

# LEAVE, WITHDRAWAL, EXCLUSION, SUSPENSION

Your enrolment at the Academy may be changed due to various circumstances. While the Key Points provide a useful summary, you should familiarise yourself with the complete policy (available below) and regularly check for updates, as policies are subject to review.

## Key Points:

- You must officially notify the Academy of any changes to your enrolment, including the decision to withdraw or go on leave.
- If you do not officially notify the Academy of any such changes, you may be charged for units you were enrolled in.
- Your enrolment may also be forfeited if you engage in misconduct or fail to achieve satisfactory course progress.

## **POLICY AND PROCEDURE: LEAVE OF ABSENCE, WITHDRAWAL, SUSPENSION AND EXCLUSION**

<b>Endorsed by</b>	Academic Board
<b>Date created</b>	November 2009
<b>Revision date(s) and scope</b>	April 2014 – consolidated with former course regulations plus termination by Registrar
<b>Review date(s)</b>	November 2012 November 2015
<b>Next review date</b>	November 2018

### **Scope**

This policy and procedure applies to all students enrolled in accredited courses delivered at the Academy.

### **Policy Statement**

A student's enrolment into a course of study is considered an enrolment into the full duration of the course. Enrolment in units in each successive study period shall be ongoing as per the student's study plan and the Academy's *Course Progression* policy, unless the student officially withdraws, takes a leave of absence or has their enrolment suspended or terminated.

### **Procedure**

#### **Leave of Absence**

Enrolled students who wish to take leave of absence should contact the Administration Office prior to taking any such leave. A Course Variation Form must be completed and approved by the Registrar. Before applying for leave of absence students must ensure that they have paid any outstanding fees. The period of leave will generally be either one semester or a full year. Extensions beyond a year shall be at the discretion of the Student Progress Committee (SPC).

Leave of absence by overseas students is permitted only in compassionate or compelling circumstances, such as serious illness or death in the family. Students will be required to provide evidence of such circumstances.

#### **Withdrawal**

A student withdrawing from a course or units of study should give written notice of their withdrawal, the reason(s) why and any supporting documentation to the Registrar. Students wishing to alter their enrolment should complete the Student Enrolment Variation form. Students wishing to withdraw from the course entirely should complete the Notification of Student Withdrawal form. Forms are available from the Administration Office.

#### **Suspension and Exclusion**

Students may have their enrolment temporarily suspended due to misbehaviour, either academic or general as described below, which can also be grounds for exclusion from the Academy.

Overseas students must be aware that deferral, suspension or cancellation of their enrolment may affect their student visa. The Academy is required to notify the Department of Education and Training via PRISMS under section 19 of the ESOS Act where the student's enrolment is deferred, temporarily suspended or cancelled.

All students have the right to appeal a decision of the Academy to defer, suspend or cancel their studies and in the case of overseas students the Academy will not notify the Government of a change to their enrolment status until the internal complaints and appeals process is completed.

#### **Student Misconduct**

The Academy will demonstrate procedural fairness at all times in dealing with student misconduct, whether academic or general, in accordance with the following principles:

- Students must be treated fairly, with dignity and with due regard to their privacy.
- Students are to be regarded as innocent of the alleged misconduct until they have either admitted to it or been found by proper inquiry of the student conduct committee to have so behaved.



- Past misconduct is not evidence that a student has behaved in the same manner again.
- Each case is dealt with on its own merits and according to its own circumstances with the proviso that the first instance of misconduct will be penalised more leniently than subsequent instances of misconduct.

#### *Academic Misconduct*

Academic misconduct is defined as attempts by students to cheat, plagiarise or otherwise act dishonestly in undertaking an assessment task, or assisting other students to do so. For details of specific types of academic misconduct and associated penalties – which may include suspension or exclusion – see the Academy's *Academic Integrity* policy.

#### *General Misconduct*

Students are expected to respect other students, staff and property so that learning and teaching can take place freely, safely and without impediment due to the misconduct of others. The Student Code of Conduct describes the behaviours expected of Academy students. The Academy will report all criminal acts committed by its students to the relevant authorities.

Penalties for general misconduct:

- Penalties imposed will take into account the nature and the extent of the misconduct.
- A student's second offence is penalised more severely than their first offence and a third offence will result in exclusion from the Academy.

If the student admits to the alleged misconduct, the Director may impose one or both of the following:

- a charge for the cost of damage to facilities and equipment;
- temporary suspension from the Academy.

Notwithstanding a student's admission of guilt, in the case of physical or verbal abuse of students or staff of the Academy, repeated or severe misconduct, or in the case of criminal acts the Director may impose the penalty of permanent exclusion from the Academy.

#### *Notification and Appeal*

The Academy will notify students in writing of adverse findings and/or penalties as a consequence of misconduct. If a student deemed to have engaged in misconduct believes the decision has been made in error, they may appeal the decision under the Academy's internal grievance policy and procedures. The grounds for appeal are:

- procedural irregularities, and/or
- factual errors on which the decision was based and which were of such magnitude as to invalidate the decision.

Notwithstanding the time limit specified in the Academy's grievance procedures, appeals by an international student must be lodged in writing at the Administration Office within 20 working days of the date of the student being notified of the consequence in accordance with the National Code. In the case of exclusion for misbehaviour, the suspension or cancellation of the student's enrolment cannot take effect until the internal grievance process is completed, unless extenuating circumstances relating to the welfare of the student apply.

#### **Effect of change to enrolment on tuition fees**

The effect of changes to enrolment upon a student's tuition fees will be determined as per the Academy's *Policy on Tuition Fee Refunds*. Students suspended or excluded after census date in a study period shall not be entitled to a refund of fees nor the cancellation of a FEE-HELP liability for that study period.

#### **Termination of Enrolment by Registrar**

If a student receives the grade of IR (Incomplete - Repeat) for all units in a study period and neither provides the Academy with formal notification of withdrawal nor attends their enrolled classes in the following study period, the Registrar or a delegated member of the SPC will attempt to contact the student prior to census date to establish their intentions. If contact cannot be made, at the end of that study period the Registrar will withdraw the student from the course.

If a student has taken leave of absence and does not return at the end of the stipulated period or contact the Academy to review the terms of their leave, then the Registrar or a delegated member of the SPC will attempt to contact the student to clarify their enrolment. If the student cannot be contacted the Registrar will terminate their enrolment.

#### **Cancellation of enrolment**

Depending on the nature of the cancellation, the Academy will appropriately notify the Department Education and Training via PRISMs within the required timeframes.

For provider default, the Academy will notify the Department Education and Training within 3 working days of the default including:

- the Academy fails to start providing the course to the student at the location on the agreed starting day; or
- after the course starts but before it is completed, it ceases to be provided to the student at the location; and the student has not withdrawn from the course before the default day.

For student default, the Academy will notify the Department within 30 days of the student default. Student default includes:

- Non-commencement of studies on the agreed enrolment date
- Withdrawal or transfer after the commencement date
- Breach of student visa conditions
- Misbehavior by the student
- Failure to pay student fees

The 30 day timeframe commences once the Academy has established there is a student default and if applicable the internal and any external complaints and appeals process has been completed..