



Flight Training Program Outline & School Policies

Montair Aviation Inc.

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Montair Aviation Inc.
Flight Training Program Outline & School Policies
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This information is being provided to _____ who is enrolled in training towards the following course(s), beginning on _____ and having a primary training base of _____.

Check the course(s) that apply:

- Integrated ATP
- Integrated CPL/IR
- Integrated CPL
- Private Pilot Licence
- Commercial Pilot Licence
- Night Rating
- Multi-Engine Rating
- Group 1 Instrument Rating
- Group 3 Instrument Rating
- Flight Instructor Rating
- Other

The student acknowledges receipt of Montair's Flight Training Program Outline and School Policies:

Student Name: _____ Primary Instructor Name: _____

Student Signature: _____ Primary Instructor Signature: _____

This page is to be removed once complete and kept in the student's file.

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Section 1.0 – Introduction

This Flight Training Program Outline and School Policies document details the limits, conditions and policies of Montair Aviation Inc, and also outlines what is expected of students training at Montair. In case of any discrepancy between the limits set out in this document and the Canadian Aviation Regulations, the more stringent policy shall take precedence.

The guidance contained within this document will help students train in a safe and efficient manner. Pilots flying aircraft in contravention of the policies and limitations expressed in this document shall be deemed to be operating an unauthorized flight.

1.1 Abbreviations and Acronyms

The following abbreviations and acronyms are used throughout this manual:

Montair, Company, Institute or School: Shall be taken to mean Montair Aviation Inc.

Flight following: the monitoring of a flight's progress, the provision of any operational information that might be requested by the PIC, and the notification of the FTU and search-and-rescue authorities if a flight is overdue or missing.

Integrated course: an approved course of pilot training developed using the principles of instructional system design, in which all instructional stages are completed as one continuous course and the flight training elements are interrelated and sequenced to provide for the efficient achievement of learning objectives.

Main base: a location at which the flight training unit has personnel, aircraft and facilities for the operation of a flight training service and is established as the principal place of business of the flight training unit.

MyFBO: online scheduling, invoicing and aircraft maintenance tracking software program.

Operations manual: Flight Training Operations Manual.

Operational control: The exercise of authority over the initiation, continuation, diversion or termination of a flight in the interest of safety, and the regularity and efficiency of the flight.

Pilot's self-dispatch: a flight where the PIC is solely responsible for flight watch.

Sub-base: a location at which a flight training unit positions aircraft and personnel from which operational control is exercised in accordance with their operational control system.

AIM	Transport Canada Aeronautical Information Manual
AMO	Approved Maintenance Organization
ATC	Air Traffic Control
BE90	Beechcraft King Air 90
C152	Cessna 152
C172	Cessna 172
CAAC	Civil Aviation Administration of China
CAP	Canada Air Pilot
CAP GEN	Canada Air Pilot – General Pages
CAR	Canadian Aviation Regulation
CFI	Chief Flight Instructor
CFS	Canada Flight Supplement
CGI	Chief Ground Instructor
COO	Chief Operating Officer
CPL	Commercial Pilot Licence
CYPK	Pitt Meadows Regional Airport (ICAO Code)
CYQF	Red Deer Airport (ICAO Code)
DFO	Director of Flight Operations
DFS	Daily Flight Sheet
ETA	Estimated Time of Arrival
FRAT	Flight Risk Assessment Tool
FTOM	Flight Training Operations Manual
IATP(A)	Integrated Airline Transport Pilot Licence (Aeroplane)
ICAO	International Civil Aviation Organization
ICPL(A)	Integrated Commercial Pilot Licence (Aeroplane)
ICPL(A)/IR	Integrated Commercial Pilot Licence (Aeroplane) with Instrument Rating
IFR	Instrument Flight Rules
IMC	Instrument Meteorological Conditions
IPM	Instrument Procedures Manual
MCM	Maintenance Control Manual
MFO	Manager of Flight Operations
PA34	Piper Seneca
PF	Pilot Flying
PNF	Pilot Not Flying
PIC	Pilot in Command
POH	Pilot's Operating Handbook
PPL	Private Pilot Licence
PRM	Person Responsible for Maintenance
PSTAR	Pre-Solo Test of Air Regulations
PTIB	Private Training Institutions Branch
PTR	Pilot Training Record
QA	Quality Assurance
RPP	Recreational Pilot Permit
SOP	Standard Operating Procedure
VFR	Visual Flight Rules
VMC	Visual Meteorological Conditions
VNC	VFR Navigation Chart
VTA	VFR Terminal Area Chart

Section 2.0 – Admissions Policy – Introduction

2.1 Admissions Policy

All students must meet the admission requirements for their intended course of training. These criteria are outlined in the paragraphs below and cannot be waived by either the student or Montair.

2.2 Course Specific Prerequisites

All students must meet the admission requirements for their intended course of training. These criteria are outlined in the paragraphs below and cannot be waived by either the student or Montair.

2.2.1 Private Pilot Licence (PPL) and Night Rating

- a) No specific age requirement for enrollment, however applicants for a PPL should be a minimum of 17 years of age;
- b) Completed *Pilot Information Form*, reviewed by the CFI, with a copy on file;
- c) Valid Transport Canada Category 1 or Category 3 Medical Certificate, with a copy on file;
- d) All applicants must be able to achieve Level 4 proficiency (operational) in an ICAO English Language assessment. Applicants who have completed high school in Canada are not required to undergo further English language testing;

2.2.2 Commercial Pilot Licence (CPL)

- a) Students must be a minimum age of 17 at the time of enrollment with Montair. An applicant must be 18 years old to hold a Transport Canada CPL.
- b) Completed *Pilot Information Form*, reviewed by the CFI, with a copy on file;
- c) All applicants must be able to achieve Level 4 proficiency (operational) in an ICAO English Language assessment. Applicants who have completed high school in Canada are not required to undergo further English language testing;
- d) Applicants must be able to pass and retain a Transport Canada Category 1 Medical Certificate, with a copy on file prior to commencing training;
- e) Applicants must have the equivalent of Canadian Grade 12 high school education; international applicants must provide evidence of their educational qualifications which will be reviewed by Montair staff (the student affairs team) for approval.

2.2.3 Multi-Engine Rating

- a) Minimum age of 17;
- b) Completed *Pilot Information Form*, reviewed by the CFI, with a copy on file;
- c) Valid Transport Canada PPL or CPL, with a copy on file;
- d) Valid Transport Canada Category 1 or Category 3 Medical Certificate, with a copy on file.

2.2.4 Group 1 and Group 3 Instrument Rating

- a) Minimum age of 17;
- b) Completed *Pilot Information Form*, reviewed by the CFI, with a copy on file;
- c) Valid Transport Canada PPL or CPL, with a copy on file;
- d) Valid Transport Canada Category 1 or Category 3 Medical Certificate, with a copy on file.

2.2.5 Flight Instructor Rating

- a) Minimum age of 18;
- b) Completed *Pilot Information Form*, reviewed by the CFI, with a copy on file;
- c) Valid Transport Canada CPL, with a copy on file;
- d) Valid Transport Canada Category 1 Medical Certificate, with a copy on file.

2.2.6 Integrated Courses (IATP, ICPL/IR, ICPL)

- a) Students must be a minimum age of 17 at the time of enrollment with Montair. An applicant must be 18 years old to hold a Transport Canada CPL.
- b) Completed *Pilot Information Form*, reviewed by the CFI, with a copy on file;
- c) All applicants must be able to achieve Level 4 proficiency (operational) in an ICAO English Language assessment. Applicants who have completed high school in Canada are not required to undergo further English language testing;
- d) Applicants must be able to pass and retain a Transport Canada Category 1 Medical Certificate, with a copy on file prior to commencing training;
- e) Applicants must have the equivalent of Canadian Grade 12 high school education; international applicants must provide evidence of their educational qualifications which will be reviewed by Montair staff (the student affairs team) for approval.
- f) All applicants shall undergo an interview with Montair instructional staff to assess their motivation, dedication and suitability for an integrated training course.

For applicants to one of Montair's integrated programs, the following must have been supplied/completed prior to selection:

- Application Form (Pilot Information Form)
- Current resume
- Two letters of reference (there can be from employers, lecturers, teachers, etc.)
- Outline of career plan in aviation
- Interview with Montair instructional staff

2.3 Final Admission

Prior to a letter of acceptance and enrollment certificate being issued, the following items must have been completed:

- Montair must have a copy of the applicant's current Transport Canada Medical Certificate onfile
- Any required academic transcripts have been received
- A copy of the applicant's passport has been supplied
- For international students, a copy of a study permit or visa (if required) is on file
- The applicant's credit card details are on file
- Any required deposit has been paid by the applicant



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Section 3.0 – General Policies

3.1 Conduct of Flight Training

All flight instruction at Montair shall be conducted in accordance with:

- Canadian Aviation Regulations and Standards
- Flight Training Operations Manual
- Company Training Manual (for integrated students)
- Transport Canada Flight Instructor Guide
- Transport Canada Flight Training Manual

This shall be done with reference to:

- Aeronautical Information Manual (AIM)
- Canada Air Pilot (CAP)
- Canada Flight Supplement (CFS)
- Instrument Procedures Manual (IPM)
- Transport Canada Human Factors Training Manuals

3.2 Aeroplane Manuals and Publications

The Pilot Operating Handbook (POH) shall be used as the final authority for all manoeuvres, limitations and performance. If a discrepancy is found between the aircraft POH and Montair's Standard Operating Procedures (SOPs), the POH shall be used as the final authority, unless authorized by the CFI. Montair aeroplanes shall be operated at all times in accordance with the limitations and conditions in the approved POH, a copy of which shall be issued to each student and be available in each aeroplane.

The Pilot in Command (PIC) shall decide what safety factor over and above the recommendations established in the POH shall be applied on any given flight, subject to any overriding limitation in this document, the *Flight Training Operations Manual* or by the supervising instructor. However, at no time shall the aircraft be operated beyond or outside the limitations established in the POH, unless approved by the CFI.

The PIC will be familiar with the POH and will use the necessary checklists, information and performance data for the intended flight. The PIC shall consult the POH and/or approved checklists as necessary when handling emergencies.

3.3 Course Syllabus

For the latest summaries and detailed descriptions of Montair's flight training and ground school programs, refer to the Company Training Manual, which can be found on Montair's Aerostudies website.

3.4 Transport Canada Publications

All students shall be issued with a copy of the relevant Transport Canada Study and Reference Guide and Flight Test Guide prior to undertaking written or flight tests. These are also available from the instructor and on the Transport Canada website.

3.5 Flying Schedule

Montair uses dedicated schedulers at both training bases to create the daily flying and ground school schedule. Schedulers shall create the flying and ground school schedule for students at least 24 hours in advance using the dispatch and scheduling software program, MyFBO.

It is the students' and instructors' responsibility to check MyFBO for scheduling particulars including briefing times and other operational considerations. In the event of scheduling conflicts or the need to cancel flights, the student should contact their primary instructor (or other supervising instructor if the primary is unavailable) who will contact the scheduler and request a correction.

In the absence of a dedicated scheduler, members of the dispatch team are able to make additions and alterations to the schedule on MyFBO. In any case, alterations and cancellations requested by students must be approved by their primary instructor.

Rental/modular training pilots can make booking requests in person or by telephone. Flights for rental/modular training pilots are scheduled in the same way as flights for integrated program students.

3.6 Accommodation Policy

Montair Aviation is not able to offer accommodation for students except in the case of students on training programs for overseas corporate clients. In these cases, the accommodation and costs will be provided as agreed by contract.

For other students, Montair is able to help direct students to information and resources that are available in the local community for accommodation. Montair assumes no liability for arrangements entered into with these independent service providers. Montair has no affiliations with any particular suppliers of accommodation; students are encouraged to conduct their own due diligence before entering into arrangements with housing providers.

3.7 Healthcare Policy – International Students

3.7.1 British Columbia

BC's provincial health insurance plan is known as Medical Services Plan (MSP). Anyone living in BC for six months or longer (including international students) is required by law to enrol in MSP and pay the premiums for the plan. New residents, or persons re-establishing residence in BC, are eligible for coverage after completing a wait period that consists of the balance of the month in which residence is established plus two months.

If applicable, students should apply immediately after arriving in BC. Application for MSP is free, but monthly premiums are charged once coverage begins.

Further information on MSP is available from the government website:

<https://www2.gov.bc.ca/gov/content/health/health-drug-coverage/msp>

Students who are not eligible for the MSP program, or for healthcare coverage during the MSP wait period, are strongly encouraged to purchase a private healthcare plan.

3.7.2 Alberta

International students may be eligible for the Alberta Health Care Insurance Plan (AHCIP). Student eligibility is as follows:

- a) Students who have a 12-month study permit (valid for an Alberta educational institute) and who will reside in Alberta for 12 months or more are eligible for AHCIP coverage;
- b) Students with study permits valid for more than three months, but less than 12 months, may be eligible for AHCIP coverage if their application is accompanied by a letter confirming their intent to reside in Alberta for at least 12 months.

If the application for AHCIP is received within three months of entry into Alberta, coverage is effective from

either the date of entry into Alberta, or the date that the student's study permit begins, whichever is the later. Further information is available from the government website:

<https://www.alberta.ca/ahcip.aspx>

Students who are not eligible for the AHCIP program are strongly encouraged to purchase a private healthcare plan.

3.8 Attendance Policy

The following attendance policy has been developed in order to maximize utilization of company resources:

- Modular students can cancel a flight without a valid operational reason with more than 24 hours advance notice.
- Within 24 hours, a student may cancel a flight with a valid operational reason (e.g. sickness).
- For modular students, when notice has not been provided and a student fails to show for a scheduled flight, a no-show fee equal to the scheduled flight time of the trip and ground briefing rates will be applied to the student's account.
- Failure to show for bookings by contract/integrated students can invoke disciplinary action – this is described in the Company Training Manual.

Students are expected to be at the dispatch area at least 30 minutes prior to the scheduled booking time.

Students are requested to be on time for their bookings and be ready for their flight and pre-flight briefing with their instructor. Examples of things to have prepared are:

- Flight Risk Assessment Tool (FRAT)
- Lesson Plan (integrated students only)
- Complete weather briefing (current and forecast), including local ATIS
- Crosswind components (departure and destination airports)
- Aircraft Release Form

- DFS entry
- Pre-flight inspection
- Flight plan (if applicable)

Successful completion of any of Montair's training courses is dependent on the student attending all required ground and flight training sessions. Attendance at all ground school training sessions will be recorded via an electronic ground school tracking system. Montair expects all students to arrive promptly and be prepared for scheduled ground and flight training sessions.

Poor attendance is detrimental to the attainment of learning objectives and suggests a poor work ethic of the student. Good work habits are required in the commercial aviation industry and underpin safe operations. A poor attendance record (less than 95%) will be dealt with by the CFI and can lead to expulsion from the course. Extenuating circumstances, such as illness, bereavement or other circumstances outside of the

student's control, will be dealt with on an individual basis.

3.9 Prior Learning Assessment Policy

Any student wishing to transfer to Montair following the commencement of their flight training at another flight training establishment will be subject to assessment and testing at the discretion of the CFI in order to establish a modified training plan based on their ability.

Students wishing to transfer onto one of Montair's integrated programs from another establishment may do so after first achieving their Recreational Pilot Permit (RPP) or PPL. They will still be subject to an assessment flight by a check instructor to establish their suitability for an integrated program. A student who is successful in this case would be eligible to have flight hours credited towards their integrated course. For further information, refer to the Company Training Manual.

3.10 Student Learning Assessment (Academic Standing) Policy

Measurement of learning is an essential part of training. It ensures that both the training organization and the student know whether training objectives are being met and whether a student is ready to advance to the next lesson or phase of training. Student assessments occur in a number of ways, outlined below.

3.10.1 Lesson Plans

Student assessments occur at the conclusion of each flight. Comments and evaluations are recorded on flight Lesson Plans and are available for the student's review at any time during the progress of training.

Evaluations are recorded using the Transport Canada Flight Test Guide four-point marking scheme.

3.10.2 Montair Ground School Assignments

Ground school assignments will normally be issued after specific ground school lessons. Their purpose is to test the students' understanding of the material. They may be in the form of short-answer style questions or multiple-choice questions.

Ground school assignments will be marked by the ground school instructor setting the assignment. Questions answered incorrectly on ground school assessments will be covered in subsequent ground school sessions to ensure that there are no gaps in the students' knowledge.

Ground school assignments will also include the following internal examinations:

- Aircraft POH tests
- PSTAR examinations
- Industry Canada Restricted Radio Operator Licence examinations

3.10.3 Transport Canada Written Examinations

During the course of a training program, students may take one or more Transport Canada written examinations in order to meet the theoretical knowledge requirements for the issue of certain licences and ratings. These tests are taken at designated Transport Canada examination centres. Feedback is provided to the student directly by Transport Canada in these cases.

No student will be recommended to take a Transport Canada written examination unless they have completed all of the Montair ground school requirements and met the requirements in CAR 421.13. Recommendation for written examinations shall be at the discretion of the Chief Ground Instructor (CGI), or delegate.

3.10.4 Transport Canada Flight Tests

For the issuance of licences and ratings, students have to pass specific Transport Canada Flight Tests. These tests shall be conducted by Transport Canada appointed flight test examiners. Feedback is provided to the student directly by the examiner in these cases.

No student will be recommended for a Transport Canada flight test unless they have completed all of the Montair flight training requirements for that flight test and received a recommendation from the CFI, or delegate.

Failure of either a Transport Canada flight test or written examination implies that the student cannot hold the licence or rating. Should a student consistently fail these assessments, the CFI shall conduct a review of the student's performance over the whole course and a decision will be made as to whether the student should continue with the course or withdraw from training.

3.11 Facilitation of Student Success

Each individual student is responsible for being prepared for every flight training lesson and ground school session. Good preparation includes having completed any required study beforehand and arriving fit and rested for the lesson.

Should any student feel that they are experiencing difficulties in training they should discuss the situation with their primary instructor or the CFI.

Montair has methods of identifying if a student is experiencing difficulty (including unsatisfactory academic progress on the course) by conducting regular reviews of each student's progress.

3.12 Grade Appeal Policy

All final written examinations and flight tests are conducted by Transport Canada, or their appointed delegates. Therefore, any appeals with respect to final grades or failure of examinations must be directed to the appropriate individual at the local/regional Transport Canada office.

Should a student feel that the assessment of an interim review flight, conducted by a Montair check instructor, was not performed or assessed correctly, the individual should discuss this with the CFI.

3.13 Instructor Changes

Montair will assign a primary instructor for each student. This instructor will conduct the majority of flight lessons. To provide internal quality assurance, all students will occasionally fly with another instructor, this will most commonly occur during flight reviews and check flights.

Occasionally, due to personality differences, a change of instructor may be the most appropriate course of action. Changes of instructor are at the discretion of the CFI and will normally only be approved once per phase of training (for integrated students) or per licence/rating (for modular students).

3.14 Suspension of Training and Disciplinary Action

A student's training can be suspended or postponed for a variety of reasons.

- Unsatisfactory progress as per the policy detailed in section 6.6
- Violation of Canadian Aviation Regulations
- Violation of Montair Safety Policies
- Wilful negligence
- Consistent record of unsafe decision making or airmanship, affecting the safety of the trainee or others (examples of which can be reported through the Safety Management System or documented on lesson plans)
- Physical abuse, verbal abuse or harassment
- Substance abuse
- Poor attendance
- Loss of category 1 medical privileges

There may be other circumstances in which the student's training may need to be suspended or postponed for personal, health or other reasons. These situations will be dealt with on a case-by-case basis in consultation with Transport Canada.

All significant issues regarding training effectiveness, such as unsatisfactory progress reports, will be recorded in each student's training file and remain confidential.

3.15 Dismissal Policy

Should a student be in violation of the Canadian Aviation Regulations, Montair reserves the right to terminate the student's enrolment and refund any monies on their account.

Any student who mistreats Montair aircraft and equipment will be subject to having their flying privileges suspended pending a review of the incident by the CFI. All students must understand that safety and compliance with the Canadian Aviation Regulations is of paramount importance to Montair.

Students are expected to treat their fellow students and staff with dignity and respect. Failure to do so may result in a verbal or written reprimand. Any such action shall be recorded in the student's file. Repeated

violations may result in the student's flying privileges being suspended and possible dismissal from the training course. Written notice shall be provided by Montair in these circumstances. Appeals to request the reversal of suspension of flying privileges should be made in writing to the CFI.

3.16 Dispute and Complaint Resolution Policy

Any problems concerning the performance of Montair's obligations to the student should be forwarded to the appropriate instructor (in most cases, this shall be the primary instructor). Should the issue not be resolved at this level within 72 hours, the CFI should be contacted in writing. Should the issue still not be resolved after contacting the CFI, the matter should be directed to the Vice President of Operations and Training in writing within a further 72 hours.

If the issue is related to flight training or operations and all of the above avenues have failed to produce a satisfactory result, the student may contact Transport Canada through the appropriate channels. In other circumstances, the parties involved shall appoint an external mediator/arbitrator within 72 hours. The mediator/arbitrator will render a decision concerning the issue within 30 days and assign the cost of mediation/arbitration in keeping with the resulting decision.

Students will not be subject to any retaliation as a result of their complaint.

After having exhausted the dispute resolution process, a student may file a claim with the Private Training Institutions Branch (PTIB) of the Ministry of Advanced Education on the basis that the institution misled the student regarding any significant aspect of an approved program. The government website for PTIB is:

<https://www.privatetraininginstitutions.gov.bc.ca>

Private Training Act

Institutions are required under Section 19 of the *Private Training Act* (the "Act") to establish, in accordance with Section 62 of the *Private Training Regulation*, a dispute resolution process for student complaints

respecting the institution or any aspect of the institution's operations. The policy must be provided to students before the start date of the program.

Section 62 of the *Private Training Regulation* reads as follows:

1. For the purposes of Section 19 of the Act, a dispute resolution process established by a certified institution must:
 - a. Be established in writing;
 - b. Require a student complaint to be made in writing;
 - c. Identify, by title:
 - i. The individual responsible for making a determination in respect of a student complaint; and,
 - ii. If the individual referred to in subparagraph (i) is absent or named in the complaint, the individual responsible for making a determination in respect of the student complaint;
 - d. Describe how a student complaint is to be handled;
 - e. Authorize a student who makes a complaint to be represented by an agent or lawyer; and,
 - f. Require written reasons for the determination that are to be given to the student within 45 days after the date on which the student makes a complaint.
2. A certified institution must ensure that the dispute resolution process is fair and reasonable.
3. A certified institution must not impose a fee in relation to the student complaint.

3.17 Detecting Training Deficiencies and Student Probation Policy

Montair does not operate a formal academic probation policy since there are no formal interim assessments or GPA scores assigned during the training courses. However, if an instructor is concerned with the rate of progress of an individual student, this shall be brought to the attention of the CFI who will review the student's progress.

If it is deemed necessary, the CFI (or delegate) will meet with the student to discuss their concerns and assist in developing an appropriate plan for achieving satisfactory performance. In extreme circumstances, the student may be advised that a program of flight training is perhaps not best suited to them and withdrawal from the program may be suggested.

However, through its Quality Assurance (QA) program Montair is continually assessing its own performance as a high quality Flight Training Unit (FTU). Montair will act should it become apparent that a higher than normal proportion of students on a particular course are:

- Failing flight tests
- Failing written examinations
- Achieving lower marks on lesson plans or progress tests than previous classes
- Having disciplinary problems
- Receiving Unsatisfactory Progress Reports
- Requiring additional flight training hours (remedial training)
- Showing other indications of poor performance

Should it be considered that any one of the above was directly attributable to training or operational deficiency, Montair will take action that could include:

- Conducting an irregular audit in accordance with the Company QA Manual
- Interviews with Instructors and other personnel
- Requests for further student feedback
- Any other action deemed appropriate by the CFI

3.18 Student Withdrawal Policy

A student wishing to withdraw from a training course may do so after discussion with the CFI, advising of the reasons for withdrawal. Any fee refund shall be calculated as per the Company's refund policy, described below.

The Pilot Training Record (PTR) remains the property of the student and will be returned in exchange for a confirmatory signature of receipt.

3.19 Refund Policy

Refunds will only be processed to the entity or location that made the original payment. A student may be entitled to a refund of tuition fees in the event that:

- a) The student provides written notice to the institution that they are withdrawing from the program; or,
- b) The institution provides written notice to the student advising that they have been dismissed from the training program.

Written notice advising of withdrawal or dismissal may be delivered in any manner provided that a receipt or other verification is available that indicates the date on which notice is delivered. The notice of withdrawal or dismissal is deemed to be effective from the date it is delivered.

The refund to which a student is entitled is calculated on the total tuition fees due under the contract. Where total tuition fees have not yet been collected, the institution is not responsible for refunding more than has been collected to date and a student may be required to make up for monies due under the contract. If the institution has received fees in excess of the amount it is entitled to under the student contract, the excess amount must be refunded.

3.19.1 Refunds before the program of study begins

- a) If written notice of withdrawal is received by the institution within 7 days after the contract is made, and before the commencement of the period of instruction specified in the contract, the institution may retain 5% of the total tuition and fees due under the contract to a maximum of \$250.
- b) If written notice of withdrawal is received by the institution 30 days or more before the commencement of the period of instruction specified in the contract, and more than 7 days after the contract was made, the institution may retain 10% of the total tuition only due under the contract to a maximum of \$1000.
- c) If written notice of withdrawal is received by the institution less than 30 days before the commencement of the period of instruction specified in the contract and more than 7 days after the contract was made, the institution may retain 20% of the total tuition only due under the contract to a maximum of \$1300.

Where a student did not meet the institutional and/or program-specific minimum requirements for admission through no misrepresentation or fault of their own, the institution must refund all tuition and fees paid under the contract, less the applicable non-refundable student application or registration fee.

3.19.2 Refunds after the program of study begins

- a) If written notice of withdrawal is received by the institution or a student is dismissed before 10% of the period of instruction specified in the contract has elapsed, the institution may retain 30% of the tuition due under the contract.
- b) If written notice of withdrawal is received by the institution or a student is dismissed after 10% but before 30% of the period of instruction specified in the contract has elapsed, the institution may retain 50% of the tuition due under the contract.
- c) If a student withdraws or is dismissed after 30% of the period of instruction specified in the contract has elapsed, no refund is required.

Where a student withdraws or is dismissed from their program, they are entitled to 100% refund of any as-yet-to-be received consumables that have been pre-paid.

Where a student withdraws or is dismissed from their program after receiving technical equipment from the institution free of charge:

- a) The student must return the equipment as issued within 14 calendar days;
- b) If the student fails to return the equipment as set out in (a) above, the institution may deduct the reasonable cost of the equipment from any amount to be refunded to the student.

Refunds owed to students must be paid within 30 days of the institution receiving written notification of withdrawal and all required supporting documentation, or within 30 days of the institution's written notification of dismissal.

3.20 Health and Safety Policy

Montair Aviation Inc. is dedicated to promoting safe and healthy working conditions and attitudes for employees, students and visitors. It is therefore the policy of Montair to:

- Protect the health and safety of all employees, students and visitors.
- Comply with all relevant statutes, regulations, standards of government agencies and regulatory authorities relevant to occupational health and safety.
- Give priority to safe working conditions and job safety practices in the planning, budgeting, direction and implementation of Montair's activities.

Health and safety is the responsibility of everyone at Montair. However, specific responsibilities of students include:

- Comply with Montair's health and safety policies and procedures.
- Seek guidance from their instructors concerning safety-related knowledge and skills required to ensure safe performance in their Montair-related activities.
- Attend health and safety training programs and meetings as required.
- Immediately report to their instructor, using an Event Notification Investigation Report (ENIR) form, any accident, incident, injury, near-miss, hazardous work practice or work condition with respect to Montair-related activities.

3.21 Privacy Policy

Montair collects staff and students' personal information for the following purposes:

- Compliance with the Canadian Aviation Regulations.
- Compliance with Transport Canada Personnel Licensing and Training Standards.
- Compliance with PTIB (BC).
- Conventional accounting practices and procedures.
- Compliance with the policies and procedures of the Canada Revenue Agency.

Montair staff are prohibited from releasing any private information related to students. The company shall abide by the *Personal Information Protection Act*.

3.21.1 Procedure for maintaining student files

Student personal information is collected throughout the student's attendance at the institution. All required information regarding a student's performance, progress and acquired pilot qualification(s) shall be kept in a physical and electronic student file.

- Physical student files shall be kept in a locked filing cabinet in the student records team office. Access to physical student files shall be limited to the CFI, DFO, COO, flight and ground instructors, and appropriate administrative staff.
- Electronic student files shall be kept securely in a folder on the Company hard drive that shall have limited access.
- When a student completes training towards the issuance of a licence or rating, the applicable pilot training records and transcripts of examinations shall be forwarded to Transport Canada for processing.
- At the end of a period of inactivity of approximately one year, inactive physical student records shall be kept in a secured storage room for a further six years.
- At the end of a seven-year period, the full student file may be destroyed using a secure destruction method.

3.21.2 Procedure for student access to information on file

Under the Personal Information Protection Act, students are entitled to access their student file. Students wishing to access the information in their student file must contact the CFI.

Montair will not release information to any person other than people authorized by the student to access information unless required to do so by legislation, a subpoena, court order or if release of information is necessary as part of an ongoing police investigation.

Persons authorized to access information on behalf of a student must provide written proof of this authorization.

3.22 Building Evacuation Plan

3.22.1 CYPK Building Evacuation Plan

In the event that a building evacuation be required, students should exit via the nearest available emergency exit and meet at the post-evacuation muster site which is located next to Blades Aviation on the north side of the road in the staff parking lot (maps are located at each exit with directions to the muster point).

3.22.2 CYQF Building Evacuation Plan

In the event that a building evacuation be required, students should exit via the nearest available emergency exit and meet at the post-evacuation muster site which is located to the north of the front of the building (maps are located at each exit with directions to the muster point).

Section 4.0 – Flight Following and Operational Control

4.1 Supervision

Students at Montair must be supervised before, during and after their flights. This includes students who are time building towards their CPL. Only rental pilots – clients who have no intention of any training towards a licence or rating and are not subject to a commercial training contract – can rent an aircraft without direct supervision. Such rentals are at the discretion of the COO and may be subject to supervision as deemed necessary.

All pilot must be able to prove to Dispatch that they have a valid licence or permit, medical certificate and rental agreement, and that they meet Montair and Transport Canada currency requirements. Copies of the aforementioned documents must also be in the pilot's file at Montair.

4.2 Operational Control and Flight Authorization

Operational control means the exercise of authority over the initiation, continuation, diversion or termination of a flight in the interest of the safety of the aircraft and the regularity and efficiency of the flight. The system is under control of the CFI.

All flights, or series of flights, away from base must be authorized before departure by the CFI or by an individual delegated by the CFI.

4.3 Flight Following

Montair aviation is committed to providing a system of flight dispatch and communications to enable the control and supervision of flights. The system shall enable instructors and students to communicate directly or indirectly with the base of operations. The ability of the pilot and dispatcher to communicate could prove invaluable in the event of emergencies, changing weather or changing operational requirements while airborne.

A person qualified and knowledgeable in Montair's flight alerting procedures shall be on duty or available when flight operations are being conducted.

4.3.1 Requirements

All flights shall be conducted as follows:

The PIC is responsible for Flight Watch but shall be supported by a Flight Following System that shall monitor the estimated location of each flight from its commencement to its termination, including any intermediate stops.

Current information on the location of Montair aircraft must be maintained at the training base of origination (either Pitt Meadows or Red Deer) and be readily available to the CFI. Each aircraft shall be equipped with serviceable VHF radio communications equipment that permits the PIC two-way communication with a ground station.

4.3.2 PIC Responsibilities

The PIC shall obtain and monitor current information relevant to the progress of their flight. They shall be responsible, among other things, for:

- a) Obtaining all relevant and available weather and NOTAM information in order to generate accurate flight planning;
- b) Maintaining situational awareness during the pre-flight, in-flight and post-flight phases of the trip;
- c) Update en-route information as necessary in order to carry out a safe flight;
- d) Upon landing, within 15 minutes of the planned estimated time of arrival (ETA), advise Company dispatch at their respective training base of arrival or any changes that were made to the planned flight;
- e) The PIC shall be responsible for passing messages to the Company concerning aircraft landings and departures, en-route stops, their final destination and ETA.

4.3.3 Dispatch Responsibilities

Should the dispatcher have any concern regarding the initiation, progression or termination of a flight they shall notify the CFI and/or the duty supervising instructor (as appropriate) immediately. Should it be necessary, the dispatcher shall also initiate the overdue aircraft response.

Company Dispatch shall maintain a listening watch on the Company dispatch radio frequency, 130.775 MHz.

4.4 Authorization of Solo Flights

All solo flights must be pre-authorized by the student's primary instructor. The purpose of pre-authorization is to maintain continuity of operational control. The authorization also provides details on restrictions imposed by an instructor and confirms that the instructor is authorizing the student to undertake that lesson plan.

The authorization is completed and signed on solo lesson plans in the "instructor restrictions and authorizations" box. As well as signing to authorize the flight, the instructor will also detail any weather minima, location or other restrictions that they deem pertinent to the flight. All authorizations will include a valid-to date, no greater than 7 days from the date of signing. Any student presenting a solo lesson plan to dispatch with an expired instructor authorization, or no authorization, will not be dispatched.

In addition to the authorizations and restrictions box being signed by the primary instructor, all solo students require a pre-flight briefing from their primary, or other delegated, instructor.

4.5 Authorization of Night Flights

All night flying must be approved by the CFI. This will allow Montair to provide, whenever practicable, on-site flight following for all night flying activities.



For all night VFR flights, a VFR flight plan shall be filed with air traffic services where no Company duty person is present and available on-site. The exception to this is when conducting night circuits, unless no ATC services are available on site during the flight. All night flights beyond 25nm from the base of departure must be on a flight plan. The emergency contact listed on a flight plan must be a person who will be available on that telephone number at ETA + 60 minutes. They must also be knowledgeable in overdue aircraft procedures and be aware that they are holding this responsibility.

All solo night flights are required to be authorized and supervised by an instructor. An instructor is required to be on site for the duration of the solo night flight(s) they are supervising.



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Section 5.0 – Flight Training Operations

5.1 Operating Requirements, Policies and Limitations: General

5.1.1 Pre-Flight Inspection

The Flight Instructor or PIC is responsible for the completion of an aeroplane pre-flight inspection prior to each flight, in accordance with the aircraft flight manual or POH.

The first 5 flight training lesson plans in Phase 1 will include a pre-flight inspection that is supervised by the flight instructor in order to emphasize the importance of the inspection to students and to help foster good practices.

5.1.2 Aircraft Equipment Requirements

All Company aircraft will be equipped to meet the requirements of CAR 605, Division II and CAR 425.23.

5.1.3 Pilot Equipment

The following equipment is required to be carried by pilots operating Company aircraft: VFR:

- Pilot licence or permit, medical certificate and restricted radio operator's certificate
- Current VFR charts for the area
- CFS
- All necessary aircraft documents
- FTOM if planning to stop at another aerodrome (integrated students)
- Flight computer
- Lesson plan (integrated students)
- Navigation log (for cross country flights)
- Flight plan (where required)
- Hood (for instrument training)
- Survival kit as required for route of flight
- Credit card for fuel when planning cross country flights
- Cell phone

IFR, IFR training and Night:

- All VFR requirements listed above
- Appropriate IFR charts and approach plates
- Navigation log
- Flashlight (night only)
- Spare batteries for flashlight or second flashlight (night only)

5.1.4 Use of Pilot's Operating Handbook and Performance Limitations

The PIC will be familiar with the POH for the aircraft type they are operating and shall use the necessary checklists and performance data. Prior to acting as PIC on any Company aircraft, the pilot shall have passed the relevant POH test which shall be kept in their employee or student file. The pilot will refer to the POH and aircraft checklists as necessary when handling emergencies.

The aircraft POH will be used as the final authority for all manoeuvres, limitations and performance data. In the event of a discrepancy between the information in the POH and the Company approved aircraft checklist, the POH shall be considered to be the final authority, unless authorized by the CFI.

The PIC shall decide if any safety factor over and above the recommendations established in the POH shall be applied in a given flight, subject to any overriding limitations imposed in this Manual. At no time will the aircraft be operated beyond or outside the limitations established in the POH.

5.1.5 Passenger Briefings

Before each flight, the PIC is responsible for giving passengers a thorough safety briefing. Individual briefings may be necessary for visually impaired, hearing impaired, mobility and comprehension restricted persons or a person responsible for another (e.g. an infant).

Before take-off and landing, the PIC shall visually check that all passengers are seated and secured. Only able-bodied persons who are able to operate the emergency exits shall be seated next to them.

Items to be covered in the passenger briefing are described in each aircraft checklist and a more detailed description is described in Montair SOPs, including details of passenger preparation for emergency landings.

Where no additional passengers or students have embarked for the flight, for subsequent take-offs on the same day a pre-flight passenger briefing may be omitted provided the PIC has verified that all baggage is properly stowed, safety belts and harnesses are properly fastened and seat backs properly secured.

5.1.6 Use of Checklists

All pilots shall operate company aircraft using the approved Normal and Emergency checklists. When completing the pre-flight check, the PIC shall ensure that both of these checklists are on board the aircraft.

To ensure standardization in training and operation of Company aircraft, the following checklist procedures shall be used:

- a) Initiation of Checklists: the title of the checks shall be read out;
For example: **"Pre-Start Checks"**
- b) Correct Use of Checklists: aircraft checklists should be worked through in the order that they appear in an Action/Response fashion. Each item should be verbalized, the corresponding action should be completed and also verbalized using the exact verbiage on the checklist. Additional words such as 'is' or 'are' should not be used;
For example: **"Master Switch... On"** *Switch Master switch ON*
- c) Interruption while completing the checklist: the phrase **"Holding at (item)"** should be used;
For example: **"Holding at Parking Brake"**

- d) Skipping an Item: when an action on the checklist does not need to be completed, the phrase “(item) to come” shall be used;
For example: **“Landing Gear.....To Come”**
- e) Completion of a checklist: The title of the checks shall be read out again followed by the word “complete”;
For example: **“Pre-Start Checks Complete”**

Students are not permitted to make personal notes on aircraft checklists. The aircraft checklists are company approved documents compiled using manufacturers’ data and best practice evidence. In addition, students should not be taught alternative methods of competing a particular aircraft checklist.

Members of operational personnel can suggest improvements to an aircraft checklist by submitting suggestions in writing to the base MFO. Suggestions for improvement will be passed to the company maintenance department where relevant aircraft technical documents will be consulted. If a change to a checklist is approved, the company will issue new copies with the relevant amendment number and date.

5.1.7 Minimum Altitudes and Obstacle Clearance

All flights will be conducted at a safe altitude with respect to weather, pilot experience and obstacles. Under no circumstances will flights be conducted lower than the minimums stated in CAR 602.12, 602.14 and 602.15, taking into account the cruising altitude order as specified in CAR 602.34.

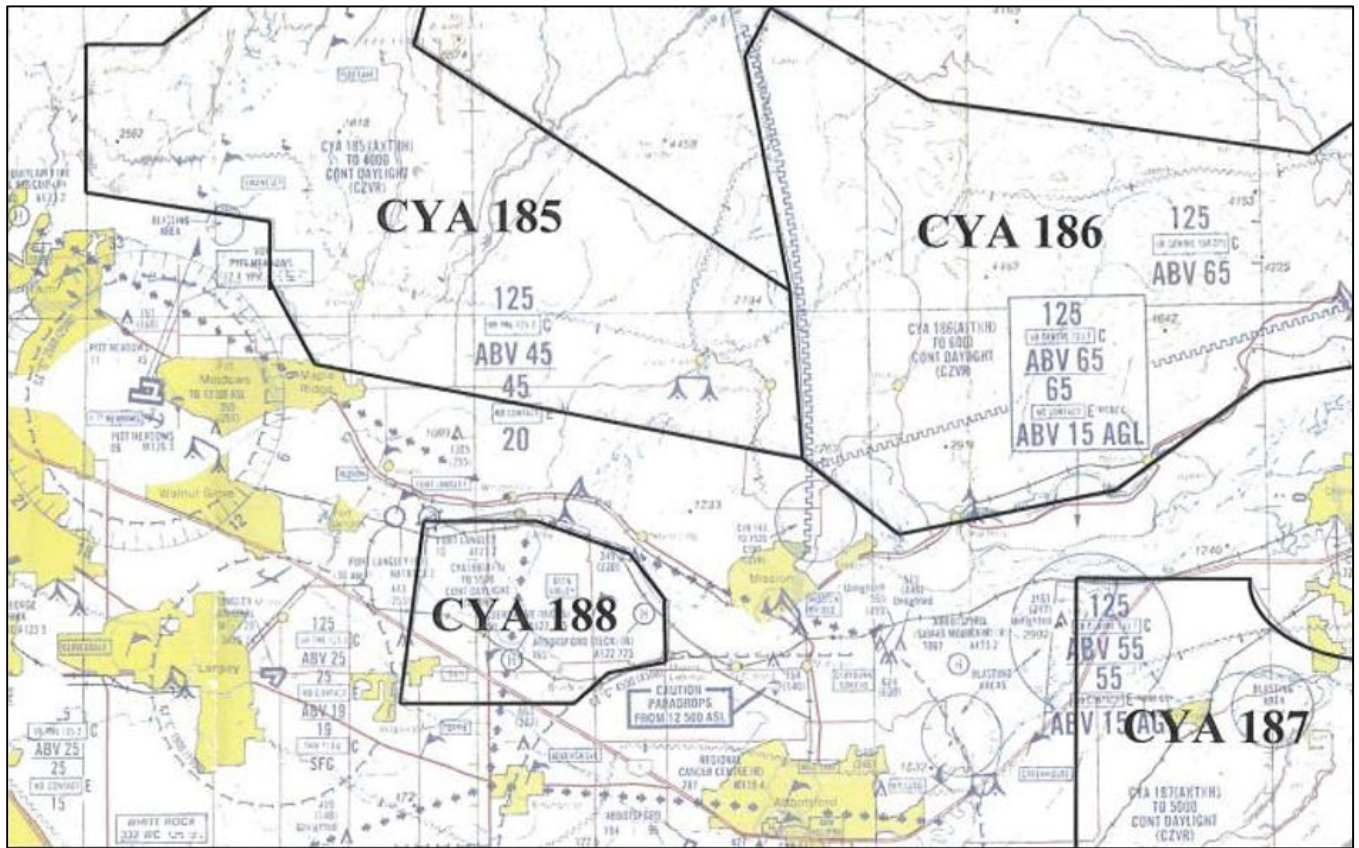
The minimum altitude for cross country training flights is specified in sections 5.3.5 and 5.3.6 above. Local cross country flights are defined as flights within 50nm of the departure aerodrome that do not enter mountainous terrain, cross the Strait of Georgia or enter the United States.

5.1.8 Transfer of Control

During all training flights with two crewmembers (including instructor and student), transfer of control will be accomplished using the following methods:

- a) The PF passing control to the PNF:
 - i. PF passing control calls **“You have control”** and does not release controls until PNF assumes control;
 - ii. PNF assumes control and calls **“I have control”**.
- b) The PNF initiating take over of control from the PF:
 - i. PNF assuming control calls “I have control”;
 - ii. PF relinquishes control and calls “You have control”.

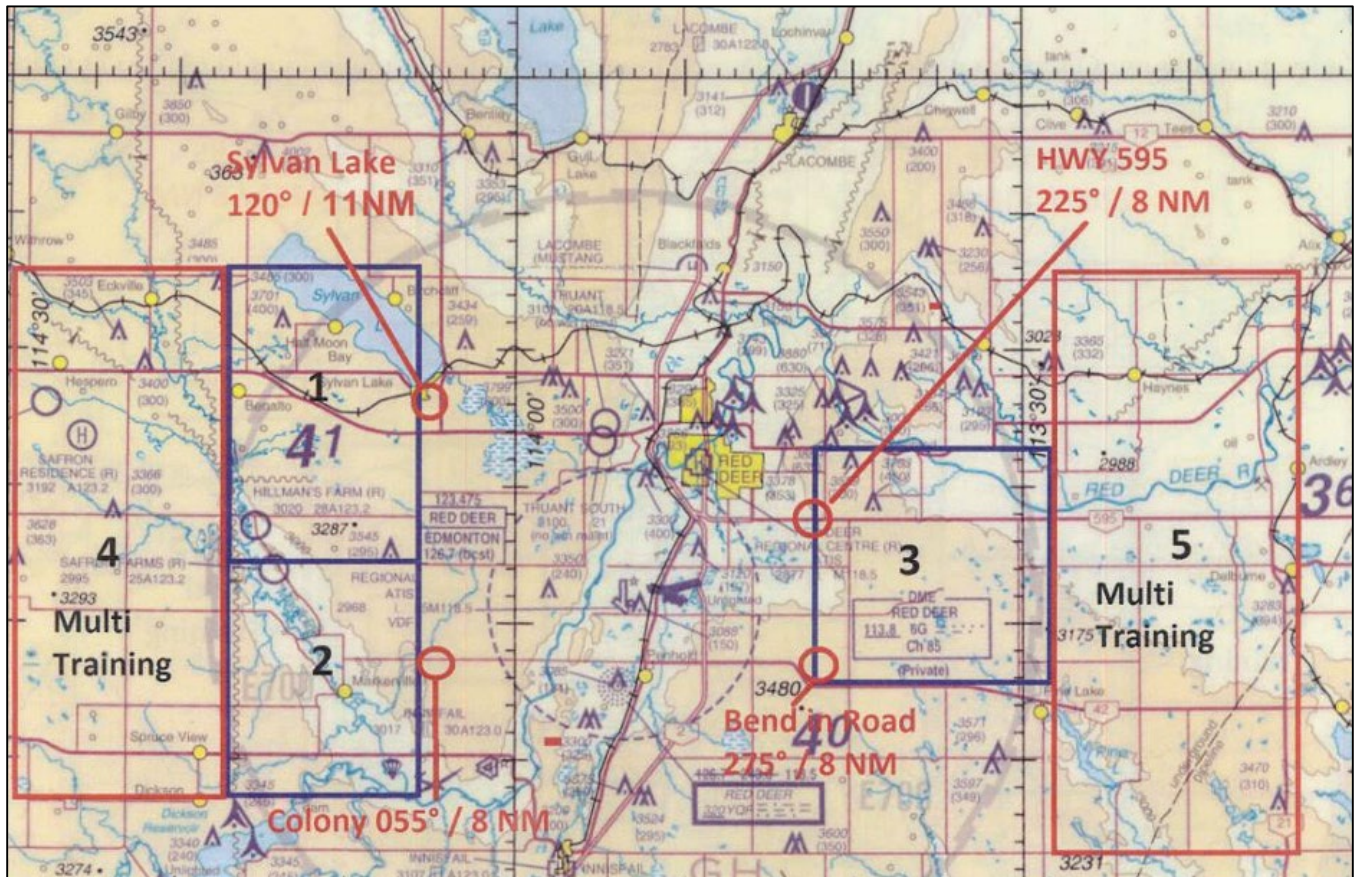
5.1.9 CYPK Designated Practice Areas



Practice Area	Designation	Max. Altitude	Remarks	Traffic Call
CYA 185	(A)(T)(H)	4000ft	Close proximity to CYPK control zone High terrain	"Pitt Traffic"
CYA 188	(A)(T)	5500ft	Adjacent to CYXX control zone	"Glen Valley Traffic"
CYA 186	(A)(T)(H)	6000ft	High terrain Encompasses CYR 138 Adjacent to CYR 140	"Harrison Traffic"
CYA 187	(A)(T)(H)	5000ft	Close proximity to CYCW and CYXX	"Sumas Traffic"

Steep turns, slow flight, stalls, spins, precautionary landings and forced landings can be performed in all of the practice areas listed above.

5.1.10 CYQF Designated Practice Areas



Practice Area	Designation	Max. Altitude	Remarks	Traffic Call
1	N/A	6000ft	N/A	N/A
2	N/A	6000ft	Close proximity to CEM4 control zone	N/A
3	N/A	6000ft	Up-sloping terrain Towers to the north	N/A
4	N/A	6000ft	Multi-engine training	N/A
5	N/A	6000ft	Multi-engine training	N/A

Steep turns, slow flight, stalls, spins, precautionary landings and forced landings can be performed in all of the practice areas listed above.

5.1.11 Operating Over Water

Montair aircraft shall not be operated over water, except when conducting take-off or landing, beyond a point where the aircraft could reach shore in the event of an engine failure, in accordance with the *Canadian Aviation Regulations* and the *Personnel Licensing and Training Standards*.

5.1.12 Mountain Flying

Flying in mountainous terrain is not to be conducted in a C152. Only a C172, PA34 or BE90 shall be used for flight training in mountainous areas and only after the PIC has conducted a mountain check flight. The designation of such areas is depicted on charts at Montair facilities.

5.1.13 Operation from Unprepared Surfaces

No pilot shall operate Company aircraft in or out of an unprepared surface without first receiving the required checkout from a flight instructor, with a record of such flight being kept in their personnel or student file. The use of any unprepared surface by Company aircraft shall be assessed on a case-by-case basis by the CFI prior to approval.

5.1.14 Oxygen Requirements

Sufficient oxygen shall be available for all crewmembers and 10 percent of passengers (in any case not less than one passenger) for the entire period of flight exceeding 30 minutes at a cabin pressure altitude of greater than 10,000ft ASL but not exceeding 13,000ft ASL.

Oxygen is required for all crew and passengers for all periods of flight above a cabin pressure altitude of 13,000ft ASL.

These requirements are in accordance with CAR 605.31 and 605.32.

5.1.15 Carriage of Dangerous Goods

Montair does not have approval under the *Transportation of Dangerous Goods Regulations* for the carriage of dangerous goods.

It is the responsibility of the PIC to ensure no dangerous goods are on board the aircraft prior to departure. Any substance that is, for example, explosive, gaseous, oxidizing, toxic/infectious, flammable, radioactive or corrosive could be classed as a dangerous good.

Training will be provided to all instructors via the Aerostudies website on the identification of potentially dangerous goods.

5.1.16 Collision Avoidance

The collision avoidance procedures and aircraft right-of-way rules described in the *Canadian Aviation Regulations* shall be adhered to at all times. All anti-collision lights on all aeroplanes shall be operated at all times or in accordance with the Aircraft Flight Manual. The landing light on the C152 and C172 and the wing tip lights on the PA34 should be on during all VMC operations below 10,000 feet MSL. Strobe lights should be switched on when entering the runway prior to take-off and switched off during the after-landing checks. Strobe lights should also be turned off when flying through cloud; the flashing light reflected from water droplets, particularly at night, can produce vertigo and loss of orientation.

5.1.17 Resetting Tripped Circuit Breakers

The aircraft POH and the Company Maintenance Control Manual (MCM) shall form the basis for circuit breaker resetting procedures.

There is a latent danger in resetting a circuit breaker tripped by an unknown cause since the tripped condition is a signal that something may be wrong with the related circuit. Until it can be determined what has caused the circuit interruption, crewmembers will be unsure of the consequences of resetting the circuit breaker.

Resetting a circuit breaker tripped by an unknown cause should normally be a maintenance function conducted on the ground.

A tripped circuit breaker shall not be reset in flight unless doing so is consistent with the procedures specified in the POH, company SOPs and approved company aircraft checklist unless, in the judgement of the PIC, the resetting of a circuit breaker is necessary for the safe completion of the flight. Crewmembers should limit the resetting of circuit breakers to one (1) in-flight reset per flight where this action is deemed necessary. No attempt should be made to reset a circuit breaker if it trips a second time.

Any tripped circuit breakers should be reported to maintenance at the earliest opportunity following the flight. Refer to the MCM for further information.

5.1.18 Pilot Incapacitation

Incapacitation of an individual can be either obvious or subtle. Obvious incapacitation can be caused by anything from a heart attack or a speck of dust in a pilot's eye. Subtle incapacitation can be caused by anything from a stroke to a mental lapse caused by stress or exhaustion.

Recognition of obvious incapacitation presents less of a problem than recognition of subtle incapacitation. Subtle incapacitation is particularly insidious since the non-functioning pilot can enter this state with no warning and may appear perfectly normal with eyes open and hands on the controls.

Recognition of subtle incapacitation may take considerable time and present a problem for the Pilot Not Flying (PNF) in that they have to decide how far they shall allow the Pilot Flying (PF) to deviate before taking over control. The two communication rule shall be adopted any time there are two pilots in the cockpit in order to reduce the risk of accident.

5.1.19 Two Communication Rule

Whenever a pilot, whether PF or PNF, does not respond to two verbal communication attempts with a reply, response or by executing a corrective action, the other pilot shall:

- a) Say **"I have control"** (if not already the PF);
- b) Take over control of the aircraft until the reason for non-response can be ascertained (i.e. incapacitation).

In the event of non-response due to incapacitation, the functioning pilot will carry out the following actions:

- a) Assume/maintain control and fly the aircraft to a safe condition;
- b) Restrain and/or remove the incapacitated pilot;
- c) Consider declaring an emergency;
- d) Reorganize the cockpit and prepare for landing;
- e) Enlist help from other qualified people if available;
- f) Arrange for ground assistance on arrival

5.1.20 [Unscheduled or Forced Landing](#)

In the event of an unscheduled or forced landing, the aircraft is not to be operated until approved by the PRM. In the event of an emergency or forced landing, the PIC should contact Montair dispatch at their respective training base as well as any ATS unit, peace officer, Canadian Armed Forces member or other responsible person immediately.

5.1.21 [Private Pilot Training: Approved Solo Cross-Country \(CYPK\)](#)

The cross-country requirement, as specified by Transport Canada, must consist of a flight of not less than 150 nautical miles and shall include two full stop landings at points other than the point of departure. Montair has two approved routes for the Pitt Meadows training base:

- a) CYPK to CYCW [full stop landing], CYCW to CYXX, CYXX to Hope City [overfly], Hope City to CZBB [full stop landing], CZBB to CYPK.
- b) CYPK to CZBB, CZBB to CYCW [full stop landing], CYCW to CYXX [full stop landing], CYXX TO Hope City [overfly], Hope City to CYPK.

Weather minima for the above cross-country flights shall be as follows: ceiling 6000ft, visibility 10 statute miles (unless authorized by the CFI or MFO).

5.1.22 [Private Pilot Training: Approved Solo Cross-Country \(CYQF\)](#)

The cross-country requirement, as specified by Transport Canada, must consist of a flight of not less than 150 nautical miles and shall include two full stop landings at points other than the point of departure. Montair has two approved routes for the Red Deer training base:

- a) CYQF to CEX3 [full stop landing], CEX3 to CYRM [full stop landing], CYRM to CYQF.
- b) CYQF to CFN7 [full stop landing], CFN7 to CEG4 [full stop landing], CEG4 to CYQF.

Weather minima for the above cross-country flights shall be as follows: ceiling 2500ft, visibility 10 statute miles (unless authorized by the CFI or MFO).

5.1.23 [Flights to the United States, Including Training Flights in US Airspace](#)

All flights to the United states shall follow all required customs and immigration requirements. Any pilot wishing to fly a Montair aircraft to the US must have completed a US check flight with a Montair instructor. Training flights conducted in the US must abide by the following procedures:

- a) All aircraft must be on an active flight plan;

- b) All aircraft must be equipped with an operational Mode C or Mode S transponder and squawk an ATC assigned code continuously;
- c) All aircraft must maintain two-way communication with ATC.

Single engine training flights into US airspace that are not for the intention of cross-country to reach Vancouver Island or the United States are not permitted without the authorization of the CFI.

Multi engine training flights into US airspace are permitted if the above conditions are complied with.

5.1.24 Reporting Defects and Unserviceable Items

All suspected defects and unserviceable items shall be reported immediately to the supervising instructor. Any defects or unserviceable items should be recorded in the aircraft journey log book immediately after the flight and reported to the Company maintenance department as required by the MCM.

If an aircraft defect occurs while away from a Montair base of operations, the PIC shall:

- a) Contact dispatch at their training base with details of the defect as soon as practicable;
- b) If necessary, leave a voice message with a contact telephone number where the PIC can be reached;
- c) Await further instructions – the PIC shall not continue the flight until they have been assured that flight authorization is still valid.

Under all circumstances, the procedures set out in Montair's MCM shall be followed.

5.1.25 Post-Flight Duties (including securing of aircraft)

At the termination of the flight, the PIC shall ensure that:

- Precautions are taken to protect the aircraft from damage during the ground stopover.
- The aircraft is tied down, the control lock(s) is/are installed, chocks and covers are used as applicable. This should be done after every flight, even if there is a booking immediately following the flight.
- If the aircraft is parked on a sloped surface, the parking brake is to be set and the fuel selector is to be put into the left or right position (if applicable) while the aircraft is parked.
- Fuel is uploaded for the next flight as required, this can be completed in collaboration with Company Dispatch.
- All passengers are assisted during deplaning and accompanied off the manoeuvring area.

5.2 Operating Requirements, Policies and Limitations: Weather Considerations and Minima

5.2.1 Obtaining Weather Information

Students and operational personnel are able to obtain pre-flight weather information from a number of sources:

- a) The NAV CANADA Aviation Weather Website at: <https://flightplanning.navcanada.ca>;
- b) Aviation weather briefings are available from NAV CANADA over the telephone by calling | 1-866-992-7433 (1-866-WXBRIEF);
- c) Local ATIS information is available at the Pitt Meadows training location, and for other airports in lower mainland BC, by calling 1-877-517-2847.

Telephones and computers are available for operational personnel and students to use in the dispatch areas of both Company training bases.

5.2.2 Weather Minima – General

The following sections outline Montair’s policies and regulations with regard to weather as absolute minima. The recommended minima with respect to each phase of flight training are then shown; these minima apply to all students since the figures can be interpolated for non-contract/modular students.

All Montair weather minima may be varied on a case-by-case basis by the CFI.

Under no circumstances shall a Company aircraft be operated in weather conditions below the minima stated in CAR 602 Division VI and Division VII.

5.2.3 Dual Day VFR Flights

Weather minima for dual day VFR flights are at the discretion of the flight instructor or supervising flight instructor. In no case shall they be below the minima stated in CAR 602.114 and CAR 602.115.

The CFI, or other designated supervisory instructor, may make more stringent overriding decisions for all instructors on a day-to-day basis.

5.2.4 Solo Day VFR Flights

For solo day VFR flights, weather minima are at the discretion of the supervising instructor, but in any case they shall be no less than 5 statute miles of visibility and ceilings of 2000ft AGL, or 3000ft AGL if any form of airwork practice is to be conducted. Ceilings should always be sufficient to allow recovery from upper airwork exercises before reaching 2000ft AGL (or higher if the aircraft manufacturers data is more restrictive).

5.2.5 Dual and Solo Night VFR Flights

Company weather minima for all night VFR flights are detailed in the table below.

	No Cloud Below	Visibility	Temperature/Dew Point Spread
Circuits	2000ft AGL	5 SM	≥2°C
Local VFR (<25nm)	3000ft AGL	10 SM	≥3°C
Local Cross Country	4000ft AGL	10 SM	≥4°C
Other Cross Country	5000ft AGL	10 SM	≥5°C

In addition, there should be:

- No cloud below 1000ft above the maximum anticipated altitude
- No precipitation
- No CB or TCU clouds forecast in the vicinity of the route
- A maximum surface wind speed of 12 knots
- Stable or improving weather conditions in the TAFs

These requirements may be varied by the CFI at their discretion.

5.2.6 Recommended Phase Weather Minima – Day VFR Flights

The table below represents the Company recommended weather minima for day VFR flights organized by phase of training. Night VFR flights shall always be conducted in accordance with the weather minima detailed in section 5.3.5 above.

The weather minima in this section can also be applied to modular/non-contract students by comparing their experience level and any permits or licences held with the phases of training detailed in the Training Manual.

The CFI may impose further individual limits based on instructor or student experience.

Each phase and type of training has an associated cloud ceiling (AGL), visibility and surface wind speed limitation.

Phase Number	Cloud Ceiling (AGL) / Visibility / Surface Wind			
	Dual Circuits	Solo Circuits	Dual Practice Area	Solo Practice Area
1	1500ft/5SM/15Kts	1500ft/7SM/10Kts	2500ft/10SM/15Kts	N/A
2	1500ft/5SM/15Kts	1500ft/5SM/15Kts	2500ft/10SM/15Kts	3000ft/10SM/10Kts
3	1500ft/5SM/15Kts	1500ft/5SM/15Kts	2000ft/5SM/15Kts	3000ft/10SM/15Kts
4	1500ft/5SM/15Kts	1500ft/5SM/15Kts	2000ft/5SM/15Kts	3000ft/10SM/15Kts
5	1500ft/5SM/15Kts	1500ft/5SM/15Kts	2000ft/5SM/15Kts	3000ft/10SM/15Kts
6	1500ft/5SM/15Kts	1500ft/5SM/15Kts	2000ft/5SM/15Kts	3000ft/10SM/15Kts
7	N/A	N/A	N/A	N/A
8	N/A	N/A	N/A	N/A
9	1500ft/5SM/15Kts	1500ft/5SM/15Kts	N/A	N/A



The table below represents the Company recommended weather minima for day VFR cross country flights organized by phase.

Phase #	Cloud Ceiling (Ft AGL) / Visibility (SM) / Surface Wind (Kts)							
	Dual Local XC		Solo Local XC		Dual Other XC		Solo Other XC	
	CYPK	CYQF	CYPK	CYQF	CYPK	CYQF	CYPK	CYQF
1	N/A	N/A	N/A	N/A	N/A	N/A	N/A	N/A
2	2500/10/10	2000/10/10	3000/10/15	2500/10/15	N/A	N/A	N/A	N/A
3	2500/10/15	2000/10/15	3000/10/15	2500/10/15	5000/10/15	3000/10/15	5000/10/15	3500/10/15
4	2500/10/20	2000/10/20	3000/10/20	2500/10/20	5000/10/20	3000/10/20	5000/10/20	3500/10/20
5	2500/10/20	2000/10/20	3000/10/20	2500/10/20	5000/10/20	3000/10/20	5000/10/20	3500/10/20
6	2500/10/20	2000/10/20	3000/10/20	2500/10/20	5000/10/20	3000/10/20	5000/10/20	3500/10/20
7	2500/10/20	2000/10/20	3000/10/20	2500/10/20	5000/10/20	3000/10/20	5000/10/20	3500/10/20
8	2500/10/20	2000/10/20	3000/10/20	2500/10/20	5000/10/20	3000/10/20	5000/10/20	3500/10/20
9	2500/10/20	2000/10/20	3000/10/20	2500/10/20	5000/10/20	3000/10/20	5000/10/20	3500/10/20

5.2.7 Mountain Flying

Any flights conducted in designated mountainous terrain are subject to other criteria at the discretion of the CFI and the supervising instructor. Due to the variables involved with such flying, they shall be discussed on a case-by-case basis.

Under no circumstances shall Montair instructors conduct such flying until authorized to do so by the CFI. No student will fly in mountainous terrain until they have completed a Company mountain check flight.

In addition, mountain flying shall only be conducted in day VFR conditions. All mountain flights are required to be clear of mountainous terrain at least 30 minutes prior to sunset. It is the responsibility of the PIC of such flights to plan and monitor their flight time accordingly.

5.2.8 Special VFR Flights

Special VFR flights may be conducted under extenuating circumstances where authorized by ATC. Holders of Student Pilot Permits cannot fly Special VFR on Solo flights. Other licenced pilots shall not fly Special VFR without prior approval from the CFI or in the event of an emergency.

5.2.9 IFR Flight Training Minima

No flight shall depart if the weather is, or is forecast to be, below the alternate minima for the departure aerodrome unless approved by the CFI. In the aforementioned scenario, only a Level 1 IFR instructor is to conduct the training. This is a minimum and factors such as the stage of training or the individual involved may require better weather than the minima stated here. In all circumstances, arrivals are ultimately limited to the minimums established in the CAP.

5.2.10 Crosswind Limitations

The maximum crosswind component for flight training shall be the values established in the specific aircraft POH.

Prior to authorizing a student to undertake a solo flight that will or may involve crosswind conditions, the instructor shall consider establishing more restrictive limitations for the student based on their experience with that student.

5.2.11 Operations in Adverse Conditions

Flight operations will not be conducted into known hazardous conditions. However, should a company aircraft be inadvertently faced with hazardous conditions operations will be in accordance with AIM AIR 2.0. The following sections provide more detailed information on specific hazards.

Flight operations in high density altitude conditions are to be conducted in accordance with the performance data in the aircraft POH and the aerodrome data in the CFS. It is the responsibility of the PIC to calculate density altitude at any time there is doubt over the aircraft performance prior to take-off in certain conditions.

5.2.12 Thunderstorms

Thunderstorms present a significant and severe threat to all aircraft since they are capable of producing all of the meteorological hazards known to aviation.

Take-offs and landings should not be attempted when a thunderstorm is approaching or in the vicinity (<5 statute miles) of the aerodrome due to the possibility of low-level wind shear, or sudden wind shift at the gust front, which could result in loss of control.

Pilots should avoid thunderstorms by observing the following precautions:

- Flight underneath a thunderstorm should not be attempted, even when the flight path to the other side looks clear. The turbulence present underneath most thunderstorms can be extremely dangerous.
- Avoid any area where thunderstorms are covering more than 5/8ths of the sky.
- Pilots shall not fly into a cloud mass containing embedded thunderstorms without airborne radar.
- Avoid by at least 20NM any thunderstorms identified as severe or giving intense radar returns. This includes the anvil of large cumulonimbus clouds.
- Clear the top of a known or suspected severe thunderstorm by at least 1000ft altitude for each 10kt of wind speed at the cloud top.

Thunderstorms with hail are a common occurrence at the Red Deer training base during the months of April to August. The radar provided by the Alberta Hail Suppression Project should be monitored by the dispatch team in Red Deer. Aircraft equipped with two radios should monitor the dispatch frequency (130.775MHz) to receive alerts from dispatch. If an alert is received about thunderstorm activity in the area, pilots shall take the most appropriate evasive action. All aircraft on the ground in Red Deer shall be moved into the hangar prior to an impending thunderstorm.

Refer to *AIM AIR 2.7* for further information.

5.2.13 Low Level Wind Shear

Low Level Wind Shear (LLWS) may create a severe hazard for aircraft lower than 2000ft AGL near a microburst. Microbursts seldom last longer than 15 minutes, with maximum intensity winds lasting 2-4 minutes. However, multiple microbursts in a line structure can increase the duration of the hazard.

Wind shear conditions are particularly hazardous during the take-off, approach and landing phases of a flight. The most appropriate course of action is to avoid these areas altogether since it could be beyond the ability of the pilot or the capability of the aircraft to recover from decreasing performance wind shear.

Pilots should always heed wind shear PIREPs since a previous pilot's encounter might be the only warning. Upon receiving such notice, the best alternative action is to delay departure or arrival until the phenomenon has passed. Upon recognizing decreasing performance wind shear, prompt action is required. In all aeroplanes, recovery requires full power and a pitch attitude consistent with the aeroplane's maximum angle of climb. Once clear of the wind shear area it is imperative that pilots inform other agencies by sending a PIREP as soon as practicable.

Refer to *AIM AIR 2.8* for further information.

5.2.14 Whiteout Conditions

Whiteout conditions exist when there is a lack of features on the ground and light is diffused in such a way that shadows, horizon or clouds are not discernible. The sky and terrain blend together to deny normal visual clues that the pilot uses for depth perception.

Pilots should always be alert to the possibility of whiteout conditions and take steps to avoid them. These conditions are most likely to present when there is snow on the ground and overcast cloud conditions to diffuse light in all directions. Blowing snow can exacerbate the condition.

If a whiteout condition is encountered, pilots should climb immediately if at low level, or level off and turn towards an area where sharp terrain features exist. Instruments should be crosschecked to ensure positive flight path control.

5.2.15 Cold Weather Operations

Minimum Temperatures for Flight Training Operations

The following are Montair regulations for flight operations during cold weather. Operating temperatures referred to below are ambient temperatures. Cold weather temperature corrections must be applied to minimum en-route altitudes and approach minimums for temperatures below standard. Refer to *AIM RAC Figure 9.1* or the *Canada Air Pilot General Pages* for temperature correction information.

Temperature	Limitation
-10°C to -20°C	All pilots must be briefed on cold weather operations
-21°C to -25°C	All circuit flights cancelled Low RPM airwork prohibited (stalls, spins, slow flight)
-26°C or colder	All flights cancelled

Note 1: Cross country flights are still permitted with ambient temperatures between -21°C and -25°C.

Note 2: Below -10°C, pilots must be aware of faster engine cooling times which could lead to shock-cooling of engine components. Practising engine failure drills in cold weather conditions is still permitted providing the following procedures are followed to simulate glide conditions:

- Use 10° flap setting
- Keep the engine at 1200 to 1500 RPM
- Warm the engine every 500ft in the glide descent

Cold Weather Dress Code

For all Company flights, Montair requires all aircrew and passengers to wear, or carry on board, appropriate clothing taking into account seasonal climatic variations and the geographical location of the flight. Flight crew should consider how the air temperature will change over the next 12 hours and the physiological and psychological effects should the cabin heater become unserviceable during the course of the flight.

Aircraft Surface Contamination

The CARs prohibit take-off when frost, ice or snow is adhering to any critical surface of the aircraft. This is referred to as the “Clean Aircraft Concept”. The critical surfaces of Montair aeroplanes include the wings, control surfaces, propellers, horizontal and vertical stabilizers and any other stabilizing surface.

Test data have revealed that even small amounts of frost on the leading edge or top surface of wings can reduce lift by up to 30% and increase drag by up to 40%.

When weather conditions exist that include frost, ice or snow, or rain where aircraft skin temperatures can cause freezing, the aircraft shall be inspected to determine whether contaminants are adhering to the critical surfaces. This inspection shall be carried out by the PIC or by a person delegated by the company who has received training concerning surface contamination.

It is always the responsibility of the PIC to ensure that no frost, ice or snow is adhering to the aircraft’s critical surfaces prior to take off.

If any frost, ice or snow is adhering to any critical surfaces, said contaminant shall be removed completely before take-off is attempted. If a clean aircraft prior to departure cannot be assured the only acceptable alternative action is to cancel or postpone the flight until conditions are favorable.

Methods of removing frozen contaminants from Company aircraft on the ground include:

- Application of heat: leaving the aircraft in a warm hangar or exposure to sunlight.
- Application of de-icing fluid: Montair uses SAE Type 1 Propylene Glycol de-icing fluid. Prior to conducting de-icing using this fluid all operational personnel must have been briefed on its use by a member of Ramp personnel or a senior (check) instructor. De-icing fluid shall not be used inside any hangar because of the increased risk of slips/falls when glycol comes into contact with the hangar floor. The PIC should be aware that SAE Type 1 fluid has the shortest holdover time and any precipitation encountered on the ground after de-icing with this fluid could present a further surface contamination risk.
- Mechanical methods: brushing can be used as a method of removing frozen contaminants from aircraft surfaces provided that ice or snow is not adhering too strongly to the surface.

When pilots are away from their main base of operations it is their responsibility to ensure that the aircraft has been cleaned completely of any surface contaminants prior to departure. If the PIC has concerns about a situation they are in they are to contact dispatch at their base of operations for assistance.

Refer to *AIM AIR 2.12.2* for further information.

Icing Conditions in Flight

Icing encountered in flight can cause the following performance issues:

- Loss of lift and increase in drag and weight which leads to an increased stalling speed and reduced stalling angle of attack, which can produce a stall with little or no warning;
- Propeller icing can cause a loss of thrust and increased vibration;
- Windshield icing causing a loss of visibility;
- Carburettor icing (see *AIM AIR 2.3*).

Montair operational personnel shall not commence or continue flights into areas of known or expected icing conditions in aircraft that are not equipped for flight into known icing (i.e. the single-engine fleet).

For Company aircraft certified for flight into known icing, pilots should take the following actions to mitigate the risks of icing conditions:

- Ice protection systems should be tested on the ground, immediately before the flight, if departing into known icing conditions
- Anti-ice protection systems should be turned on prior to entering areas of known or expected icing;
- If icing conditions present in flight, a change of altitude by 3000ft either up or down (if possible) usually allows the aircraft to exit the icing conditions
- Pilots should ask ATS for any icing PIREPs
- Minimum speeds should be adhered to according to the aircraft POH:
 - PA34: 89kts
 - BE90: 140kts

For safety reasons, flight into visible moisture at or below 10°C shall be considered icing conditions.

If windshield heat is turned on, it should be left on for the duration of the flight to prevent large temperature changes cracking the windshield.

Aircraft de-icing protection (i.e. critical surface boots) should always be used in accordance with the aircraft POH. The advice for when to activate de-icing protection is as follows:

- PA34: activate when ice accumulations are ¼ to ½ inch thick (0.63 to 1.27cm)
- BE90: activate when ice accumulations are ½ to 1 inch thick (1.27 to 2.54cm)

Pilots should be aware that ice protection systems are not flight tested for icing that may be encountered in freezing rain, freezing drizzle or conditions defined as severe. Such conditions may produce hazardous ice accumulations that can exceed the capabilities of the ice protection equipment. Pilots must be prepared to divert if such conditions are encountered.

Refer to *AIM AIR 2.12.3* for further information.

5.3 Operating Requirements, Policies and Limitations: Fuel and Oil Procedures

5.3.1 Fuelling Procedures: General

Sections 5.3.2 to 5.3.6 below outline Montair's policies with respect to aircraft fuel planning. It is the responsibility of the PIC to ensure that sufficient fuel is on board and that all fuel requirements are planned for properly. Under no circumstances can the amount of fuel carried be less than the minima specified in CAR 602.88.

5.3.2 Local VFR Flights

Sufficient fuel must be carried on board for the duration of the flight at 65% power plus fuel for taxi, take off, climb, approach and contingencies, in addition to a **30** minute reserve for day VFR flights and a **45** minute reserve for night VFR flights. In any case, no less than 50% of standard tank capacity shall be carried without prior approval from the CFI.

5.3.3 Cross Country VFR Flights

At the start of each leg, sufficient fuel must be carried on board for the duration of the flight at 65% power plus fuel for taxi, take off, climb, approach and contingencies, in addition to a **30** minute reserve for day VFR cross country flights and a **45** minute reserve for night VFR cross country flights. In any case, no less than 50% of standard tank capacity shall be carried without prior approval from the CFI.

It is recommended that, whenever the aircraft weight and balance calculation allows, the aeroplane departs with full fuel on the first leg of a cross country flight.

5.3.4 Multi-Engine Aeroplane Flights

Owing to the dihedral of the Piper PA34 Seneca wing, pilots must not depart with less than **70** gallons of fuel. Any amount less than this will not be visible in the fuel tanks and the pilot will not be able to confirm the exact amount being carried.

5.3.5 IFR Flights

Where an alternate aerodrome is specified in the flight plan or flight itinerary, sufficient fuel must be carried to fly to and execute an approach and missed approach at the destination aerodrome, fly to and land at the alternate aerodrome, and then fly for a period of 45 minutes.

Where no alternate aerodrome is specified in the flight plan or flight itinerary, sufficient fuel must be carried to fly to and execute an approach and missed approach at the destination aerodrome and then fly for a period of 45 minutes.

Sufficient fuel will also be carried to allow descent at any point along the route to the lower of the single-engine service ceiling or 10,000 feet and cruise to a suitable aerodrome plus further contingency reserve if required by any factors that may affect the duration of the flight.

5.3.6 Contingency Fuel

Sufficient contingency fuel shall be carried to provide for:

- a) Taxiing and foreseeable delays prior to take off;
- b) Meteorological conditions;
- c) Foreseeable air traffic routings and traffic delays;
- d) Landing at a suitable aerodrome in the event of loss of cabin pressurization or, in the case of multi-engine aircraft, failure of any engine at the most critical point during the flight;
- e) Any other foreseeable conditions that could delay the landing of the aircraft.

5.3.7 Fuelling of Aircraft

Under no circumstances is fuelling allowed with passengers, students or operational personnel on board the aircraft.

Provided that it is not prohibited by the fuel dispensing agency, Company personnel and students may refuel Company aircraft subject to the following:

- a) The person has received the required training and has been authorized on the Service Work Training Form for that particular aeroplane type;
- b) A copy of the authorized Service Work Training Form is kept in the employee's personnel file, or student's training file, as appropriate;
- c) The aeroplanes engine/engines is/are not running;
- d) The aircraft is bonded properly to the refuelling facility or refuelling vehicle;
- e) External electrical power supplies are not being connected or disconnected to the aircraft and any equipment likely to produce sparks or arcs is not being used;
- f) Smoking is not permitted within the aircraft or in the vicinity of the refuelling facility;
- g) Fuelling is suspended when there are lightning discharges within five statute miles (eight kilometers) of the aeroplane;
- h) Combustion heaters in the aircraft, or in the vicinity of the aircraft, are not being used;
- i) Refuelling by students is closely supervised by a flight instructor or another appropriately qualified Company employee;
- j) Bonding requirements:
 - i. The hose nozzle must be bonded to the aircraft using the bonding cable before the fuel tank cap is removed on all aeroplanes with an over-wing refuelling system;
 - ii. If funnels or filters are to be used, they must also be bonded to the aeroplane prior to commencing refuelling.

No student is authorized to refuel a Company aircraft unless a briefing on correct procedures has been given by a flight instructor and authorization has been granted on the Service Work Training Form.

Refuelling is normally completed after each flight. Refuelling is the responsibility of the PIC who has just flown the aircraft. It is also the responsibility of the PIC to ascertain the required fuel uplift from dispatch prior to refuelling. This can be done using the Company dispatch frequency (130.775 MHz) when arriving at the apron of the training base.

If no other instructions have been issued by dispatch, the information in the following table shall be used to guide refuelling for each of the different Company aeroplane types:

Aeroplane Type	Fuel Type	Quantity
C152	Avgas 100/100LL	Full fuel (26 Gallons)
C172P	Avgas 100/100LL	Fuel to collars (43 Gallons)
C172R/S	Avgas 100/100LL	Fuel to collars (56 Gallons)
PA34	Avgas 100/100LL	Fuel half way up sides (100 Gallons)
BE90 (E90)	Jet A/Jet A1	Full Fuel (474 Gallons)
BE90 (C90A/B)	Jet A/Jet A1	Full Fuel (384 Gallons)

5.3.8 Fuel Contamination Precautions

It is the responsibility of the PIC to ensure that the fuel on board their aircraft is free of contaminants. During the pre-flight check, a reasonable quantity of fuel shall be drawn from all tanks, and from the lowest point in the fuel system for that aeroplane type, into a clear container. A “clear and bright” visual check shall be carried out to ensure that the fuel is completely free of visible solid contaminants and water. For more background information on aviation fuel handling, refer to *AIM AIR 1.3*.

5.3.9 Oil Requirements

Prior to adding oil to a Company aircraft engine unsupervised, all students shall have received training from a flight instructor and be authorized to perform the task on the Service Work Training Form for that aeroplane type. To determine which type of engine oil to add, the aircraft POH should be consulted or the PRM will provide guidance based on the advice of a Montair Approved Maintenance Organization (AMO).

The following table shall be used to ascertain the amount of oil required for each aeroplane type operated by Montair. The units used are US Quarts:

	POH Minimum	Normal	Extended Flight	Refill at	Maximum
C152	4	4.5 – 5.5	6	4.5	6
C172	5	5.5 – 6.5	7	5.5	7
PA34	3	5.5 – 6.5	7	5.5	8
BE90	-4*	-1 to -2*	-1*	-2*	Full

*from full

When an aeroplane has recently returned from a flight and the engine is still hot, not all of the oil may have drained back into the oil sump. Caution should be used when taking oil readings at this time since they may be inaccurate. Flight instructors should be consulted for further guidance.

When embarking on longer cross country flights, it is the responsibility of the PIC to request spare oil from dispatch to be carried on board in case it is required at an intermediate stop or at the destination.



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Section 6.0 Schedule 1 Sexual Assault and Other Sexual Misconduct

6.1 Background and Purposes

Montair has a responsibility to maintain a respectful environment where its students can study and live free from sexual misconduct. This policy articulates Montair's duty and commitment to support students of the Montair community who are impacted by sexual misconduct, to provide information regarding the resources and options available to those affected by sexual misconduct, to create and make available resources to educate its community on the prevention of sexual misconduct, and to provide a process to respond to and to investigate allegations of sexual misconduct.

6.2 Principles and Commitments

- a) Montair will not tolerate sexual assault or any other Sexual Misconduct.
- b) Montair recognizes that people's experiences will be affected by factors such as their access to power and privilege, their sex, sexual identity, gender identity or expression, racialization, age, family status, religion, faith, ability, disability, national or ethnic origin, indigeneity, immigration status, socio-economic status, class, and language. Montair also recognizes that the flight school is a unique environment, in which power imbalances are inherent. These factors, along with an individual's personal history, impact individual experiences of Sexual Misconduct, the ability to access supports, and choices with regard to recourse. Montair will take this into account when carrying out its responsibilities under this Policy.
- c) Montair is committed to reducing barriers to Disclosing and Reporting, and to taking a trauma-informed approach when responding to and addressing Disclosures and Reports, and conducting Investigations.
- d) Montair will provide support services and accommodations to Students of the Montair Community who Disclose or Report sexual misconduct.
- e) Montair is committed to respecting the rights of those who disclose to make their own decisions about accessing support services and accommodations, making a Report, or pursuing external processes such as a criminal or civil action.
- f) Montair will provide support to Students of the Montair Community who have had Reports of Sexual Misconduct made against them.
- g) Montair is committed to procedural fairness and will respond to and address Disclosures and Reports, and will conduct Investigations, in a timely manner.
- h) Montair will not tolerate any retaliation, direct or indirect, against anyone involved in a Disclosure, a Report, or an Investigation

6.3 The Sexual Violence Prevention and Response Office

- a) The Student Services Office acts as the point of contact and liaison for Students of the Montair Community who have experienced Sexual Misconduct. This Office will provide individualized information, advice, and assistance. The support services that can be provided by the Office include:
- i. Receiving Disclosures;
 - ii. Identifying, accessing, and coordinating appropriate accommodations;
 - iii. Providing information about and referrals to Montair Counselling Services and Montair Student Health Services at Montair, and the Montair Employee and Family Assistance Program;
 - iv. Providing information about and referrals to external organizations such as the local Hospitals, the AMS Sexual Assault Support Centre (SASC), the Vancouver Rape Relief and Women's Shelter, Women Against Violence Against Women, the BC Society for Male Survivors of Sexual Abuse, and the Family Centre Services Society;
 - v. Providing information about confidentiality and how confidentiality relates to the information provided through a Disclosure, a Report, or an Investigation;
 - vi. Providing information about Reporting, Investigations, and alternative dispute resolution processes;
 - vii. Providing information about any other relevant Montair policies, such as Policy on Discrimination and Harassment;
 - viii. Assisting with the creation of a Report or the submission of a Report for Investigations; acting as a liaison with the Investigator appointed to conduct an Investigation;
 - ix. Acting as a support person during an Investigation, as referenced in Section 6.9.3 (h)(i) of the Procedures to this Policy;
 - x. Receiving allegations regarding acts of retaliation relating to a Disclosure or Report of Sexual Misconduct and assisting with referral of these allegations to the appropriate employment or student disciplinary process; and
 - xi. Providing information about the differences between the criminal process and Montair's investigatory process, and providing support in reporting to the police if requested.

6.4 Disclosures

- a) The decision to Disclose and the decision to Report are separate decisions. An individual may choose to Disclose Sexual Misconduct without making a Report. Consequently, Disclosure does not result in a Report being made, and does not initiate an Investigation or other action by Montair, subject only to Section 6.4 (f) below.
- b) Montair will make appropriate support services and accommodations available to Students of the Montair Community on the basis of a Disclosure, regardless of whether they decide to make a Report or whether Montair has the Jurisdiction to Investigate.

- c) Accommodations that may be available to Students of the Montair Community who have Disclosed or Reported Sexual Misconduct include:
 - i. Student residence re-location or short term emergency student housing;
 - ii. Class schedule changes;
 - iii. Academic accommodations;
 - iv. Temporary work reassignment, location reassignment, or scheduling changes;
 - v. Emergency funding for students;
 - vi. Safety planning; and
 - vii. The implementation of safety measures.
- d) Records of any Disclosures made to the Student Services Office will be kept strictly confidential, and access to those records will be limited to the Directors and staff students of the relevant Student Services Office.
- e) Montair recognizes that disclosures of Sexual Misconduct are most often made to someone the individual making the disclosure already knows. If a Disclosure is made to a Member of the Montair Community who is not trained to receive Disclosures, said Member is encouraged to contact the Student Services Office for support and information on how best to respond to a Disclosure and to support the individual making the Disclosure.
- f) To the greatest extent possible, Montair will respect an individual's choice to not make a Report and will keep the Disclosure confidential. In exceptional circumstances, where required by law or where there is a risk of significant harm to anyone's health or safety, and at the sole discretion of the Executive Director, Montair may do one or both of the following:
 - i. Refer the matter to the relevant Director of Investigations as a Report under Section 6.5, in which case the individual who Disclosed has the right not to participate in any subsequent Investigation;
 - ii. Notify third parties, such as the police.
- g) If Montair takes any action under Section 6.4 (f), the Executive Director will notify the individual who made the Disclosure and will ensure that appropriate support services are made available to that individual.

6.5 Reports

- a) Anyone directly subjected to Sexual Misconduct can make a Report against a Member of the Montair Community under this Policy.
- b) Reports must be submitted to the Executive Director, who will address them in accordance with the Procedures to this Policy, which includes an initial review as set out under Section 6.9.3 of the Procedures to determine whether the allegations contained in the Report fall within Montair's Jurisdiction to Investigate.
- c) An individual can both submit a Report to Montair and pursue other processes external to Montair against the individual alleged to have committed the Sexual Misconduct. These external processes may include reporting to the police or initiating a civil action (including a complaint under the BC Human Rights Code). These are separate processes and Reporting to Montair does not result in a report to the police or the initiation of a civil action, although in exceptional circumstances, where required by law or where there is a risk of significant harm to anyone's health or safety, Montair may notify third parties, such as the police. If such action is taken, the Executive Director will notify the individual who submitted the Report and will ensure that appropriate support services are made available to that individual.
- d) If an Investigation or alternative resolution process is initiated under the Procedures to this Policy and an external process is also being pursued, the Executive Director may elect, after consultation with the Complainant, to continue with the Montair process or to suspend the Montair process as appropriate.

6.6 Anonymous and Third Party Allegations

- a) Anonymous allegations, or allegations of Sexual Misconduct made by a third party (someone other than the individual who was directly subjected to the Sexual Misconduct) can also be submitted to the Executive Director.
- b) Montair may be unable to proceed with an Investigation involving anonymous or third party allegations due to a lack of evidence from the individual who was directly subjected to the Sexual Misconduct, or where proceeding would violate procedural fairness. In such cases, the Director will consider whether any other steps can and should be taken. In appropriate cases, the Director may contact the third party who submitted the allegations to find out if the individual who was directly subjected to the Sexual Misconduct would consider submitting a Report. However, where other sufficient evidence exists and where it would not violate procedural fairness, at the sole discretion of the Director, Montair may decide to proceed with an Investigation. In such cases, the individual who was directly subjected to the Sexual Misconduct has the right to not participate in the Investigation.
- c) If Montair is unable to proceed with an Investigation involving anonymous or third party allegations, the allegations will be retained by the Sexual Violence Prevention and Response Office on the relevant campus. These allegations will be kept strictly confidential, and access to them will be limited to the Director and the Student Services Office.

6.7 Conflicts of Interest

If a Director or staff member of the Student Services Office, an Investigator, or a Montair authority empowered to impose discipline has a real or apparent conflict of interest in a particular matter, or there is a reasonable apprehension of bias, then that individual will not continue their involvement in the matter and Montair will appoint an appropriate individual to act in that role for the purposes of that matter.

6.8 Definitions

- a) **“Sexual Misconduct”** is any sexual act or act targeting an individual’s sexuality, gender identity or gender expression, whether the act is physical or psychological in nature, that is committed, threatened or attempted against an individual without that individual’s Consent. The following list sets out examples of Sexual Misconduct. The list is intended to help Students of the Montair Community understand the kinds of acts that will be considered Sexual Misconduct. The list is not exhaustive and other acts can still be considered Sexual Misconduct under this Policy even if they do not appear in the list below. Sexual Misconduct includes, but is not limited to, the following:
 - i. Sexual assault, which is any form of sexual touching or the threat of sexual touching without the individual’s Consent;
 - ii. Sexual harassment, which is unwelcome conduct of a sexual nature that detrimentally affects the working, learning, or living environment, or leads to adverse consequences for the one directly subjected to the harassment;
 - iii. Stalking, which is engaging in conduct that causes an individual to fear for their physical or psychological safety, such as repeatedly following or communicating through any means with someone, engaging in threatening conduct, or keeping watch over the place where the individual happens to be;

- iv. Indecent exposure, which is exposing one's body to another individual for a sexual purpose or coercing another individual to remove their clothing in order to expose their body, without their Consent;
 - v. Voyeurism, which is non-consensual viewing, photographing, or otherwise recording another individual in a location where there is an expectation of privacy and where the viewing, photographing or recording is done for a sexual purpose; and
 - vi. The distribution of a sexually explicit photograph or recording of an individual to one or more individuals other than the individual in the photograph or recording without the consent of the individual in the photograph or recording.
- b) **"Consent"** is the voluntary agreement to the act or acts in question and to continue to engage in the act or acts. Voluntary agreement to engage in the activity or to continue to engage in the activity must be communicated through words or conduct. For clarity:
- i. Consent cannot be implied, and it can be revoked at any time during the act or acts in question. Consenting to one kind of sexual activity does not mean that consent is given for another sexual activity, and consent only applies to each specific instance of sexual activity.
 - ii. No consent is obtained where an individual is incapable of consenting. An individual may be incapable of consenting if they are intoxicated, or if they are induced to engage in the activity by fraud, by someone exercising a position of trust, power or authority, or through coercion or the threat of violence.
 - iii. Evidence that an individual was impaired by alcohol or drugs is a relevant consideration for determining whether they consented to the sexual activity in question.
- c) **"Students of the Montair Community"** are individuals who fall under one or more of the following categories:
- i. Students, defined as individuals enrolled at Montair;
 - ii. Anyone contractually obligated to comply with this Policy.
- d) **"Disclose"** or **"Disclosure"** is the sharing of information with Montair regarding any incident of Sexual Misconduct. Further information about Disclosures is provided in Section 6.4 of this Policy.
- e) **"Report"** or **"Reporting"** is providing a statement of allegations to the Executive Director about a Sexual Misconduct. Further information about Reporting is provided in Section 6.5 of this Policy.
- f) **"Jurisdiction to Investigate"** is the legal authority to investigate under this Policy, which is limited by the following: the allegations must be made against an individual who was a Member of the Montair Community at the time of the alleged Sexual Misconduct and at the time the Report was submitted; the alleged conduct must fall within the definition of Sexual Misconduct; and the alleged conduct must have a real and substantial connection to Montair, as that term has been interpreted under BC law.
- g) **"Investigation"** is an investigation carried out by Montair on the basis of a Report, as set out in the Procedures to this Policy.
- h) **"Investigator"** is the individual appointed to investigate a Report under the Procedures to this Policy.

6.9 Procedures

6.9.1 General

- a) The Executive Director and the Investigators will exercise their authority and discretion under these Procedures in conformity with the principles of procedural fairness.

- b) The Executive Director will liaise with the Student Services Office to ensure that appropriate support services and accommodations remain in place, or are established, for the duration of the Initial Review and the Investigation.

6.9.2 Reports

Reports must be made in writing, and should set out the relevant details with regard to the alleged Sexual Misconduct. Reports should include a list of any potential witnesses, along with a description of the information those witnesses are expected to provide. Any relevant documents, including any social media communications, should also be included in the Report.

6.9.3 Initial Review

- a) Upon receipt of a Report, the Executive Director will conduct an initial review to determine if Montair has the Jurisdiction to Investigate. This review will occur within 14 calendar days of receiving a Report unless exceptional circumstances exist that prevent the Director from meeting this timeline, in which case the Executive Director will contact the individual making the Report as soon as possible to inform them of the revised timeline.
- b) If the Executive Director determines that Montair has the Jurisdiction to Investigate, the individual directly subjected to the Sexual Misconduct will be referred to as the Complainant in any subsequent process, and the individual against whom the allegations have been made will be referred to as the Respondent.
- c) If the Executive Director determines that Montair has the Jurisdiction to Investigate, and the Respondent has an employment relationship to Montair, the Director will notify the appropriate Montair authority who may make any appropriate workplace arrangements required to ensure an effective investigation process.
- d) If the Executive Director determines that Montair has the Jurisdiction to Investigate, they will do one of the following:
 - i. Appoint an Investigator to Investigate the Report under Section 6.9.4 of these Procedures; or
 - ii. Subject to Sections 6.9.3 (e) and (f), refer the matter to an alternative resolution process.
- e) If the Executive Director believes that an alternative resolution process may be appropriate in the circumstances, they will discuss this option with the Complainant. If the Complainant agrees that an alternative resolution process may be appropriate, the Executive Director will contact the Respondent to advise them that a Report was made, and will discuss this option with the Respondent. If the Respondent agrees to participate in an alternative resolution process and the Director is satisfied that an alternative resolution process is appropriate, then the Executive Director will explore the options available and, with the agreement of both parties, will refer the matter to that process for resolution.
- f) Participation in an alternative dispute resolution process is entirely voluntary. If either the Complainant or the Respondent decides they no longer wish to participate in the alternative resolution process at any time, then the Executive Director will appoint an Investigator to Investigate the Report under Section 6.9.4 of these Procedures.
- g) If the Executive Director determines that Montair does not have the Jurisdiction to Investigate, the Executive Director will advise the individual making the Report of this decision along with their reasons. If the Executive Director believes that the Report discloses other kinds of misconduct or information that Montair may need to act on under another Montair policy or process, the Director may refer the Report or the relevant portions of the Report to the appropriate Montair authority. When appropriate, the Director will consult with the person making the Report before referring it elsewhere.

- h) If an Investigation is initiated, the Executive Director will:
 - i. Contact the Complainant to advise them that the Report has been referred to an Investigator, and provide them with information about the resources available and the investigation process, including their right to have an advisor or support person present whenever they meet with the Investigator;
 - ii. Contact the Respondent to advise them that a Report has been made and has been referred to an Investigator, and provide them with a copy of the Report along with information about the resources available and the investigation process, including their right to have an advisor, or support person, present whenever they meet with the Investigator.

6.9.4 Investigations

- a) Except in exceptional circumstances, Investigations (including the preparation of the Investigative Report) will be completed within 60 calendar days of the Investigator's receipt of the Report from the Executive Director. If during the course of the Investigation the Investigator believes that this timeline cannot be met, the Investigator will contact the Complainant, the Respondent, and the Executive Director as soon as possible to inform them of the revised timeline.
- b) Investigations are not adversarial processes, and hearings will not be held as part of the investigatory process. Formal rules of evidence commonly associated with a civil or criminal trial will not be applied.
- c) In all Investigations, the Respondent will be fully informed of the allegations made against them, and will be given the opportunity to respond.
- d) Subject to Sections 6.9.4 (b) and (c), the Investigator may investigate in any manner they deem appropriate in order to obtain the information required to make the necessary findings of fact. This may include, but is not limited to, the following:
 - i. Requesting a written response to the Report from the Respondent, including a list of any potential witnesses along with a description of the information those witnesses are expected to provide, and any relevant documents, including any social media communications;
 - ii. Meeting with or requesting further information from the Complainant;
 - iii. Meeting with or requesting further information from the Respondent;
 - iv. Meeting with or requesting further information from any other individuals who may have information relevant to the Investigation, including any witnesses identified by the Complainant or the Respondent;
 - v. Inviting the Complainant and the Respondent to submit questions they believe should be asked of the other party or any witness, though the decision as to whether such questions will actually be asked of the other party or a witness is entirely within the discretion of the Investigator; and
 - vi. Obtaining any other evidence that may be relevant to the Investigation.
- e) At the completion of the Investigation, the Investigator will prepare a written Investigative Report for the Executive Director. The Investigative Report will normally include the following information:
 - i. A summary of the evidence considered;
 - ii. Any assessment of credibility that is required to render a determination; and
 - iii. The findings of fact, and a determination as to whether, on a balance of probabilities, Sexual Misconduct has occurred.

6.9.5 Outcome and Disciplinary Measures

- a) If the Investigative Report includes a determination that Sexual Misconduct has occurred, the Executive Director will provide a copy of the Investigative Report to the appropriate Montair authority or authorities if the Respondent has more than one relationship to Montair, as follows:
 - iv. In the case of a student Respondent, to the President, who will then determine what disciplinary or other measures are appropriate based on the findings of fact, up to and including suspension or expulsion;
 - v. In the case of a staff member Respondent, to the staff member's Manager, who will provide the Respondent with a copy of the Investigative Report in accordance with Section 6.9.6 (d) of these Procedures, and will then determine what disciplinary or other measures are appropriate based on the findings of fact, up to and including suspension. If termination of a staff member is considered appropriate by the Manager, they will consult with the applicable Director, who will then decide whether to authorize the termination.
- b) Once the appropriate MONTAIR authority has made a decision regarding the appropriate disciplinary or other measures under Section 6.9.5 (a) above, that decision will be communicated in writing to the Respondent, and student Respondents will also be provided with a copy of the Investigative Report in accordance with Section 6.9.6 (d) of these Procedures. A copy of the decision will also be provided to the Executive Director. The Executive Director will then provide a copy of the Investigative Report to the Complainant.
- c) If the Investigation Report includes a determination that Sexual Misconduct has occurred, the Executive Director will also provide a copy of the Investigative Report to the following:
 - i. Montair Student Coordinator, if the Respondent is subject to a Montair residence contract or agreement; and
 - ii. The Montair authority charged with addressing concerns under school's standards of professional conduct, if the Respondent is a student subject to those standards.
- d) Whether or not the Investigative Report includes a determination that Sexual Misconduct has occurred, if the Executive Director believes that the Investigative Report discloses other kinds of misconduct or information that Montair may need to act on under another Montair policy or process, the Director may refer the Investigative Report or the relevant portions of the Investigative Report to the appropriate Montair authority. When appropriate, the Director will consult with the person making the Report before referring it elsewhere. If the Investigative Report does not include a determination that Sexual Misconduct has occurred, the Director of Investigations will provide a copy of the Investigative Report to the Complainant and the Respondent in accordance with Section 6.9.6 (d) of these Procedures.
- e) The Executive Director will conclude the investigatory process by ensuring all necessary communications are made to those responsible for implementing decisions, providing or adjusting support services and accommodations, providing education, or conducting administrative transactions.

6.9.6 Confidentiality and Privacy

- a) In order to protect the integrity, fairness, and effectiveness of Investigations and to ensure compliance with the *Freedom of Information and Protection of Privacy Act* (FIPPA), all participants in an Investigation must act in accordance with the requirements set out below.
- b) Individuals, including the Complainant and the Respondent, who have obtained information about an identifiable individual ("Personal Information") through their participation in an Investigation must not

disclose this information to anybody except their own personal advisors or representatives, or as required by law. However, this section does not prevent:

- i. any participants in the Investigation from disclosing information about themselves, or information that they have obtained outside the Investigation;
 - ii. Montair representatives from disclosing Investigation-related information as authorized under Section 6.9.6 (c); or
 - iii. Complainants and Respondents from disclosing the information that they have received under Sections 6.9.6 (d) and (e);
- c) Montair will not disclose any Personal Information related to an Investigation except to the extent such disclosure is:
- i. Expressly authorized by the affected individual;
 - ii. To a Montair representative, if necessary for the performance of that individual's duties;
 - iii. To a Complainant, Respondent, witness, or other participant in the Investigation, if necessary for the conduct of the Investigation;
 - iv. To a Complainant or Respondent in accordance with Sections 6.9.6 (d) and (e);
 - v. Authorized or required under law.
- d) To maintain the integrity of the Investigation process, Montair must ensure that both Complainants and Respondents know the Investigation findings and the evidence upon which these findings are based. For this reason, Complainants and Respondents will be provided with a copy of the Investigation Report. The FIPPA may require Montair to remove Personal Information that is irrelevant to the Investigation findings, or that identifies third parties. If there are multiple Complainants or multiple Respondents, they will only receive the portions of the Investigative Report that are relevant to them.
- e) Section 6.9.6 (b) does not prevent Complainants and Respondents from disclosing the information they received under Sections 6.9.6 (d) and (e). However, Complainants or Respondents who choose to disclose such information should keep in mind that the disclosure of such information may result in a legal claim being made against them by the other party or other individuals (including, for example, a defamation or breach of privacy claim), and may wish to seek advice before doing so.



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