

DEFERMENT, SUSPENSION OR CANCELLATION OF A STUDENT ENROLMENT (ESOS SPECIFIC)

Policy Code: ADM - 005

Version: 1.0

Effective Date: 2nd April 2018

CONTENTS

Purpose	1
Scope	1
Definitions	2
Actions	4
Deferment or Leave from Studies	4
Withdrawal from All Studies	6
Suspension of Enrolment	7
Cancellation of Enrollment	8
Responsibilities	9
Policy Base	9
Associated Documents	9
Record Keeping	9
Implementation	9

PURPOSE

Standard 13 of the National Code allows students, where compassionate or compelling circumstances exist, to defer commencement of studies, take a leave from studies or temporarily suspend their studies during their program. This must be completed through a formal agreement with their registered provider. Students must be advised that deferring, taking leave from studies or temporarily suspending their studies during their program may affect their student visa.

The registered provider may also seek to cancel or suspend the student's enrolment for disciplinary reasons.

This procedure outlines the circumstances for the application, assessment and approval of the deferment, suspension, a leave from studies, or cancellation of enrolment, when instigated by either student or the College and subsequent reporting requirements via PRISMS.

SCOPE

This Procedure applies to all **international students** studying on shore holding a **Student Visa** as a **student** of the **College**. This is irrespective of teaching location.

DEFINITIONS

TERM	DEFINITION
Cancellation:	CoE is cancelled. Student must re apply for program if they wish to continue study.
Compassionate or compelling Circumstances* *Professional judgement to assess each case on its merits:	<ul style="list-style-type: none"> • Where a student does not receive their student visa in time to arrive at the College to commence study. • Serious illness or injury – where a medical certificate states the student assess each case on its merits: was unable to attend classes. • Bereavement of close family members such as parents or grandparents (death certificate should be provided). • Major political upheaval or natural disaster in home country requiring emergency travel and this has impacted on the student’s studies. • A traumatic experience i.e. involvement in or witnessing of a serious crime or accident and this has impacted on the student (police or psychologists report to be provided). • Where the registered provider was unable to offer a pre-requisite course/ unit. • Other reasons may be considered but must have documentary evidence to support the claim. <p>Note: Deferral due to lack of funds is not accepted by DIBP as a compassionate or compelling circumstance to defer for a semester. It is a condition of a student visa that students have access to funds to cover the tuition fees and cost of living for the duration of their student visa.</p>
CoE	Confirmation of Enrolment
Deferment:	A request by the student prior to the commencement of study of their program to temporarily postpone study (student initiated).
DIBP:	Department of Immigration and Border Protection
ESOS:	Education Services for Overseas Students Act 2000, as amended from time to time.
Extenuating Circumstances:	<ul style="list-style-type: none"> • Is missing. • Has medical concerns. • Has engaged or threatens to engage in behaviour that is reasonably believed to endanger the student or others.
Faculty:	Faculty or School delivering programs to international students
Leave from Studies:	A request by the student to temporarily postpone study after the commencement of their Course. (Student initiated).
PRISMS:	The Provider Registration and International Student Management System
Suspension:	The enrolment of a student in their program of study is suspended for a period of time, after which time the student may recommence study. If student initiated refer to Leave from Studies.
Note : Suspension of enrolment should not be included in attendance monitoring calculations.	

ACTIONS

The College Statutes and Regulations must be read in conjunction with this Procedure.

Where a decision is made, the student always has the right to appeal this decision using the appeals processes as outlined in the College and Regulations. This must always be clearly communicated to the student with the notification of the decision.

Actions required to meet this procedure are outlined in the following sections:

- Deferment or Leave from Absence
- Withdrawal from All Studies
- Suspension of Enrolment
- Cancellation of Enrolment

DEFERMENT OR LEAVE FROM STUDIES

No	STEPS	WHO IS RESPONSIBLE?	COMMENTS
1	Request for Leave from Studies for a full semester or longer.	Student/Management	<ul style="list-style-type: none"> • Must be in writing using the Application for Leave from All Studies Form. • Additional documentation to support application must be lodged with form.
2	Receipt of Application for Leave from Studies form	College/Compliance/Management	<ul style="list-style-type: none"> • Student Services or Management will provide student with a dated receipt when form lodged. • Student services officer will forward form to management for assessment. Management may attach recommendation to the student's form.
3	Assessment for Leave from Studies.	College/Compliance/Management	<ul style="list-style-type: none"> • Approval can only be given in accordance with defined compassionate or compelling circumstances. • Where a student wishes to take a break from their studies but does not have compassionate or compelling circumstances the student will need to withdraw and reapply when they are ready to return to study.

4	Approval / Decline of Leave of Studies.	College/Compliance/ Management	
5	Notification is provided to Student of decision.	College/Compliance/ Management	<ul style="list-style-type: none"> Records to be maintained of the provision of notification and information provided to student. Information provided to student to include: their visa may be affected as a result of the Leave of Studies and DIBP contact details. DIBP will advise the student if they are required to leave the country while on approved leave.
6	Approved signed form is sent to Student Management and copy of form sent to Management after approval or decline by school.	College/Compliance/ Management	<ul style="list-style-type: none"> The College/ Management retains a copy of the form.
7	Form is processed in Student Management System.	Student Support	<ul style="list-style-type: none"> Processed form is kept by Student Management.
8	Change to CoE reported via PRISMS.	College/Compliance/ Management	<ul style="list-style-type: none"> Management retains a copy of the form in the student's file.

9	Deferment of commencement of program	Student	<ul style="list-style-type: none"> Students requesting a deferment due to not receiving their student visa in time to commence their program for the current semester or other compassionate or compelling reasons will contact Management and request a new CoE for the following semester.
10	Deferment approved	College/ Compliance/ Management	<ul style="list-style-type: none"> Management will contact faculty for approval (if applicable). When approved management will issue a new offer & acceptance agreement and re-issue a CoE with new commencement date. The new commencement date will be recorded in the Student Management System.

Note:

- Students can take a leave from studies if there are no courses/units they can study in the relevant study period as this is considered to be a compelling circumstance.
- Students should check with DIBP before applying for leave of studies. In most cases students will be required to go back to their home country while on leave from studies.
- Students leave will be assessed per semester. Leave approved especially for more than one Term may not be recognised by DIBP and it may act to cancel the student's visa.

WITHDRAWAL FROM ALL STUDIES

No	STEPS	WHO IS RESPONSIBLE?	COMMENTS
1	Withdrawal from All Studies	Student	<ul style="list-style-type: none"> Must be in writing using Withdrawal from course form Student must have form signed by Management representative.
2	Student presents form for signing at Management.	Student/Compliance/ Management	<ul style="list-style-type: none"> Management sign form and keeps a copy
3	Student lodges form at Faculty or for students studying at College with the student support	Student/College	<ul style="list-style-type: none"> Student services/ College sign form and provides a copy to the student
4	Faculty lodges form at Student Support for processing. For students studying at a A.C.O.A.E. RTO	College/Management	
5	Student support processes withdrawal according to date student has entered on form.	Student Support	
6	Management cancel students enrolment in program via PRISMS from the date listed on withdrawal form.	Management	<ul style="list-style-type: none"> Copy of withdrawal form with date reported on PRISMS filed in student's file.

Note: Students should check with DIBP before withdrawing from all studies.

SUSPENSION OF ENROLMENT (COLLEGE INITIATED)

No	STEPS	WHO IS RESPONSIBLE?	COMMENTS
1	Action / Decision applicable Statute or Regulation.	College	Refer to College Website Student code of conduct policy
2	Written notification to student of the decision to suspend them from their studies. Advice must include: <ul style="list-style-type: none"> • 20 working days to access College Appeals Process; • Suspension may impact on student's visa; 	As per applicable Statute or Regulation.	<ul style="list-style-type: none"> • Suspension cannot take effect until the internal appeals process is completed unless extenuating circumstances relating to the welfare of the student or other students apply. • Correspondence to students in regard to appeals and appeal outcomes must be sent to student's student email account followed by Australia Post to current postal address. Postage can be regular, express or registered post.
3	Notify Management of the suspension within 7 days of the appeal period passing or any appeal finding in favour of the origin decision to suspend.	Management	<ul style="list-style-type: none"> • Students who choose to appeal to the External appeal provider must do so within 10 working days of date of letter and must notify Management their lodgement referencenumber. Students suspended for discipline reasons do not need to be enrolled during the external appeals process and their suspension may be reported to DIBP.
4	Report student via PRISMS to DIBP that the student's enrolment is suspended.	Management	

Note:

The above procedure for Suspension of Enrolment (College initiated) is for discipline reasons.

Procedures for Suspension of Enrolment (College initiated) for academic reasons is covered under A.C.O.A.E. RTO Standard 10 – Monitoring Course Progression Procedure.

CANCELLATION OF ENROLMENT

No	STEPS	WHO IS RESPONSIBLE?	COMMENTS
1	Action as per above applicable Statute or Regulation.	College	<ul style="list-style-type: none"> Refer to A.C.O.A.E. RTO Policies and procedures
2	Written notification to student of the decision to cancel enrolment. Advice must include: <ul style="list-style-type: none"> 20 working days to access the Appeals Process; Suspension may impact on student's visa; 	As per applicable Statute or Regulation.	<ul style="list-style-type: none"> Cancellation cannot take effect until the internal appeals process is completed unless extenuating circumstances relating to the welfare of the student or welfare of other students apply. Correspondence to students in regard to appeals and appeal outcomes must be sent to student's student email account followed by Australia Post to current postal address. Postage can be regular, express or registered post.
3	Notify Management of the cancellation within 7 days of the appeal period passing or any appeal finding in favour of the origin decision to cancel.	Management	<ul style="list-style-type: none"> Students who choose to appeal to the external appeal process must do so within 10 working days of date of letter, and must notify Management their lodgement reference number. Students whose enrolment is cancelled for disciplinary reasons do not need to be enrolled during the external appeals process and their exclusion may be reported to DIBP.
4	Report student via PRISMS to DIBP that the student's enrolment is suspended.	Management	

Note:

The above procedure for Suspension of Enrolment (College initiated) is for discipline reasons.

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RESPONSIBILITIES

Specific responsibilities for are included under Actions.

- Management – College Manager
- Student Management

POLCY BASE

- ESOS Act 2000
- The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (The National Code).]

ASSOCIATED DOCUMENTS

- Student Appeal Procedure.

FORMS / RECORD KEEPING

TITLE	LOCATION	RESPONSIBLE OFFICER	MINIMUM RETENTION PERIOD
Application for Deferment, Suspension or Leave of	Student File	College	7 years
Evidence of Assessment of applications for deferment,	Student File	College	7 years
Evidence of Approval / Rejection of Application	Student File	College	7 years if upheld 15 years if dismissed
Evidence of information provided to student informing them of possible changes to their student visa.	Student File	College	7 years after completion of course

IMPLEMENTATION

This Procedure will be implemented using the following strategies:

1. Available on the A.C.O.A.E. RTO Website under policy and procedures