth of each member of our community. We are dedicated to maintaining a diverse and inclusive community where our students, staff, faculty, board members, Create Clinic clients, volunteers and visitors can work and learn in an atmosphere that supports and respects the dignity and worth of everyone in the CREATE community.

The Create Institute does not support behaviour that undermines the self-esteem, resilience or productivity of any of its members and strives to ensure that differences are treated without discrimination or harassment, direct or indirect, whether it occurs on CREATE property or in conjunction with CREATE-related activities.

Discrimination is defined as the disrespectful treatment of a person or a group on the basis of race, national or ethnic origin, colour, religion, age, disability, gender, sexual orientation, marital or family status. Please note that this list is not exhaustive.

For the purpose of this policy, harassment, which is a form of discrimination, is defined as an act committed by a person that makes another feel uncomfortable, offended, intimidated or oppressed. Harassment may involve physical or verbal behaviour that is unwanted and/or humiliates the targeted person or people, and may involve persistent harassing behaviour over time. Examples include jokes, pointed remarks threats, intimidation or unwelcome physical contact. Any form of harassment, whether verbal, non-verbal or written, in person or via e-mail, electronic messaging system or other electronic/internet based process, or telephone, is unacceptable and will not be tolerated.

These definitions of discrimination and harassment are drawn from, and protected under, the Canadian Human Rights Act: <http://laws-lois.justice.gc.ca/eng/acts/h-6/>

In The Create Institute's Faculty Code of Ethical Conduct, one of the standards of professional behaviour states that the faculty recognize and take responsibility for the power imbalance and transferences that exist in the student/teacher relationship. As a student at The Create Institute, you have a right to make a complaint in the secure understanding that there will be no repercussions or reprisals. This means that your faculty relationships, grades and/or status should not suffer simply because you decide to bring forward a concern.

Throughout each step in The Create Institute's complaint procedure the student complainant has the right:

- (a) to have an opportunity to make oral submissions
- (b) to have a fellow student, as a support person, present at any or all stages of the proceedings, including the right to have the support person make oral submissions on their behalf, should the complainant choose that option.
- (c) to receive the minutes of all meetings related to the complaint for which the complainant is present. Create will provide a minute-taker for all such meetings.

The Create Institute maintains a Student Complaints Committee (SCC), to expedite our Complaints Policy and Procedures in cases where a training-related issue cannot be resolved informally. The SCC is chaired by a member of The Create Institute Board of Directors and includes two annually elected Board members and one Faculty member. Should the faculty member or director on the committee be the subject of the complaint, they will recuse themselves and be replaced by another faculty member. The Institute recognizes that in more complex cases it may be necessary to bring an external facilitator into the process.

### PROCEDURE

Create Institute's Complaints Procedure is applicable for complaints by a student concerning a CREATE employee or a fellow student, where other CREATE policies and procedures do not apply. This Complaints Procedure is also applicable for complaints by students concerning CREATE as an institution. The following procedure is applicable to complaints brought against a CREATE employee or student or against the institution regarding an incident or incidents in venues or at events that are part of the complainant's training process.

#### Level 1

We encourage students, as a first step, to take responsibility for dealing with training-related problems directly. The student should discuss the complaint informally with The Create Institute employee or fellow student who is the source of the concern. If the complaint is regarding institutional decisions or policies, the student may wish to discuss this with a teacher or the director before taking the issue further. Many issues can be resolved quickly if concerns are brought forward in a timely manner and are dealt with interpersonally.

## Level 2

If an informal approach is not satisfactory to the complainant or the nature of the complaint makes the student reluctant to engage directly, they may choose to initiate a formal complaints procedure.

The first step is to submit a written statement of the complaint to a faculty member of their choosing or to the Director. The content of this submission will be treated transparently within the faculty, including (if applicable) the staff member(s) against whom the complaint has been brought. However, only the Student Complaint Committee, made up of two Board members and one faculty member (excluding any faculty named in the complaint), will consider and respond to the complainant's submission.

The written submission must include:

1. the complainant's name and the name of the employee or student with whom they have an issue (where the complaint is directed against a person or persons).
2. the complainant's account of events, decisions or policies relating to this issue, including where applicable, specifics such as date(s), place(s) described event(s) and any witnesses,
3. how the described events have affected the complainant,
4. whether the complainant has taken action in an attempt to resolve the matter informally, and
5. what the complainant would consider a good outcome of their formal complaints process.

The complainant (or their support person) will then have an opportunity to discuss the specifics of the complaint with the SCC at a meeting to be scheduled within 3 weeks from the date the written submission is received. The Chair will be responsible for ensuring that this review is conducted in a respectful manner. Alternatively, if the complainant prefers not to review the details with the Committee, the Committee will provide a written response to the complainant's written submission within three weeks.

The Committee will carefully consider all written and oral submissions before arriving at its conclusions. The Chair will provide a written response to the complainant within 30 days of the meeting, and this response will be shared with all parties involved in the complaint. The Committee's written response will include an outline of the discussion, any proposals offered and/or decisions taken, along with the Committee's reasons for arriving at its conclusions.

There is a wide range of possible outcomes to complaints directed against a person or persons, which may include (but are not limited to) the following: exoneration; facilitated dialogue to resolve misunderstanding; remedial educational requirements; a formal caution; suspension; expulsion or firing. It is understood that these guidelines cannot cover all specific details of potential ethical and practice issues that may arise. When the complaint concerns The Create Institute as an entity, after careful consideration of the student's complaint, the outcome may or may not involve changes to an institutional policy, decision or some part of the curriculum. All decisions will be determined by majority vote.

Except in exceptional circumstances, every attempt will be made to ensure that all students, Board members and Create faculty members engaged in the dispute resolution process maintain confidentiality. However, should this not be possible, the situation will be explained clearly to all parties involved.

As a matter of record, the complainant will also receive minutes of any meetings that they attended regarding the complain. The Create Institute office will retain any records of complaint filed, all submissions filed, meeting minutes and the written responses of the Student Complaints Committee for three years from the date of decision.

## Level 3

The complainant has the right to appeal this decision in writing and may request a second meeting with the Student Complaints Committee. The committee will carefully consider the content of this appeal, and will follow the same procedure as outlined above.

If a student is not satisfied with a career college's resolution of his or her complaint following Level 3 review, the student may refer the matter to the Superintendent:

PARIS System (<https://www.pcc.tcu.gov.on.ca/PARISExtWeb/public/login.xhtml>)

OR

*Superintendent of Ontario Career Colleges  
Ministry of Advanced Education and Skills Development  
77 Wellesley Street West, Box 977  
Toronto, Ontario M7A 1N3*

\*Third party funded students (students who receive funding from WSIB, Ontario Works, an employer or third-party funder) are not in a position to make a complaint to the Superintendent.