



CANADIAN WATER QUALITY ASSOCIATION

# STUDENT POLICY

For CWQA Students

**For Your Use**

It's imperative to review the Student Policy before undertaking any CWQA training.

Canadian Water Quality Association (CWQA)

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# **STUDENT RIGHTS AND RESPONSIBILITIES POLICY**

Effective December 31, 2015

The CWQA shall publish a set of procedures regarding the rights and responsibilities of students that shall:

- emphasize the primary right of the student to learn and to refrain from interfering with the rights of others,
- promote respect for the integrity of the learning process,
- promote a respect for the dignity of all members of the College community,
- articulate the responsibilities of all members of the College community,
- ensure a system of procedural due process to protect the rights of all concerned, and,
- provide an equitable system of enforcement.

## **PROCEDURE: STUDENT RIGHTS AND RESPONSIBILITIES**

### PREAMBLE

The enrollment in the CWQA education and certification program carries with it certain rights and responsibilities to the practicing candidate. There is an expectation that students will conduct themselves as responsible members of the Association and adhere to the CWQA Code of Ethics. CWQA will create a climate of understanding and mutual respect for individual dignity and worth, in which each person has the opportunity to develop as an individual and contribute positively to the drinking water treatment industry.

### SCOPE

This policy governs student rights and responsibilities events, courses, online education programs and all CWQA sponsored activities, including activities sponsored by the member companies on behalf of CWQA. It shall not be construed to alter other duties and obligations inherent in law, other association documents, or the basic educational mission and philosophy of CWQA. Students are strongly encouraged to become familiar with their rights and responsibilities as outlined in this policy.

### STUDENT RIGHTS

As with all other individuals in Ontario, student candidates at CWQA enjoy rights under the Canadian Charter of Rights and Freedoms and provincial regulations. As a national organization, CWQA is subject to these statutes and supports the students' right to legitimately and appropriately exercise these rights and freedoms. The extent of a right or freedom may reasonably vary with the circumstances, so that an exercise of a right which may be appropriate in a public place, may not be appropriate at an educational institution. Within CWQA, the member, candidate and student's most essential right is the right to learn.

In this regard, students have a number of specific rights:

#### *To Learn:*

1. The right to a safe and secure learning environment that is free from harassment of any kind.
2. The right to receive reasonable accommodation to compensate for a documented physical, learning or psychological disability.
3. The right to physical conditions within the CWQA training events that promote learning and well-being
4. The right to be treated with respect and dignity by CWQA staff, trainers and mentors.
5. The right to be considered the owners of any work submitted for which the CWQA does not provide the materials.

6. The right to see his or her own submitted course work and the right to have the evaluation explained within a reasonable timeframe.
7. The right to receive academic information as may be necessary to understand the requirements to successfully complete their course or program of instruction, including course information sheets for each course of study.
8. The right to be impartially graded.

*To Privacy:*

In recognition of students' rights, under both Canadian and provincial privacy laws, the association shall protect the privacy of student records and will make records available to Students in accordance with the provisions of that statute. These records include papers; projects and other work submitted as well as commentaries made about Students' performance in practicum situations. Grades are part of Students' records.

A) Maintenance of and Access to Student Records.

The right of confidentiality and access to personal records as provided for under the "Freedom of Information and Protection of Privacy Act". Student records, including marks and grades, are considered to be confidential personal information, which will be protected in accordance with this policy.

*To Be Informed:*

1. The right to receive the policies of the CWQA that affect students, at the beginning of the education program.
2. The right to be informed of the CWQA's definition of cheating and plagiarism and the consequences for such acts of academic dishonesty.
3. The right to inquire into, and be informed about, the reasons for the rules and regulations which affect students.

*To Be Heard:*

1. The right to make representation to the appropriate CWQA for changes to the rules and regulations that affect students.
2. The right to make a complaint concerning academic or other Association matters.
3. The right to be informed of, and be able to respond to, allegations of unacceptable behaviour or any conduct for which sanctions may be imposed.

*To Appeal:*

1. The right to appeal, subject to Post Secondary Academic Regulations, and the Student Rights and Responsibilities policies, any decision/sanction taken or imposed by the

Association as a result of a formal process affecting his or her academic or personal standing within the Association.

*To Use CWQA Facilities:*

1. The right, as a member, to use facilities and resources designated by CWQA as available for student use. Students will abide by any CWQA policies in regard to such use, including the payment of fees or expenses.

## STUDENT RESPONSIBILITIES

Within CWQA, the student's most fundamental responsibility is to actively take responsibility for his/her own learning, supporting and promoting an environment that is conducive to learning for all. The responsibilities listed below and the specific examples of breaches of those responsibilities are designed to educate and to ensure that a safe, equitable and respectful learning environment is maintained at CWQA. Students who breach any of these responsibilities may receive a sanction accorded to the CWQA Board, or Education Committee. Students have a right to expect that all other candidates of CWQA will meet the standard of behaviour outlined in the following responsibilities.

### *Respect for Persons*

Students have the responsibility to respect the physical and emotional well-being, and the sense of personal worth and dignity of other students and members of CWQA. Breaches of this responsibility include, but are not limited to the following:

- a) Any student who assaults any person at any CWQA sponsored event (or as a result of CWQA-related business).
- b) Any student who threatens or acts in an intimidating manner against any person at any CWQA sponsored event (or as a result of CWQA-related business).
- c) Any student who sexually harasses another person at any CWQA sponsored event (or as a result of CWQA-related business).
- d) Any student who harasses another person at any CWQA sponsored event (or as a result of CWQA-related business), including but not limited to ancestry, place of origin, colour, ethnic origin, citizenship, sex, marital status, family status, disability, race, creed, sexual orientation, age or economic status.
- e) Any student who makes false statements, whether written or spoken, which are damaging to the reputation of another member of CWQA.
- f) Any student who acts in a disrespectful way to another person at any CWQA sponsored event (or as a result of CWQA-related business) by, yelling, swearing, using profanity or by using demeaning speech or gestures.

### *Respect for Property and CWQA Facilities*

Students have the responsibility to respect CWQA Property, the property of other members of the association and to respect the proper use of CWQA facilities. Breaches of this responsibility include but are not limited to the following.

- a) Any student who commits an act of theft or is in possession of stolen property while on any CWQA sponsored event, or engages in an act of theft or possession of stolen property affecting the property of the CWQA or any member of the Association.
- b) Any student who fails to return borrowed CWQA property after the date for its return and/or demand for its return has been made.
- c) Any student who intentionally or carelessly damages or defaces CWQA property or property as a result of CWQA-related business.
- d) Any student who accesses or uses CWQA computing facilities for purposes other than those for which they have been provided or who abuses such facilities (e.g. WQA MEP use policy).
- e) Any student who disobeys rules and regulations concerning the use of CWQA owned or operated facilities or as a result of CWQA-related business.
- f) Any member or student who possesses, duplicates or uses any College key without proper authorization.

### *Maintain Orderly Learning and Working Environment*

Students have the responsibility to contribute to an orderly learning and working environment while on campus or any other learning experience associated with the CWQA. Breaches of this responsibility include but are not limited to the following.

- a) Any student who disrupts a class, laboratory, placement situation, field trip, extra-curricular activity or who is disruptive in a resource centre, whether by sounds or actions, or by failing to follow the directions of any teacher, or person in authority.
- b) Any student who by sounds or actions creates a disturbance anywhere within a CWQA event or as a result of CWQA-related business.
- c) Any student who creates a false alarm at a CWQA event by any means.
- d) Any student who is in possession of a weapon including a weapon restricted or prohibited by the Criminal Code of Canada on College property or at a College activity (outside of accepted curricular activities related to weapons).

### *Observance of Laws, Policies, Procedures and Directions*

Students have the responsibility to observe the laws of the Land, established CWQA policies and procedures and reasonable directions/requests by CWQA staff, trainers, mentors or employees. Breaches of this responsibility include but are not limited to the following.

- a) Any student who violates any section of the Criminal Code of Canada or any other federal, provincial or municipal statute, while at a CWQA event or as a result of CWQA-related business.
- b) Any student who violates any legitimately established CWQA policy or regulation.
- c) Any student who disobeys an order or directive lawfully given by a CWQA trainer, mentor, employee or agent.

### *Alcohol and Prohibited Substances*

Students have the responsibility not to abuse alcohol or prohibited substances while at a CWQA event or as a result of CWQA-related business. Breaches of this responsibility include but are not limited to the following.

- a) Any student who is at a CWQA event or as a result of CWQA-related business and is in a state of intoxication due to alcohol consumption or another substance.
- b) Any student who is in possession of alcohol while at a CWQA event or as a result of CWQA-related business, except where such possession is licensed, authorized or permitted under the laws of the province of Ontario.
- c) Any student who is in possession of any substance prohibited under the Controlled Drugs and Substances Act or the Food and Drug Act while at a CWQA event or as a result of CWQA-related business or who offers or sells such substances.

### *Honesty*

Students have the responsibility to be honest with respect to academic matters and to be honest when dealing with other members of the CWQA. Breaches of this responsibility include but are not limited to the following.

- a) Any student who cheats or plagiarizes in relation to academic work.
- b) Any student who misrepresents any fact to the College or fails to disclose a fact, or assists another to do so, where such misrepresentation affects admission, matters of academic standing or another College process.

## STUDENT RIGHTS & RESPONSIBILITIES COMPLAINT PROCEDURES

### PREAMBLE

There may be times when students need to express some dissatisfaction about the CWQA, its operations or its employees. Similarly, from time to time, CWQA trainers and staff may feel that a student has violated his/her responsibilities as a student. CWQA encourages the resolution of complaints at the lowest level possible and in a timely manner. Individual circumstances, however, may make an informal resolution impractical or inappropriate.

### PROTECTION FROM REPRISALS

In order to protect individuals who make use of this policy or participate in proceedings as part of the complaint procedure, CWQA prohibits reprisal or threats of reprisal against these individuals and will take appropriate action against those who disregard this prohibition.

### TIME LIMITS

A complaint may be made by students currently registered with CWQA for any course and by former students registered at the time of the occurrence of the incident giving rise to the complaint. A complaint must be made within 15 days of the incident(s) giving rise to the complaint except in extenuating circumstances which, in the opinion of the association, would justify an extension. Complaints on behalf of a student by a third party will not be accepted.

### VIOLENT OR POTENTIALLY VIOLENT SITUATIONS

In order to protect the safety of all members of CWQA, violent or potentially violent situations must be dealt with expediently. This means involving the proper authorities, including police and security, in a timely way. This does not preclude the rights of individuals involved to due process, which will be observed following whatever immediate intervention may take place. In the event of assault or imminent danger:

- Remove yourself from immediate danger (warn others)
- Call 911 for police assistance
- Contact your mentor, trainer or onsite CWQA staff person (for students)

## VIOLATIONS OF STUDENT RIGHTS

A student has the right to lodge a complaint if s/he feels his/her rights have been violated or that an issue needs to be addressed/corrected within CWQA. There are a number of resource people available to assist the student with procedural information related to the complaint.

These resources include, but are not limited to, the assigned mentor, the CWQA trainer or any CWQA staff (onsite or in the office). Students are encouraged to attempt to resolve complaints at an informal level whenever possible. Students wishing to lodge a complaint associated with an academic assessment (final grade), the student is encouraged to meet with that trainer or mentor in an attempt to resolve the complaint.

In cases where the incident precipitating the complaint is of a serious nature (e.g. assault or threatening behaviour) and/or the complainant does not feel comfortable confronting the person directly, s/he may pursue the formal complaint process. If a student has a complaint related to an issue with a CWQA process or CWQA policy, the student should first meet with CWQA staff directly responsible for the issue in an attempt to resolve it.

If the matter is academic in nature, but not a grade appeal, the student should meet with the program administrator (A. Baliva) in an attempt to resolve the issue. If the issue remains unresolved after a meeting with the employee/mentor/trainer the student may pursue the formal complaint process.

### *Formal Written Complaint*

If a complaint cannot be resolved through the Informal Complaint procedure, the student can initiate a formal complaint by putting their complaint in writing.

- a) For complaints related to an issue with a course or program (not grade appeal or cheating violation) the written complaint should be submitted to the Registrar or Executive Director (or designate) responsible for the student's program/course in question.
- b) For complaints relating to issues other than academic, the written complaint should be submitted to the manager responsible for the process or department in question (see 4.0 for student assistance). The written complaint should be submitted on the formal written complaint form. The Registrar or Executive Director (or designate) or manager will acknowledge receipt of the letter, normally within five (5) working days.

The Registrar or Executive Director (or designate) or manager will investigate the situation with the stakeholders involved in one of two ways:

1. By conducting an individual investigation with the stakeholders involved and providing a written recommendation or decision, normally within seven (7) working days of receipt of the student's written complaint, or

2. By appointing a formal Complaint Tribunal which will investigate the complaint and render a decision, normally within fifteen (15) working days of receipt of the student's written complaint.
3. The Complaint tribunal is comprised of the following individuals:
  - The Registrar or Executive Director or designate/manager or designate
  - A trainer for the course involved
  - One other student in the course involved

After a decision/recommendation is made, the manager or Registrar or Executive Director will follow up by sending a written decision to the complainant outlining the decision and what action is to be taken, if any (normally within 10 working days).

#### *Final Resolution*

In those cases where the complaint has not been resolved to the student's satisfaction during the first formal complaint process or where the complaint has not been dealt with within 15 days in the manner described above, the student can take his/her written complaint to the Board of Directors, for cases previously dealt with by a Registrar or Executive Director. The Board's decision will be final. The administrator(s) responsible for hearing the complaint will keep records of any relevant documentation.

## VIOLATIONS OF STUDENT RESPONSIBILITIES (STUDENT BEHAVIOUR ISSUES)

A member of the association (student, faculty, staff or administrator) has the right to lodge a complaint if s/he feels a student has violated his/her responsibilities. CWQA members and staff are encouraged to attempt to resolve complaints at an informal level whenever possible.

### *Informal Complaint*

If CWQA trainer, mentor or staff member feels that a student has violated his/her responsibilities, s/he should attempt to bring this to the attention of the student. If the matter is of a serious nature, is a repeated violation, or remains unresolved at this stage, the CWQA trainer, mentor or staff member should follow the "formal written complaint". Note that violence or threats of violence should always be dealt with using the formal written complaint process after immediate action is taken.

### *Formal Written Complaint*

If a complaint cannot be resolved through the Informal Complaint procedure, the complainant can initiate a formal complaint by putting their complaint in writing.

### *Possible Sanctions*

If a student is deemed to have violated their responsibilities, sanctions may be imposed by the CWQA Executive Director or designate. Sanctions may be singular or imposed in combination. If sanctions are imposed, they should be fitting and appropriate to the seriousness of the behaviour in question, the impact of the behaviour on the Association and whether there have been previous violations. This does not preclude suspending a student from academic privileges, pending investigation, when in the judgment of the Association, the student's action is serious and inappropriate. Any sanction calling for the suspension and/or dismissal of the student must be approved by the Executive Director in addition to those stated in these Policies and Procedures may be established by CWQA if, in the judgment of the CWQA President or his/her representative, such sanctions are necessary. The Association may take disciplinary action if there is a violation of law or, in the case of offenses occurring within, or affecting people on, property owned or controlled by CWQA, or when students are in attendance at a CWQA sponsored event. The words "CWQA sponsored event" shall be broadly construed and will include events sponsored, organized or held on behalf of the Association.

### *Written Reprimand*

A written reprimand is a formal letter to the student that will remain on file for the duration of certification with CWQA. The letter includes the following information: a) Description of the behaviour in question; b) A description of the consequences if the behaviour is repeated: i.e. continuation or repetition of conduct found to be in violation of Student Responsibilities may be cause for more severe disciplinary action if another violation occurs within a stated period of time; c) Information regarding resources within the CWQA the student may access for assistance with the behaviour problem (if appropriate).

### *Restitution or Fines*

Fines or restitution orders may be imposed to compensate the CWQA member(s) in the event of defacement, damage to, or misappropriation of property. Failure to pay restitution or a fine within the time limit prescribed may result in further disciplinary action.

### *Temporary Dismissal*

A temporary dismissal is an order by a CWQA trainer, support staff or administrator, directing that a student leave the classroom, laboratory, placement situation, resource centre or event is occurring.

### *Behavioural Contract*

A behavioural contract is a written agreement between CWQA and the student which specifies certain behaviours that the student must comply with. If the contract is broken by the student, he/she may be suspended or expelled from the College.

### *Probation*

Probation is an order which is designed to permit the student to attend classes, laboratories and placements. It will normally limit campus activities and may include specific terms and conditions. A student who is on probation is subject to suspension or expulsion if there are any further breaches of College regulations or the probation order.

### *Suspension*

Suspension refers to exclusion from classes, field placement and other privileges or activities for a stated period of time. Suspension may include exclusion from any CWQA training or events including the MEP for a stated period of time. Any sanction calling for the suspension of the student must be approved by the Executive Director.

### *Expulsion*

Expulsion refers to the permanent termination of student status. Any sanction calling for the expulsion of a student must be approved by the Executive Director. Re-admission may be sought under conditions established by the CWQA at the time of expulsion. Students who have been expelled will be required to meet with the Executive Director if they wish to re-apply for admission. If the Executive Director determines that the student is eligible to return, the Executive Director will articulate any conditions that the student must meet in order for their re-application to be considered. This may be in the form of a written behavioural contract which states that the student must adequately conform to the behaviour outlined in the Student Rights & Responsibilities document as well as any other reasonable behavioural restrictions. If a repetition of inappropriate behaviour re-occurs, additional disciplinary sanctions may be imposed, including the possibility of expulsion.

## APPEAL PROCEDURE

A student may appeal the following under the Student Rights and Responsibilities policy and procedures:

- a) A decision that a student has been in violation of his/her Student Responsibilities.
- b) A sanction imposed as a result of a violation of Student Responsibilities.

An appeal of the above decisions must be made within five (5) working days of the decision being appealed. An appeal not made within the time limit will not be heard unless there are, in the opinion of the College, exceptional circumstances.

Appeals dealing with academic sanctions of suspension or expulsion will be dealt with by the Board. All other appeals will be dealt with by the Executive Director. Appeal procedures for both routes of appeal will be the same.

The student will notify the Executive Director or in appeals dealing with suspension or expulsion, the Board, in writing of his/her intent to appeal. The written statement of appeal must state: the name of the person appealing, the person or group making the decision being appealed, whether the decision or sanction or both are being appealed, the grounds for the Appeal, and the remedy which the person appealing is requesting.

The Executive Director, or designate/Board or designate will hear the appeal in one of two ways:

1. By reviewing the documentation and investigating the grounds for the appeal and providing a written decision, normally within ten (10) working days of receipt of the written appeal, or
2. By convening the Education Committee to act as an Appeals Tribunal which will hear the appeal and provide a written decision, normally within ten (10) working days of receipt of the written appeal.

The Appeals Tribunal will consist of the following members:

- The Executive Director /President or Vice President or designate
- The CWQA Education Administrator
- Chair of the Education Committee

Any individual who has been involved in or has made a decision with regard to the issue being appealed shall not be part of the appeal process.

The Executive Director or designate/President or Vice President or designate shall co-ordinate the procedures at an appeal ensuring procedural fairness, taking care to see that all persons affected by the decision of the Tribunal are given a reasonable opportunity to present their case and that the Tribunal members listen fairly to both sides and reach a decision without bias.

All parties to the proceedings of the Appeals Tribunal shall be given reasonable notice of the time, place and purpose of the meeting.

A student appealing may:

- a) Be accompanied by an advisor from the Association (e.g. employer); the normal role of such an advisor would be to advise and support the student during the proceedings, not to speak for the student.
- b) Be present at all times during the proceedings (with the exception of deliberations by the Appeals Tribunal)
- c) Present submissions and call voluntary witnesses as might be required to support his/her argument
- d) Conduct a line of questioning reasonably required for a full and fair disclosure of the facts.

The person who initiated the original complaint of violation may:

- a) Be accompanied by an advisor from the Association
- b) Be present at all times during the proceedings (with the exception of deliberations by the Appeals Tribunal)
- c) Present submissions and call voluntary witnesses as might reasonably be required to support his/her argument
- d) Conduct a line of questioning reasonably required for a full and fair disclosure of the facts.

Other individuals may, subject to advance consultation, present submissions relevant to the matter in question.

A student involved in an appeal procedure will have the right of access to all relevant data bearing on the decision being appealed subject to Freedom of Information or other appropriate Policies.

The Appeals Tribunal must normally hear the appeal within ten (10) working days from the date the written appeal is received by the office of the Executive Director, President or Vice President.

Extensions may be granted if, in the opinion of the Executive Director, or designate/President/Vice President or designate, extenuating circumstances exist.

Within three (3) working days of the decision by the Appeals Tribunal, the Executive Director or Vice President shall notify the student of the decision in writing stating the reasons for the decision.

The decision at this level shall be final and binding.

#### RECORD KEEPING AND ACCESS TO RECORDS

All records resulting from formal Student Responsibilities complaints will be kept in a secure central registry. Keeping these records will be the responsibility of the Administrator. Access to these records will be restricted to the Registrar and others deciding on appropriate academic sanctions once a determination of guilt has been established.

[www.cwqa.com](http://www.cwqa.com)

*For questions or additional information, please contact 1-866-383-7617 or [info@cwqa.com](mailto:info@cwqa.com)*

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