

## STUDENT NON-COMPLIANCE Policy and Procedure

*Version 1.5*

<b>VERSION CONTROL &amp; DOCUMENT HISTORY</b>		
<b>Date</b>	<b>Summary of Modifications</b>	<b>Version</b>
Jul 2009	Created	V1.0
Jul 2011	Added version control and document history	V1.1
Jan 2012	Reformatted document in Arial font	V1.2
Jan 2013	Amended version control and document history	V1.3
May 2013	Replaced Academic Director with Managing Director	V1.4
Feb 2022	Re-formatting to the new system	V1.5
Next Review: February 2023		
Staff Responsible: Managing Director, Student Services Manager		

<b>RELATED DOCUMENTS</b>
<a href="#"><u>Monitoring Course Progression Policy</u></a>
<a href="#"><u>Monitoring Student Attendance Policy</u></a>
<a href="#"><u>Anti-Discrimination and Anti-Bullying Policy</u></a>
<a href="#"><u>Collusion, Plagiarism and Academic Misconduct Policy</u></a>
<a href="#"><u>Student Social Media and Internet Usage Policy</u></a>
<a href="#"><u>Student Code of Conduct</u></a>
<a href="#"><u>Covid-19 Management Policy</u></a>
<a href="#"><u>Access and Equity Policy</u></a>
<a href="#"><u>Deferral, Suspension or Cancellation of a Course Enrolment Policy</u></a>
<a href="#"><u>Student Complaints, Grievances and Appeals Policy</u></a>

## Purpose of this Policy

All domestic and international students must comply with the conditions of studying at APSI, their chosen course and Student Visa, if applicable, including satisfactory course progression and attendance as per APSI's Monitoring Course Progression and Monitoring Student Attendance policies in Related Documents. This policy is intended to outline the process that APSI follows when a student is deemed non-compliant.

## Non-Compliant Definition

Reasons a student may be deemed non-compliant and at risk of having their enrolment at APSI cancelled include but are not limited to:

- Breaching APSI's Anti-Discrimination and Anti-Bullying Policy in Related Documents;
- Breaching APSI's Collusion, Plagiarism and Academic Misconduct Policy in Related Documents;
- Breaching APSI's Student Social Media and Internet Usage Policy in Related Documents;
- Breaching APSI's Student Code of Conduct in Related Documents;
- Breaching APSI's Monitoring Course Progression Policy in Related Documents;
- Breaching APSI's Monitoring Student Attendance Policy in Related Documents;
- Breaching APSI's Covid-19 Management Policy in Related Documents;
- Acting contrary to APSI's Access and Equity Policy in Related Documents;
- Observed non-compliance with the conditions of their Student Visa as outlined by the [Department of Home Affairs](#) or;
- Observed unlawful activity or behaviour, including any failure to comply with mandates as directed by the WA Department of Health in relation to the State of Emergency due to the Covid-19 Pandemic.

## Compassionate or Compelling Circumstances

APSI will take into consideration any compassionate or compelling circumstances when assessing a student's non-compliance. Compassionate or compelling circumstances are where a student experiences a sudden change of circumstances beyond their control, which negatively affect the student's ability to study. Compassionate or compelling circumstances may include but are not limited to:

- Serious illness, injury or a developed medical condition, such as pregnancy, that is supported by a medical certificate outlining why the illness, injury or medical condition poses limitations on a student's ability to continue their studies or;
- A delay in receiving their Student Visa resulting in their inability to enter Australia to study at APSI on the course commencement or;
- Bereavement of close family members, such as grandparents, parents or siblings supported by a Death Certificate of the family member or;
- Major political upheaval or a natural disaster in the student's home country requiring them to take urgent travel to their home country or;
- A traumatic experience which may include but not be limited to involvement in, or witnessing of a serious accident or witnessing or being the victim of a serious crime resulting in a negative impact on the student's physical and psychological health and is supported by a police or psychologist's report.

Each student will be treated on a case-by-case basis at the discretion of the Student Services Manager or Managing Director, depending upon the circumstances of the non-compliance and with regard to all supporting documentation supplied, to be stored in the student's file.

## Procedure

Unless a specific procedure is outlined in another APSI policy in response to a breach, the following procedure will prevail:

1. A student's non-compliance is identified and reported to the Student Services Manager
2. The details of the non-compliance are recorded in the student's file
3. The Student Services Manager will investigate the non-compliance including meeting with the student to discuss the non-compliance and provide an opportunity for the student to present any evidence of compassionate or compelling circumstances to be taken into consideration. All communication or information derived from the investigation into the non-compliance must be recorded in the student's file
4. Subsequent to the meeting and conducting an investigation, the Student Services Manager will consult with the Managing Director to reach a reasonable decision based on all of the circumstances surrounding the non-compliance, including any evidence of compelling or compassionate circumstances
5. Written notification summarising the meeting, the investigation conducted and the decision made by APSI and the reasoning will be sent to the student and their Agent, if applicable. If APSI's decision is to suspend or cancel a student's enrolment then the procedure in APSI's Deferral, Suspension or Cancellation of a Course Enrolment Policy in Related Documents will be followed.
6. If a student is dissatisfied with the outcome reached by APSI they can appeal as per APSI's Student Complaints, Grievances and Appeals Policy in Related Documents.