

Fitness to Study Procedures

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Document

Document Name	Fitness to Study Procedures
Brief Description	Outlines Curtin College's processes for managing a fitness to study concern about a student.
Responsibility	College Director and Principal CC
Initial Issue Date	8 October 2024

Version Control

Date	Version No.	Summary of Changes	Reviewer Name and Department/Office
8/10/2024	V1.0	New Procedure	Academic Director

Related Documents

Name	Location
Fitness to Study Policy	Curtin College website and 'H' Shared Drive
Access, Diversity, Equity and Inclusion Policy	Curtin College website and 'H' Shared Drive
Enrolment Policy	Curtin College website and 'H' Shared Drive
Student Conduct Policy	Curtin College website and 'H' Shared Drive
Support for Students Policy	Curtin College website and 'H' Shared Drive
Student Wellbeing, Counselling and Support Policy	Curtin College website and 'H' Shared Drive

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1 Purpose and Scope

1.1 Introduction

The *Fitness to Study Procedures* outline Curtin College's process for managing a fitness to study concern about a student.

1.2 Purpose

- a) Curtin College recognizes that there may be instances where a student's health condition, behaviour or well being give rise to concerns about their fitness to study and their ability to meet the legal, ethical and behavioural requirements of their course.
- b) Where a student's conduct poses a risk to the health, safety or wellbeing of themselves or others, or to College property or facilities, or materially interferes with a College activity, and this is related to a fitness to study concern, staff will implement the *Fitness to Study Policy* and these procedures.

1.3 Scope

These procedures apply to all students at Curtin College.

2 Overall Approach

2.1 The College has three levels for responding to a fitness to study concern:

- a) Level 1 – Isolated, Minor and Emerging Low-Level Concerns;
- b) Level 2 – Significant or Ongoing Concerns of a Serious Nature; and
- c) Level 3 – Critical Concerns.

2.2 All fitness to study concerns will be referred in writing to the College Director and Principal, who will determine the level of intervention required having regard to the relevant circumstances, including the nature of the concern, the seriousness of any risk posed, the student's perception of their behaviour and the student's response to any steps taken by the College.

2.3 A matter may be dealt with at Level 3, without any requirement for an earlier level of support and intervention to have been commenced or exhausted. A Level 2 concern must first be addressed as a Level 1 concern.

2.4 Where a meeting is conducted with a student:

- a) the student may be accompanied by a support person, for example, a student, friend or family member, but may not be legally represented – the person may only act as the student's advocate where invited to do so by the staff member(s) conducting the meeting;
- b) the meeting may be conducted in person, or by telephone or videoconference, taking into account the student's preference and any relevant circumstances;
- c) where practicable, the student will be informed in advance of who will be present; and
- d) the student will be given a reasonable opportunity to respond to any concerns raised and present relevant material.

2.5 Where, despite reasonable endeavours by the College, a student cannot be contacted or does not engage with the College's processes, the College may proceed with any suitable action in the student's absence. The student will be notified via their last known contact details of any action taken to support the student or manage behaviour.

3 Level 1 – Isolated, Minor and Emerging Low-Level Concerns

3.1 The Program Manager may do any one or more of the following:

- a) contact or meet with the student to discuss the fitness to study concern, identify the student's perception of the concern, and determine any additional support needs the student may have; and
- b) provide the student with information about the College's fitness to study requirements, *Student Conduct Policy*, and support services available to the student.

4 Level 2 – Significant or Ongoing Concerns of a Serious Nature

4.1 The Academic Director will notify the College Director and Principal of a Level 2 concern.

4.2 The Academic Director:

- a) where appropriate, consult with and seek advice from the Student Counsellor, Student Learning Advisor and other relevant staff;
- b) where this has not already occurred, notify the student that the College has a fitness to study concern, and provide the Student with information about the College's fitness to study requirements, Student Conduct Policy and available support services; and
- c) arrange a meeting between the student, the Academic Director and any other relevant College representatives, to discuss the concern, inviting the student to bring to the meeting any information or material that may be relevant.

4.3 At the meeting, the Academic Director will:

- a) consider the student's response to any previous steps taken by the student or the College to address the concern;
- b) discuss the concern or observed behaviour with the student, identify the student's perception of the concern, and determine any additional support needs the Student may have; and
- c) identify any ongoing or future risks that may be caused by the student's conduct.

4.4 The Academic Director may do any one or more of the following:

- a) counsel the student about recommended changes to behaviour;
- b) refer the student to appropriate additional support services - e.g. health, counselling, or disability services;
- c) recommend that the student apply for appropriate changes to their enrolment or study load, or seek a Learning Access Plan;
- d) request that the student direct all communications to nominated staff, and refrain from contacting other staff;
- e) refer the concern to other members of staff who may be more suitable to contact and assist the student;
- f) take such other action as may be required to assist the student as may be appropriate in the circumstances; or
- g) refer the matter to be dealt with as a Level 3 concern.

4.5 The Academic Director will:

- a) confirm in writing to the student any actions taken or recommendations made in accordance with Clause 4.4 or 4.5;

- b) where changes to a student's study load are recommended, refer the student to Program Manager who can provide advice about the student's circumstances, for example in relation to how a change may affect their fees, scholarship, visa or course planning;
 - c) review the matter at an appropriate time in the future (unless this is being undertaken by another College support service); and
 - d) inform relevant persons as may be appropriate in the circumstances as to what course of action is being followed.
- 4.6 Where a student refuses to engage with the Academic Director, does not attend a meeting, is unable to be contacted, or the concern persists, the Academic Director can take any action described in Clauses 4.4 and 4.5 or may refer the matter to the College Director and Principal, to be dealt with as a Level 3 concern.

5 Level 3 – Critical Concerns

- 5.1 Where there is a critical concern that a student is unfit to study, the matter is referred to the College Director and Principal.
- 5.2 The College Director and Principal will:
- a) notify and liaise with the Student Counsellor about the Concern, and keep them informed of actions taken by the College;
 - b) where appropriate, consult with and seek advice from members of the other relevant staff;
 - c) where this has not already occurred, notify the student that the College has a fitness to study concern, and provide the student with information about the College's fitness to study requirements, Student Code of Conduct Policy, and available support services; and
 - d) arrange a meeting between the Student, the Academic Director and any other relevant College representatives, to discuss the concern, inviting the student to bring to the meeting any information or material that may be relevant.
- 5.3 At the meeting, the College Director and Principal will:
- a) consider the student's response to any previous steps taken by the student or the College to address the concern;
 - b) discuss the concern or observed behaviour with the student, identify the student's perception of the concern, and determine any additional support needs the Student may have; and
 - c) identify any ongoing or future risks that may be caused by the student's conduct.
- 5.4 The College Director and Principal may do any one or more of the following:
- a) counsel the student about recommended changes to behaviour;
 - b) refer the student to appropriate additional support services - e.g. health, counselling, or disability services;
 - c) recommend that the student apply for appropriate changes to their enrolment or study load, or seek a Learning Access Plan;
 - d) request that the student direct all communications to nominated staff, and refrain from contacting other staff;
 - e) refer the concern to other members of staff who may be more suitable to contact and assist the student; and

- f) take such other action as may be required to assist the student as may be appropriate in the circumstances.
- 5.5 The College Director and Principal may, in accordance with the *Fitness to Study Policy*:
- a) restrict or cancel a student's enrolment in one or more units or courses, without academic penalty and with a relevant tuition fee refund;
 - b) require a student to direct all communications to one or more nominated staff members;
 - c) prohibit a student from accessing College facilities or premises;
 - d) require a student to provide fitness to study report(s), or other suitable medical or professional evidence of their fitness to study, and evidence that the student will have ongoing support to manage their studies;
 - e) require a student to engage in specific activities to resolve any fitness to study concerns before and during a student's return to study; and
 - f) impose any other lawful condition or determination.
- 5.6 The College Director and Principal will:
- a) confirm in writing to the student any actions taken or recommendations made in accordance with Clause 5.4 or 5.5;
 - b) where changes to a student's study load are recommended or directed, refer the student to appropriate staff members who can provide advice about the student's circumstances, for example in relation to how a change may affect their fees, scholarship, visa or course planning; and
 - c) review the matter at an appropriate time in the future (unless this is being undertaken by another College support service); and
 - d) inform relevant persons as may be appropriate in the circumstances as to what course of action is being followed.
- 5.7 Where a student refuses to engage with the relevant staff member(s) addressing the fitness to study concern, does not attend a meeting, is unable to be contacted, or the concern persists, College Director and Principal can take any action described in Clauses 5.4 or 5.5.

6 Return to Study

- 6.1 Where a student's enrolment has been cancelled, before returning to study (to the relevant units) the student will be required to provide to the Academic Director evidence that they are fit to return to study. Such evidence may include:
- a) a fitness to study report or other suitable medical or professional evidence as may be determined by Academic Director;
 - b) evidence that the student will have ongoing support to manage their studies; and
 - c) evidence that specific activities have been, or are being, undertaken to support the student.
- 6.2 The Academic Director will assess the evidence provided, liaise with any relevant stakeholders or professionals, and recommend to the College Director and Principal whether it is suitable for the student to return to study and if so, on what conditions (if any).

- 6.3 The student will be provided with a copy of the recommendation. The student will have 14 (fourteen) Calendar Days to respond in writing to the recommendation and provide the College Director and Principal with any further information or evidence that may be relevant.
- 6.4 The College Director and Principal will determine whether it is suitable for the student to return to study, and any conditions that may be appropriate in the circumstances. Conditions may include:
- a) requiring the student to provide a fitness to study report or other suitable medical or professional evidence of their fitness to study on a regular basis during the remainder of their studies;
 - b) requiring the student to undertake specific activities to address the fitness to study concern; and
 - c) enrolment restrictions.
- 6.5 Before a student returns to study, the Academic Director will create a *Return to Study Plan* for the student. The Return to Study Plan will reflect the outcome and provide further information about support services available to the student. The Program Manager will consult with the student about course progression and suitable units to be undertaken.
- 6.6 The Academic Director will notify relevant staff about the student's return to study and, where appropriate and relevant, any ongoing fitness to study conditions, or actions required to support the student.
- 6.7 The College Director and Principal may impose any of the outcomes described in the *Fitness to Study Policy*, where the student is unable or unwilling to produce evidence as set out in Clause 6.2 or abide by any conditions imposed on their return to study.

7 Mandatory Notifications

- 7.1 Where there is a legislative, professional accreditation or contractual requirement for a fitness to study concern to be disclosed to a third party:
- a) due regard is to be had to the College's Privacy Policy;
 - b) staff are required to consult with the Academic Director before making any such disclosure;
 - c) the student is to be informed that disclosure has been made, unless there is a reasonable basis for withholding or delaying this information, which the staff member reasonably believes is in the student's best interests; and
 - d) the Academic Director is to be provided with copies of any written disclosure that is made.

8 External Grievance Mechanisms

- 8.1 A decision by the College Director and Principal on fitness to study concerns is final.
- 8.2 Students will be provided with information about external routes for complaint regarding fitness to study outcomes, for instance, the Overseas Student Ombudsman or Consumer Protection.

9 Conflict of Interest

- 9.1 Where a staff member has a conflict of interest, they must withdraw from being involved in any actions being taken, or refer the matter to an independent staff member, as the context requires. If such circumstances arise, any action authorised to be taken by:

- a) the College Director and Principal may be instead undertaken by another senior staff member;
- b) the Academic Director may be instead undertaken by the Program Manager or another person appointed by a senior staff member.

10 Reporting

The Quality and Compliance Manager or Academic Director will provide an annual report to the College Leadership Team on reported instances of, and trends relating to, fitness to study concerns. The report will not identify individual students but will provide information about the number of concerns raised at each level, a summary of any actions taken, and the number of students who have been able to return to study.

11 Definitions

Refer to the ‘Glossary of Terms’ located under ‘Policies and Procedures’ on the Curtin College [website](#)

12 Review

These Procedures are reviewed annually by the College Director.

13 Records Management

All records in relation to this document will be managed as follows:

Record type	Owner	Location	Retention	Disposal
Procedures	College Director and Principal	Policy Hub and Curtin College website	Permanently until reviewed and updated then this version is to be archived.	Archived in accord with Records Management Program