

## REQUIRED LEAVE OF ABSENCE

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### 1 PURPOSE

This policy outlines how and why a student at risk can be placed on Required Leave of Absence. Required Leave of Absence is a form of compulsory program 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 staff) 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.

This policy 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

This document applies to all students of CQUniversity, including Vocational, English Language Intensive Course for Overseas Students (ELICOS), Skills for tertiary education preparatory studies (STEPS), Tertiary Entry Program (TEP), Start Uni Now (SUN, undergraduate and postgraduate students (including both international and domestic cohorts).

**3 EFFECTIVE DATE** Term 3, 2015 (10 November 2015)

### 4 LEGISLATIVE AUTHORITY

[Central Queensland University Act 1998 Qld](#)  
[Education Services for Overseas Students \(ESOS\) Act 2000](#)

### 5 POLICY STATEMENT

5.1 The purpose of this policy is to allow CQUniversity to 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, the University will demonstrate the steps it has taken to resolve issues prior to implementing this policy. These steps may include referral to and consideration of other policies and procedures (e.g. Student Misconduct Policy, Assessment of Coursework Procedure, Disability Procedures, Code of Conduct, Work Health and Safety Policy).

### 6 PROCEDURE

#### Referral to Coordinator, Counselling, Careers and International Support

6.1 Any staff member who is concerned about a student's behaviour, medical or mental health condition should refer those concerns to the Coordinator, Counselling, Careers and International Support (CCIS) either directly or through a member of the Counselling team. The Coordinator, CCIS, will liaise with relevant staff including academic staff, Deans, the Office of Research Services and Counselling team to establish the facts and evidence. The Coordinator may refer an issue to Governance if it is best dealt with under the [Student Misconduct Policy](#) or other student governance policy.

- 6.2 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 he/she is unable to or unwilling to take a voluntary leave of absence, the Coordinator, (CCIS) will directly refer the case to the Director, Student Experience, who may take immediate action to place a student on a required leave of absence (RLA). The RLA 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 (SARAG)**

- 6.3 If the Coordinator, CCIS determines that an immediate escalation to the Director, Student Experience is not necessary, but a response is required, they will convene a Student at Risk Advisory Group (SARAG) to investigate the concerns raised, and determine an appropriate support strategy for the student.
- 6.4 Members of the SARAG may include:
- Manager, Student Success Centre,
  - relevant academic staff members (e.g. Course Coordinators, Head of Program, Lecturer),
  - Associate Vice-Chancellor of the relevant region or their nominated representative, and
  - any other CQUniversity staff member required to ensure that the student's circumstances are given full consideration.
- 6.5 A member of the SARAG will be nominated to communicate with the student (or representative) via mail or email. The student (or representative) may communicate with the member of SARAG to discuss their circumstances, options or to provide evidence (e.g. reports or letters from medical professional).
- 6.6 The purpose of the SARAG 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 (SAA) which will list recommended strategies and actions agreed to by the student. The SAA 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 Required Leave of Absence is intended to support the student during a difficult period.
- 6.7 If SARAG considers that a Student Action Agreement (SAA) or other remedy is not applicable or appropriate given the circumstances, it shall, if possible, advise and offer the student support in applying for:
- withdrawal without academic penalty (if the student meets the criteria),
  - removal of financial liability in special circumstances (if the student meets the criteria), and
  - Leave of Absence - International Students Policy and Procedure (International Students).
- 6.8 If the student is unwilling or unable to accept the Student Action Agreement, or a period of leave of absence, the SARAG must inform the student that the issue will be referred to the Director, Student Experience for further consideration.

### **Referral to the Director, Student Experience**

- 6.9 The Director, Student Experience is responsible for making any decision to place a student on a required leave of absence. To reach a decision, the Director, Student Experience may consult with:
- Director, Governance,
  - 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, and/or
  - Associate Vice-Chancellor for the relevant region.
- 6.10 Prior to the Director, Student Experience making a decision, SARAG 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 Experience

- 6.11 Taking into consideration the information from SARAG and any other evidence, The Director, Student Experience will make one of the following determinations in relation to a student:
- remain enrolled with special conditions,
  - be placed on RLA, or
  - take no action.
- 6.12 If the Director, Student Experience 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 shall be stated in the determination.
- 6.13 The Director, Student Experience will send written notification of the University's intent to impose a period of RLA 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 Program/ Course Coordinator. This notification will include:
- the effective date of the period of RLA,
  - the period of RLA (up to a maximum of 12 months),
  - any conditions which must be fulfilled (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 CQUniversity facilities and resources, including electronic systems, and
  - details of the appeals process relating to RLA.
- A copy of the notification will also be sent to:
- Coordinator, Counselling, Careers and International Student Support,
  - International Compliance Coordinator (international students),
  - Manager, Student Success Centre,
  - Manager, Student Admissions and Advice Centre, and
  - and if relevant, Director, Student Residences.
- 6.14 Any decision to place a student on RLA will take effect immediately unless otherwise specified, however in the case of an international student, as required by Standard 13.4 of the National Code, RLA will not take effect until the appeal process is completed unless extenuating circumstances relating to the student's welfare apply.

## Return to University following RLA

- 6.15 A student who wishes to re-enrol after RLA must make application to do so before the end of the period of RLA determined by the Director, Student Experience. The application must be lodged with the Director, Student Experience 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.
- 6.16 A Return to University Plan must then be developed with the appropriate staff (e.g. The Coordinator, counselling, Careers & International Support (CCIS)) and the student.
- 6.17 Based on the information provided by a medical health professional, the Director, Student Experience shall determine that the student be permitted to re-enrol (with or without conditions).
- 6.18 Students resuming studies after a period of RLA are required to comply with relevant re-enrolment procedures.
- 6.19 If the student on RLA was previously a resident in university accommodation, the Director, Student Residences shall determine the appropriate arrangements.
- 6.20 Students who are unable to provide evidence from a medical health professional stating that they are fit to return to study, shall 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

- 6.21 RLA will be administered by the Student Experience and Governance Division. The Director, Student Experience shall, in cases where the student is:
- a domestic postgraduate research student, liaise with the Dean, Graduate Studies,
  - an international postgraduate research OR international sponsored student, liaise with the International Sponsorship and Research Admissions Coordinator and notify the Dean, Graduate Studies,
  - an international student, liaise with the International Compliance Coordinator, or
  - an Australia Award (AusAID) student, liaise with the International Compliance Officer.
- 6.22 Where a Required Leave of Absence involves a domestic or international research higher degree candidate, the period of the RLA 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 the RLA, the Dean, Graduate Studies may consider granting further extraordinary leave of absence to enable the RLA to be taken.

## Domestic scholarship recipients

- 6.23 If a domestic scholarship recipient withdraws without academic penalty or is placed on RLA, the Director, Student Experience will notify the Coordinator, Inclusion and Accessibility to determine the implications for scholarships.

## Discontinuation without failure

- 6.24 If RLA 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.
- 6.25 If a student is on placement or has just completed placement when a period of RLA is invoked, the Director, Student Experience 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.
- 6.26 RLA does not relieve the student of other financial obligations incurred prior to RLA being imposed, such as library fines or accommodation fees.

## Academic transcript

- 6.27 If the student meets the requirements for applying for withdrawal without academic penalty, courses will be removed from the student's record on the student management system.

## Appeals

- 6.28 A student may lodge an appeal with the Deputy Vice-Chancellor, Student Experience and Governance against a decision taken by the Director, Student Experience under this procedure.
- 6.29 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 Experience. The appeal is to be made in writing (email accepted) and must state the grounds for appeal.
- 6.30 On receipt of an appeal the Deputy Vice-Chancellor, Student Experience and Governance may review the records of the Director, Student Experience and obtain further information from the appellant where necessary. The Deputy Vice-Chancellor, Student Experience and Governance may determine that the appeal should not proceed on the grounds that is without substance or contains no additional or new information. The decision of the Deputy Vice-Chancellor, Student Experience and Governance will be final and will be notified to the appellant in writing.
- 6.31 If the Deputy Vice-Chancellor, Student Experience and Governance determines that the appeal should proceed, the Deputy Vice-Chancellor, Student Experience and Governance may, in writing, delegate to an

individual or a committee some or all of his/her powers to deal with the appeal. No delegate shall have the power to re-delegate.

- 6.32 The Deputy Vice-Chancellor, Student Experience and Governance or delegate will review the grounds submitted for the appeal and the records of the Director, Student Experience and may consult as necessary, including seeking whatever advice on medical issues the Deputy Vice-Chancellor, Student Experience and Governance, or delegate considers appropriate.
- 6.33 Following this review, the Deputy Vice-Chancellor, Student Experience and Governance, will advise the appellant of the outcome in writing including information regarding any conditions to be imposed on a continued enrolment.
- 6.34 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

- 6.35 Subject to this paragraph, all parties involved in a case, including any appeals, are to maintain confidentiality. Information and records about an RLA 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.

## 7 RESPONSIBILITIES

### Compliance, Monitoring and Review

- 7.1 The Director, Student Experience is responsible for ensuring compliance with and monitoring implementation of this policy and procedure and to undertake review as required.

### Reporting

- 7.2 The International Compliance Coordinator will report to the Department of Immigration and Border Protection (DIBP) as appropriate.

### Records Management

- 7.3 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. The file must be created and stored in line with university policy.
- 7.4 All records relevant to this document are to be maintained in a recognised University recordkeeping system.

## 8 DEFINITIONS

**SARAG:** Student at Risk Advisory Group. A case-specific committee convened by the Director, Student Experience to oversee provision of support to a student at risk.

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

Refer to the University [glossary](#) for the definition of terms used in this policy and procedure.

## 9 RELATED LEGISLATION AND DOCUMENTS

### Related Policy Document Suite

### Related Legislation and Supporting Documents

[Code of Conduct](#)

[Assessment of Coursework Policy](#)

[Assessment of Coursework Procedure](#)

[Student Charter](#)

[Student Misconduct Policy](#)

[Academic Misconduct Procedure](#)

[Student Behavioural Misconduct Procedure](#)

[Student Rules Policy \(TAFE\)](#)

[Work Health and Safety Policy](#)

[Good Practice Guidelines for Enhancing Student Safety](#)

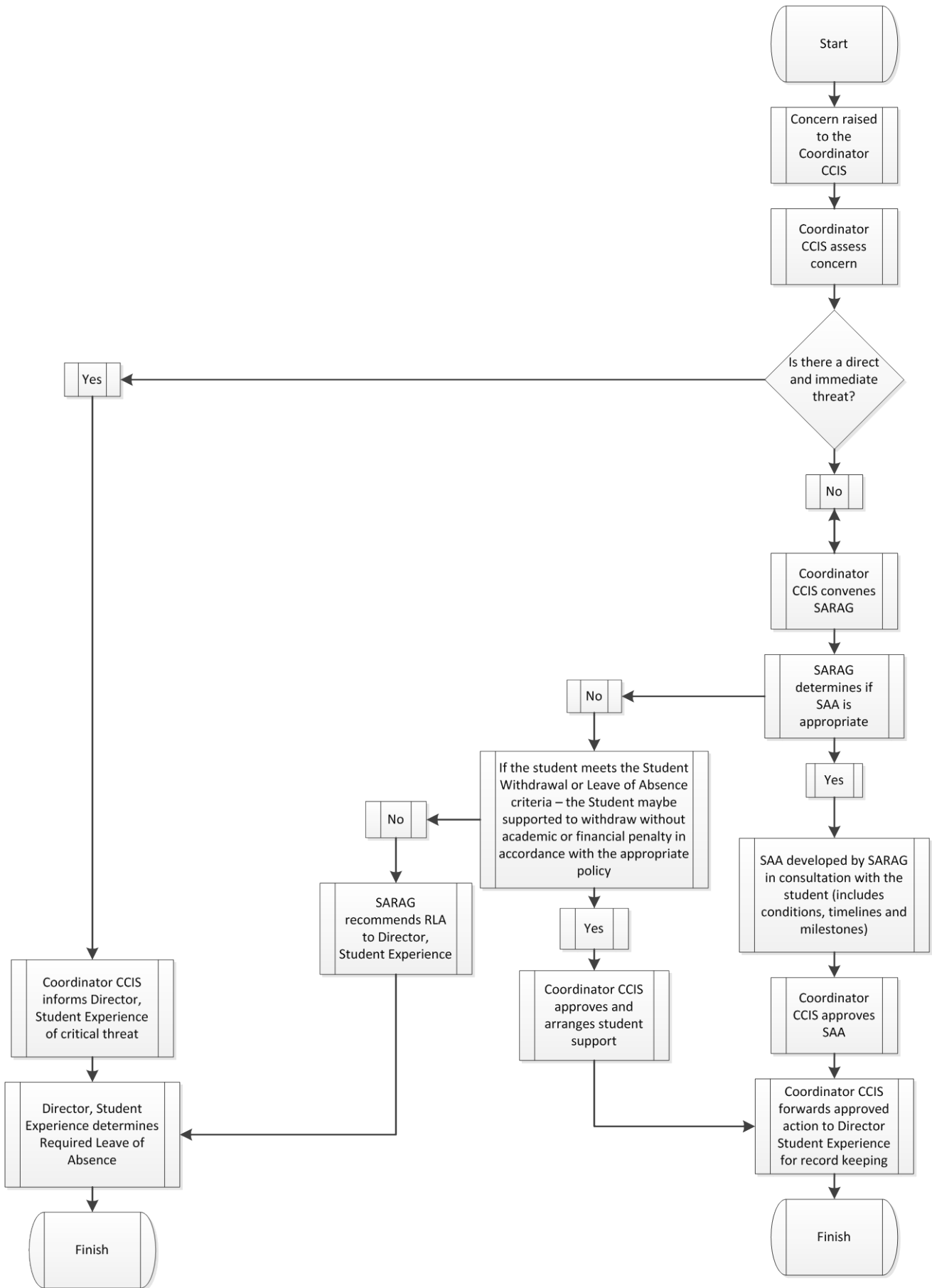
[Education Services for Overseas Students \(ESOS\) Act 2000](#)

[National Code of Practice 2007](#)

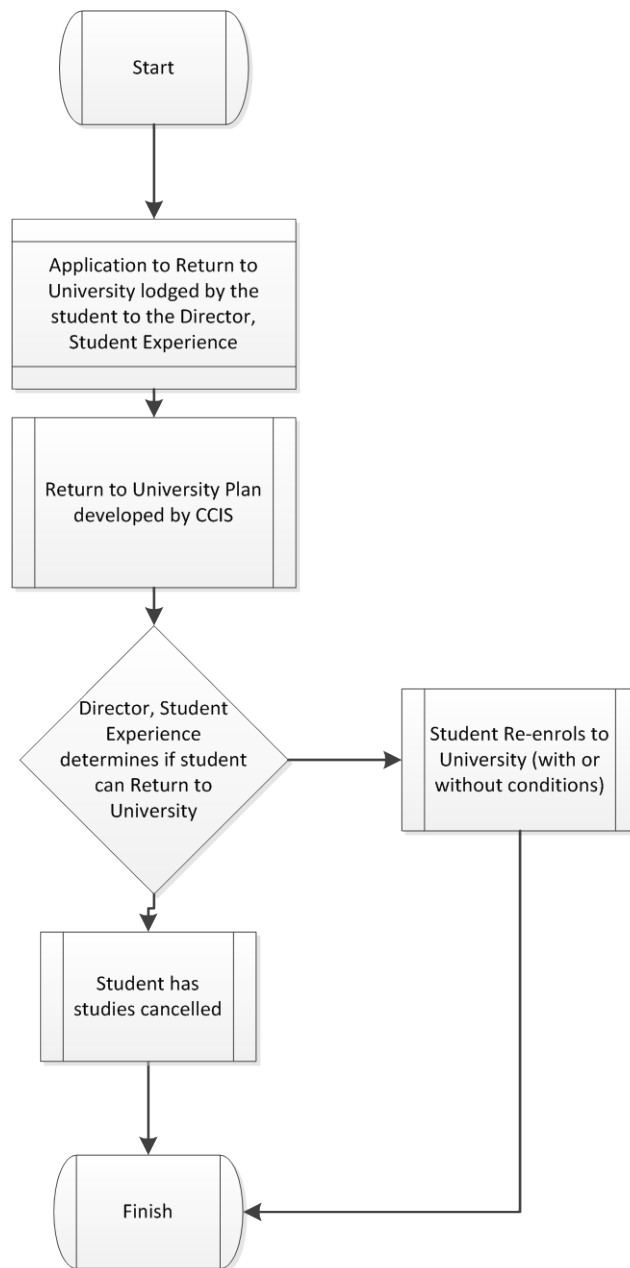
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## Required Leave of Absence Procedure



## Return to University following Required Leave of Absence





## Required Leave of Absence Appeals Process

