

Fitness to Study Policy

Colleges of Business and Technology (WA) Pty Ltd
 Trading as Curtin College, a member of Navitas Pty Limited
 CRICOS Provider Code: 02042G
 TEQSA Provider No: PRV12157
 ABN: 13 092 155 970

Document

Document Name	Fitness to Study Policy
Brief Description	Outlines Curtin College's principles informing its approach fitness to study concerns.
Responsibility	College Director & Principal CC
Initial Issue Date	17/03/2021

Version Control

Date	Version No.	Summary of Changes	Reviewer Name and Department/Office
8/10/2024	1.0	New Policy	Academic Director

Related Documents

Name	Location
Access, Diversity, Equity and Inclusion Policy	Curtin College website
Enrolment Policy	Curtin College website
Student Conduct Policy	Curtin College website
Support for Students Policy	Curtin College website
Student Wellbeing, Counselling and Support Policy	Curtin College website

Contents

1 Purpose and Scope3

2 Policy Principles3

3 Definitions4

4 Review.....4

5 Records Management4

1 Purpose and Scope

1.1 Introduction

The *Fitness to Study Policy* sets out the approach of Curtin College relating to the management of a fitness to study concern about a student.

1.2 Purpose

- a) The purpose of this Policy is to ensure that Curtin College promotes the safety and wellbeing of all students and the wider college community.
- b) An inclusive and proactive approach to fitness to study-related matters is taken to assist student access.
- c) The college makes reasonable adjustments to studies where practicable and appropriate to accommodate fitness to study concerns, while maintaining the college's academic and conduct standards.

1.3 Scope

This policy applies to all students at Curtin College.

2 Policy Principles

2.1 All fitness to study matters will be managed in a coordinated and respectful manner, consistent with this policy and the *Fitness to Study Procedures*.

2.2 The College recognizes that there may be instances where a student's health condition, behaviour or wellbeing may give rise to concerns about their fitness to study. The College may consider that a student is unfit to study when their conduct, which is directly related to a fitness to study concern:

- a) poses, or is likely to pose, a risk to the health, safety or wellbeing of themselves or others, or to College property or facilities
- b) interferes, or is likely to interfere, with the ability for students, staff or visitors to pursue their studies, teaching or other College activities;
- c) prevents, or is likely to prevent, the student from successfully meeting the legal, ethical and behavioural requirements of their course.
- d) In such circumstances, the College may rely upon this policy and its related procedures to manage and respond to the concern.

2.3 The College recognises that support and consultation with students is central to student success and wellbeing. The College will:

- a) continually develop and foster a supportive framework for students experiencing difficulties with their studies;
- b) where practicable, inform and consult with students about decisions that may affect them;
- c) allow students to be supported by a student, friend or family member, at meetings arranged under the *Fitness to Study Procedures*, however the student may not be legally represented; and
- d) adhere to the requirements of any relevant state and national legislation.

2.4 A senior staff member, who on reasonable grounds believes that a student may be unfit to study, and that there is an immediate or continuing risk of injury or serious detriment to any person, serious detriment to the College's interests or reputation, substantial damage to College property, or significant disruption to any College-related activity, may summarily and with immediate effect prevent a student from accessing College facilities or premises for any period that may be reasonable in the circumstances. The matter will then be referred to the College Director and Principal to be dealt with as a Critical Concern (Level 3) in accordance with the *Fitness to Study Procedures*.

2.5 The College, when responding to a fitness to study concern, may in appropriate circumstances:

- 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 reports, 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.
- 2.6 Where practicable, a decision made under this clause will be imposed with a view to facilitating the student’s return to study in an appropriate timeframe.
- 2.7 Where a student’s enrolment is cancelled or refused in accordance with this policy, the student cannot provisionally enrol pending the determination of an appeal.
- 2.8 Any cancellation of an overseas student’s enrolment will be subject to Standard 9 of the [National Code of Practice for Providers of Education and Training to Overseas Students 2018](#), however can take immediate effect if the overseas student’s health or wellbeing, or the wellbeing of others, is likely to be at risk.
- 2.9 Relevant Legislation

The following pieces of legislation apply to the College’s management and oversight of Assessment and Moderation:

- i. [Education Services for Overseas Students Act 2000 \(legislation.gov.au\)](#);
- ii. [The ESOS legislative framework \(internationaleducation.gov.au\)](#);
- iii. [National Code of Practice for Providers of Education and Training to Overseas Students 2018 \(legislation.gov.au\)](#);
- iv. [Higher Education Standards Framework 2021 | Tertiary Education Quality and Standards Agency \(teqsa.gov.au\)](#);
- v. [Disability Discrimination Act 1992](#);
- vi. [Disability Standards for Education 2005](#);
- vii. [Equal Opportunity Act 1984 \(WA\)](#);
- viii. [Education Support Act 2003](#), and
- ix. [Higher Education Provider Amendment \(Support for Students Policy\) Guidelines 2023](#).

3 Definitions

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

4 Review

- a) This Policy is tested and reviewed annually by the Academic Director in line with the IT Security readiness schedule and any changes to the regulatory compliance requirements, legislation, regulation and guidelines.
- b) This review process aims to ensure alignment to the strategic direction and continued relevance to the College’s current and planned operations.

5 Records Management

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

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