

REQUIRED LEAVE OF ABSENCE POLICY AND PROCEDURE



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1 PURPOSE

- 1.1 This policy and procedure outlines how and why a student at risk may be placed on a required leave of absence at CQUniversity.
- 1.2 This policy and procedure is only to be applied under particular circumstances when all other measures (e.g. referral to external services) and support strategies have been exhausted.

2 SCOPE

- 2.1 This document applies to all students of CQUniversity, including vocational education and training (VET), CQUniversity English, Skills for Tertiary Education Preparatory Studies (STEPS), Start Uni Now (SUN), undergraduate and postgraduate students (including both international and domestic cohorts).

3 POLICY STATEMENT

- 3.1 The University will intervene and provide additional support to students who face difficult circumstances which may significantly compromise their wellbeing and/or the wellbeing of others. As part of the mandatory reporting requirements associated with this policy and procedure, the University will demonstrate the steps it has taken to resolve issues prior to implementing this policy and procedure. These steps may include referral to and consideration of other policy documents (e.g. [Student Conduct Policy and Procedure](#), [Assessment](#)

- 3.2 A required leave of absence is a form of compulsory course leave which the University may implement, as a last resort, if a student's behaviour:
- poses a significant threat to his/her own safety or well-being and/or that of others (including employees) in campus based learning activities, compulsory work experiences, residential schools and student residences
 - causes or threatens damage to University resources
 - causes or threatens significant disruption to educational or other University activities, or
 - significantly impacts the student's academic performance or the student's ability to care for themselves.

4 PROCEDURE

Referral to the Counselling, Wellbeing and Safer Communities Team

- 4.1 Any employee who is concerned about a student's behaviour, medical or mental health condition should refer those concerns to the Counselling, Wellbeing and Safer Communities Team. The Counselling, Wellbeing and Safer Communities Team will liaise with relevant employees including academic employees, Deans of Schools and the Office of Research to establish the facts and evidence. The Counselling, Wellbeing and Safer Communities Team may refer an issue to the Governance Directorate if it is best dealt with under the [Student Conduct Policy and Procedure](#) or other student governance policy document.
- 4.2 If there is compelling information to suggest that the student's behaviour poses a direct and immediate threat to the health and safety of self or others and they are unable to or unwilling to take a voluntary leave of absence, the Counselling, Wellbeing and Safer Communities Team will directly refer the case to the Director Student Engagement, who may take immediate action to place a student on a required leave of absence. The required leave of absence will remain in place pending completion of any appeal process and will only be used in exceptional circumstances.

Referral to Student at Risk Advisory Group

- 4.3 If the Counselling, Wellbeing and Safer Communities Team determines that an immediate escalation to the Director Student Engagement is not necessary, but a response is required, they will convene a [Student at Risk Advisory Group](#) to investigate the concerns raised, and determine an appropriate support strategy for the student.
- 4.4 Members of the Student at Risk Advisory Group may include:
- Senior Student Counsellor
 - relevant academic employees (e.g. Dean of School, Head of Course, Lecturer)
 - Associate Vice-President of the relevant region (or their nominated representative), and
 - any other University employee required to ensure that the student's circumstances are given full consideration.
- 4.5 A Student at Risk Advisory Group member will be nominated to communicate with the student (or representative) via mail or email. The student (or representative) may communicate with the Student at Risk Advisory Group member to discuss their circumstances, options or to provide evidence (e.g. reports or letters from medical professional).
- 4.6 The purpose of the Student at Risk Advisory Group is to:
- determine what actions will best support the student with their circumstances and continued enrolment. This may include the development of a [Student Action Agreement](#) which will list recommended strategies and actions agreed to by the student. The Student Action Agreement will also include milestones and review dates

- determine whether to make a recommendation that compulsory study leave may be the best option for the student in their current circumstances, and
 - convey all options to the student, including information that a required leave of absence is intended to support the student during a difficult period.
- 4.7 If the Student at Risk Advisory Group considers that a Student Action Agreement or other remedy is not applicable or appropriate given the circumstances, it will, if possible, advise and offer the student support in applying for:
- [consideration of special circumstances](#) (if the student meets the criteria), and
 - [leave of absence](#).
- 4.8 If the student is unwilling or unable to accept the Student Action Agreement, or a period of leave of absence, the Student at Risk Advisory Group must inform the student that the issue will be referred to the Director Student Engagement for further consideration.

Referral to the Director Student Engagement

- 4.9 The Director Student Engagement is responsible for making any decision to place a student on a required leave of absence. To reach a decision, the Director Student Engagement may consult with:
- Director Governance/University Secretary
 - Dean of School in which the student is studying (or nominee)
 - Director International (or nominee), (if the student is an international student), to ensure visa and compliance requirements are taken into account
 - Associate Vice-President for the relevant region, and/or
 - Chief Wellbeing Officer.
- 4.10 Prior to the Director Student Engagement making a decision, the [Student at Risk Advisory Group](#) will provide a full report of all actions and decisions implemented to date (such as the [Student Action Agreement](#)), evidence collected and a summary of outcomes. All information will be treated sensitively.

Determination by the Director Student Engagement

- 4.11 Taking into consideration the information from the [Student at Risk Advisory Group](#) and any other evidence, the Director Student Engagement will make one of the following determinations in relation to a student:
- remain enrolled with special conditions
 - be placed on a required leave of absence, or
 - take no action.
- 4.12 If the Director Student Engagement determines that a student is to remain enrolled with special conditions (e.g. attend counselling as required, continue to take medications as prescribed), those conditions will be stated in the determination.
- 4.13 The Director Student Engagement will send written notification of the University's intent to impose a period of required leave of absence to both the student's postal and email address as soon as practicable. The notification will also be sent to the student's Head of Course. This notification will include:
- the effective date of the period of required leave of absence
 - the period of required leave of absence (up to a maximum of 12 months, notwithstanding the student being deemed unfit to return to study, as per below point)
 - any conditions which must be fulfilled prior to returning to study (including the provision of a medical certificate indicating the student is fit to return to study (at the student's expense))
 - terms and conditions for accessing University facilities and resources, including electronic systems, and
 - details of the appeals process relating to the required leave of absence.

- 4.14 A copy of the notification will also be sent to:
- Dean of School
 - Senior Student Counsellor
 - International Compliance Officer (international students)
 - Director Student Engagement
 - Manager Admissions, and
 - if relevant, Director Commercial Services.
- 4.15 Any decision to place a student on a required leave of absence will take effect immediately unless otherwise specified, however in the case of an international student, as required by Standard 9 of the [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#) (Cwlth), required leave of absences will not take effect until the appeal process is completed unless extenuating circumstances relating to the student's welfare apply.

Return to University following required leave of absence

- 4.16 A student who wishes to re-enrol after a required leave of absence must make application to do so before the end of the period of required leave of absence determined by the Director Student Engagement. The application must be lodged with the Director Student Engagement in writing and must include a letter from a medical health professional (not certificate) confirming that the student's condition is stable and the student is fit to return to study.
- 4.17 A Return to University Plan must be developed with the appropriate employee (e.g. Senior Student Counsellor) and the student.
- 4.18 Based on the information provided by a medical health professional, the Director Student Engagement will determine that the student be permitted to re-enrol (with or without conditions).
- 4.19 Students resuming studies after a period of required leave of absence are required to comply with relevant re-enrolment procedures.
- 4.20 If the student on required leave of absence was previously a resident in University accommodation, the Director Commercial Services will determine the appropriate arrangements.
- 4.21 Students who are unable to provide evidence from a medical health professional stating that they are fit to return to study, will be advised that a cancellation of studies is necessary. The student may apply for re-admission to the University to continue their studies at a later date.

Administration

- 4.22 Required leave of absences will be administered by the Student Success Division. The Director Student Engagement will, in cases where the student is:
- a postgraduate research student - liaise with the Dean School of Graduate Research, or
 - an international student or Australia Award student - liaise with the International Compliance Officer.
- 4.23 Where a required leave of absence involves a domestic or international research higher degree candidate (RHD), the period of the required leave of absence will be incorporated into the 365 days of leave of absence that is available to research higher degree candidates under the relevant program rules. Where this leave allocation has already been exhausted or will become overdrawn part-way through the proposed period of required leave of absence, the Dean School of Graduate Research may consider granting further extraordinary leave of absence to enable the required leave of absence to be taken.

Domestic scholarship recipients

- 4.24 If a domestic scholarship recipient withdraws without academic penalty or is placed on a required leave of absence, the Director Student Engagement will notify the Director Student Central to determine the implications for scholarships.

Discontinuation without failure

- 4.25 If a required leave of absence is determined after the deadline for withdrawal without penalty (academic and/or financial) and there are no other actions pending, the student will be permitted to discontinue courses without failure and without financial penalty.
- 4.26 If a student has already successfully completed and submitted assessment in a term of study, but does not finish the term due to a required leave of absence, the recognition of those assessment outcomes in subsequent terms is entirely at the discretion of the School.
- 4.27 If a student is on placement or has just completed placement when a period of required leave of absence is invoked, the Director Student Engagement in consultation with the Director Student Central will consider if withdrawal without academic penalty should be applied on a case by case basis. Recency of practice requirements will be considered in this process.
- 4.28 Required leave of absence does not relieve the student of other financial obligations incurred prior to the required leave of absence being imposed, such as library fines or accommodation fees.

Academic transcript

- 4.29 If the student meets the requirements for applying for withdrawal without academic penalty, courses will be removed from the student's record on the University's Student Management System (StudentOne).

Appeals

- 4.30 A student may lodge an appeal with the Vice-President (Student Success) against a decision taken by the Director Student Engagement under this policy and procedure.
- 4.31 An appeal may be lodged on the grounds of lack of procedural fairness or receipt of new medical information. The appeal must be lodged within 20 working days of notification of the decision of the Director Student Engagement. The appeal is to be made in writing (email accepted) and must state the grounds for appeal.
- 4.32 On receipt of an appeal the Vice-President (Student Success) may review the records of the Director Student Engagement and obtain further information from the appellant where necessary. The Vice-President (Student Success) may determine that the appeal should not proceed on the grounds that it is without substance or contains no additional or new information. The decision of the Vice-President (Student Success) will be final and will be notified to the appellant in writing.
- 4.33 If the Vice-President (Student Success) determines that the appeal should proceed, the Vice-President (Student Success) may, in writing, delegate to an individual or a committee some or all of his/her powers to deal with the appeal. No delegate will have the power to re-delegate.
- 4.34 The Vice-President (Student Success) (or delegate) will review the grounds submitted for the appeal and the records of the Director Student Engagement and may consult as necessary, including seeking whatever advice on medical issues the Vice-President (Student Success) (or delegate) considers appropriate.
- 4.35 Following this review, the Vice-President (Student Success) will advise the appellant of the outcome in writing including information regarding any conditions to be imposed on a continued enrolment.
- 4.36 The following is an indicative timeline for an appeal. The process may take more or less time in individual cases. The appellant will be advised of the occurrence and expected length of any delays:
- acknowledgement, including determination of whether to proceed, five working days after receipt of appeal

- determination of appeal 20 working days after the receipt, and
- outcome (including reasons) notified to appellant five working days after determination.

Confidentiality

- 4.37 Subject to this paragraph, all parties involved in a case, including any appeals, are to maintain confidentiality. Information and records about a required leave of absence matter are not to be divulged to anybody without direct involvement in the case with the following exceptions:
- where breach of confidentiality is justified by serious and imminent threat of harm to a person or persons, and/or
 - where there is a legal obligation that overrides this confidentiality provision.

5 RESPONSIBILITIES

Compliance, monitoring and review

- 5.1 The Director Student Engagement is responsible for implementing, monitoring, reviewing and ensuring compliance with this policy and procedure.

Reporting

- 5.2 The International Compliance Officer will report to the [Department of Home Affairs](#) as appropriate.

Records management

- 5.3 All notes and documentation must be kept at all stages of the procedure including records of meetings, discussions, appeal hearings and actions proposed or taken, and stored on an appropriate confidential University file.
- 5.4 Employees must manage records in accordance with the [Records Management Policy and Procedure](#). This includes retaining these records in a recognised University recordkeeping information system.
- 5.5 University records must be retained for the minimum periods specified in the relevant [Retention and Disposal Schedule](#). Before disposing of any records, approval must be sought from the Records and Privacy Team (email records@cqu.edu.au).

6 DEFINITIONS

- 6.1 Terms not defined in this document may be in the University [glossary](#).

Terms and definitions

Student at Risk Advisory Group: a case-specific committee convened by the Senior Student Counsellor to oversee provision of support to a student at risk.

Student Action Agreement: the agreement between the student and the University that is developed prior to any recommendations relating to a required leave of absence is made. The Student Action Agreement may include a list of required actions, milestones and key dates.

7 RELATED LEGISLATION AND DOCUMENTS

[Assessment Policy and Procedure \(Higher Education Coursework\)](#)

[Consideration of Special Circumstances Application Form](#)

[Consideration of Special Circumstances Policy and Procedure](#)

[Disability Support Policy and Procedure \(Students\)](#)

[Education Services for Overseas Students \(ESOS\) Act 2000](#) (Cwlth)

[Leave of Absence Procedure](#)

[National Code of Practice for Providers of Education and Training to Overseas Students 2018 \(CwIth\)](#)

[Occupational Health and Safety Policy](#)

[Removal of Financial Liability due to Special Circumstances Policy and Procedure](#)

[Student Academic Integrity Policy and Procedure](#)

[Student Charter](#)

[Student Conduct Policy and Procedure](#)

8 FEEDBACK

8.1 Feedback about this document can be emailed to policy@cqu.edu.au.

9 APPROVAL AND REVIEW DETAILS

Approval and Review	Details
Approval Authority	Vice-Chancellor and President
Delegated Approval Authority	Vice-President (Student Success)
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Administrator	Director Student Engagement
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Notes	