

## Deferring, suspending or cancelling student enrolment

The purpose of this policy and procedure is to ensure compliance with Standard 13 of the National Code of Practice 2007 for Registration Authorities and Providers for Education and Training to Overseas Students (the National Code). Registered providers may only enable students to defer or temporarily suspend their studies, including granting a leave of absence, during the course through formal agreement in certain limited circumstances set out in this policy and procedure.

### Policy:

#### 1. Circumstances for Deferral, Suspension or Cancellation:

There are limited circumstances in which an international student's enrolment may be deferred, suspended or cancelled. The definitions for each criteria are:

<b>Deferral:</b>	<b>postponement of commencement of a course</b>
<b>Suspension:</b>	<b>temporary postponement of enrolment during a course</b>
<b>Cancellation:</b>	<b>cessation of enrolment in a course</b>

### STUDENT INITIATED DEFERRAL, SUSPENSION OR CANCELLATION:

#### 2. Student Initiated deferral, suspension or cancellation:

2.1 Deferral, suspension or cancellation can only be initiated by the student by meeting one of the following criteria:

- Unavailability of a course
- Visa delay
- Compassionate and compelling circumstances – These are generally beyond the control of the student and have an impact on the student's progress or wellbeing. These could include, but are not limited to:
  - Serious injury or illness, where a medical certificate states that the student was unable to attend class or classes.
  - Bereavement – close family members such as parents or grandparents (where possible a death certificate should be provided).
  - Major political upheaval or natural disaster in their home country requiring emergency travel and this may have impacted on the student's studies
  - A traumatic experience which could include, but not be limited to:
    - involvement in or witnessing of an accident or crime
    - a crime committed against the student

and these experiences have impacted on the student (cases should be supported by evidence of police or psychologist's reports).

2.2 Supporting documents must be provided upon application e.g. medical certificates, police reports, copies of death certificates. Evidence will be kept on the student's master file located at the International College.

2.3 Deferring, suspending or cancelling an enrolment may affect a student's visa. All students should contact their nearest DIAC Office or refer to [www.immi.gov.au](http://www.immi.gov.au) for further information.

2.4 Any deferral, suspension or cancellation will be reported on PRISMS and supporting documentation recorded in the student file.

#### 3. Student Deferral prior to commencement:

3.1 Students may request a deferral prior to course commencement. The request can be made by the Student or via the Education Agent in writing (either email or letter) addressed to the International Registrar.

- 3.2 When the deferral is processed, the student will receive a revised Confirmation of Enrolment (CoE).
- 3.3 The student's new commencement date will be as per the revised Confirmation of Enrolment (CoE)
- 3.4 Deferring, suspending or cancelling an enrolment may affect a student's visa. All students should contact their nearest DIAC Office or refer to [www.immi.gov.au](http://www.immi.gov.au) for further information.
- 3.5 Any deferral will be reported on PRISMS and supporting documentation recorded in the student file.

#### **4. Student Suspending Enrolment:**

- 4.1 Students wishing to suspend their enrolment must complete a "Suspend or Cancelling Application form" with all supporting documentation attached.
- 4.2 All applications must be submitted at least fourteen (14) days prior to suspension date. The maximum suspension period is six (6) months.
- 4.3 Approval will only be given in the limited circumstances described above. The student will receive a letter in writing notifying the student whether the application has been successful/unsuccessful within ten (10) working days.
- 4.4 Students wishing to extend their suspension period can make application to the International Student Registrar with reasons detailed in full. Supporting documentation must be attached. The Student Registrar will review the application and take into consideration all supporting documentation and the limited circumstances as described above before making a decision.
- 4.5 Deferring, suspending or cancelling an enrolment may affect a student's visa. All students should contact their nearest DIAC Office or refer to [www.immi.gov.au](http://www.immi.gov.au) for further information.
- 4.6 Any suspension will be reported on PRISMS and supporting documentation recorded in the student file.

#### **5. Student Cancelling Enrolment:**

- 5.1 Students wishing to cancel their enrolment must complete a "Suspend or Cancelling Application form" with all supporting documentation attached. The student will receive notification in writing of the result of the request.
- 5.2 If the student has not completed the first six (6) months of their principal course they must provide a letter of offer from an alternative provider before complying with the conditions of Standard 7 of the National Code. *See Student Transfer Policy and Procedures.*
- 5.3 Deferring, suspending or cancelling an enrolment may affect a student's visa. All students should contact their nearest DIAC Office or refer to [www.immi.gov.au](http://www.immi.gov.au) for further information.
- 5.4 Any cancellation will be reported on PRISMS and supporting documentation recorded in the student file.

#### **CADET INTERNATIONAL COLLEGE INITIATED DEFERRAL, SUSPENSION OR CANCELLATION:**

#### **6. Cadet International College initiated deferral, suspension or cancellation:**

- 6.1 In the case where suspension or cancellation has been initiated by Cadet International College, the student will be informed of Cadet's intention to suspend or cancel the student's enrolment in writing and that the student has twenty (20) working days to access the internal complaints and appeals process. *See Complaints and Appeals Policy and Procedure.*

6.2 When the appeals process is initiated, Cadet will maintain the student's enrolment until the internal appeals process is complete. Cadet reserves the right to not provide learning opportunities during this process should it be deemed appropriate.

6.3 Enrolment cannot be adjusted in PRISMS until the internal complaints and appeals process is completed unless extenuating circumstances apply. This includes but is not limited to:

- Severe depression or psychological issues
- Is at risk of committing a criminal offence
- Has engaged or threatens to engage in behaviour that is reasonably believed to endanger the student or others

Record evidence/outcome of appeal on student file and enter a file note into data management system

**Cancellation of Enrolment due to Extenuating Circumstances:**

- a. In the case where Cadet has reason for concern for the welfare of the student, or those with whom the student may come in contact, Cadet will have the option to cancel the student's enrolment prior to completion of the appeals process. Cadet will act under the "extenuating circumstances" option in circumstances where a student's behaviour has led to fear for the safety and wellbeing of the student and/or people the student may encounter.
- b. Upon Cadet notifying DEEWR of the cancellation of a student's enrolment through PRISMS, the student has twenty-eight (28) days in which to find alternative enrolment or to return to his/her home Country.
- c. Under the National Code 2007, the student has the right to appeal Cadet's decision to cancel the student's enrolment if he/she wishes to do so. The student may appeal against the cancellation, subject to any time limits contained in the Complaints and Appeals Policy and Procedure.
- d. Whether or not extenuating circumstances apply, Cadet must notify the student of its intention to cancel the student's enrolment prior to notifying DEEWR through PRISMS of the cancellation.

6.5 Cadet International College may suspend/cancel a student enrolment for:

- Misconduct – where the behaviour of a student:
  - i. has been in serious breach of a college rule
  - ii. is in breach of enrolment conditions
  - iii. is considered to have provided a threat to the well being of other students or staff
- Discrimination
- Sexual Harassment
- Vilification
- Bullying
- Failure to enrol
- Cheating/Plagiarism
- Disrupting other learners and or the trainer
- Disobeying instructions
- Damages or theft
- Non-payment of fees
- Non-progression or attendance
- Pre-requisite not available
- Endangering students or themselves
- Serious injury or illness (medical certificate required)
- Bereavement of close family members (death certificate required)
- Major political upheaval or natural disaster in home country requiring emergency travel

- A traumatic experience for example involvement in, or witnessing a serious accident or witnessing or being the victim of a serious crime (these cases should be supported by police or psychologist reports).

Steps taken by Cadet International College for misconduct/misbehaviour will be as follows unless extenuating circumstances apply (\*\*Refer to definition below). Depending on the nature of the misconduct/behaviour Cadet International College may be required to commence from any stage of the following steps. In the case of extenuating circumstances, Cadet International College will start the cancellation process at **step 5**:

**Step 1:**

- Verbal warning given to student outlining misconduct issue and notifying student of any further warning for the same misconduct will result in a written Warning Notification being issued.

**Step 2:**

- Trainer to complete a written Warning Notification to be issued to the student outlining misconduct details and advising the student that any further warnings will result in meeting with the Registrar. A copy of the written Warning Notification form will be given to the student and a copy kept on the master file of the student.

**Step 3:**

- A Final Warning – Misconduct Incident Report will be issued to the student outlining in full the misconduct details, actions taken or discussed. This Final Warning Notification will include an appointment time and date of a meeting to be held with the International Registrar. It is the Trainer's responsibility to arrange a meeting with the Registrar and include the details on the Final Warning – Misconduct Incident Report form. A copy of the Final Warning Notification form will be kept on the trainer's file and a copy given to the Registrar at the time of making the appointment (which will subsequently be placed on the master file of the student).

**Step 4:**

- A letter will be issued from Cadet International Registrar and handed to the student advising them of a meeting date and time scheduled with the Registrar. The Registrar will meet with the student to discuss the grounds for the Warning Notification and the misconduct or behavioural issues contained therein.

**Step 5 (Extenuating Circumstances):**

- Where a student has been identified as exhibiting serious misconduct/misbehaviour and Cadet has reason for concern for the safety and welfare of the student and/or others in contact with the student as well as Cadet staff members, the International College Manager shall immediately address the issue to secure the safety of all parties involved (*refer to Critical Incident Policy*).
- The student will be immediately notified of Cadet's intention to cancel his/her enrolment:
  - i. verbally advise student of notice of intention to cancel in the first instance
  - ii. post Student Suspension/Cancellation letter stating in writing the reason for cancellation
- Report student to DEEWR via PRISMS of cancellation of enrolment for disciplinary reasons.
- If student has been reported because of extenuating circumstances, they must still be given the opportunity to appeal the decision to suspend or cancel the enrolment.

**\*\*Definition: Extenuating Circumstances will include, but not be limited to:**

- Severe depression or psychological issues
- At risk of committing a criminal offence
- Has engaged or threatens to engage in behaviour that is reasonably believed to endanger the student or others including Cadet Staff members.

- 6.6 The suspension or cancellation will be notified to DEEWR on completion of the twenty (20) working days or at the end of the appeals process if the appeal is not upheld. Depending on circumstances, DEEWR may be notified prior to the completion of the external appeals process (as noted in Step 5 above).

**GENERAL INFORMATION:**

**7. Recommencing studies after a period of Deferment or Suspension:**

- 7.1 Studies can only be undertaken after a period of deferment following formal notification to Cadet International College of the student's intention to take up the deferred place. Notification can be made by the representing education agent or directly by the student.
- 7.2 Studies can only be undertaken after a period of voluntary suspension following formal notification to Cadet of the student's intention to recommence their studies.

**8. Leave of Absence:**

- 8.1 Students are expected to complete their course or study without interruption. However, where this is not possible Cadet International College makes reasonable provision for students who cannot do so, to temporarily suspend their studies by completing a "Compulsory Leave/Absence Request form".
- 8.2 A maximum of two (2) weeks suspension will be granted to the student unless otherwise negotiated with Cadet and approved by the International College Manager. Such time period will be noted on the student's file and the student will be required to re-commence their course or study on the date as notified in a letter sent to the student advising their application to suspend has been successful. If the end date is changed as a result of any suspension period granted, a new CoE is required to be issued. If the end date is not affected, then no change will be recorded.
- 8.3 Cadet International College's policy is that the student not be granted leave under this condition until they have completed at least one (1) unit in their course of study with Cadet International College. Special consideration can be requested for circumstances wherein the student has not completed at least one (1) unit.
- 8.4 The student is required to submit a "Compulsory Leave/ Absence form" to the International Student Registrar.
- 8.5 Regardless of the grounds for granting leave of absence by Cadet under their policies and procedures, DIAC will only approve leave of absence on the basis of compassionate or compelling circumstances.
- 8.6 The Department of Education, Employment and Workplace Relations (DEEWR) approved Leave of Absence does not result in a visa being cancelled, hence the student does not need to apply for a new visa on return to Australia after the leave of absence has expired (For any visa queries, we recommend you contact DIAC for advice).
- 8.7 The student's place in their course will be held for that period for which leave of absence has been granted.
- 8.8 If the student fails to re-enrol after a period of leave of absence, the student should be reported on PRISMS as "student notified cessation of studies" and there is no need to notify the student of the proposal to report nor to allow twenty (20) days for an appeal to be lodged.

**9. Impact of Deferment, Suspension or Cancellation of Enrolment on Student Visas:**

- 9.1 Cadet is responsible for advising students that any deferment, suspension or cancellation of enrolment may impact on the validity of their student visa.
- 9.2 If a student's enrolment is suspended for a period of twenty eight (28) days or longer, DIAC requires the student to leave Australia and return to his or her country of permanent residence, unless special circumstances exist:

Compassionate or compelling circumstances must:

- a. Be beyond the control of the student; and
- b. Occur subsequently to the student accepting an offer to study at Cadet International College; and
- c. Have an impact on the student's general well being or their capacity and/or ability to progress through their course.

Compassionate or compelling circumstances may include, but not be limited to:

- a. Serious injury or illness, where a medical certificate states that the student was unable to attend class or classes.
- b. Bereavement – close family members such as parents or grandparents (where possible a death certificate should be provided).
- c. Major political upheaval or natural disaster in their home country requiring emergency travel and this may have impacted on the student's studies.
- d. A traumatic experience, which could include, but not be limited to:
  - involvement in or witnessing of an accident or crime
  - a crime committed against the student

and these experiences have impacted on the student (cases should be supported by evidence of police or psychologist's reports).

- e. Inability to begin studying on the course commencement date due to delay in receiving a student visa.
- f. Other clearly compassionate and compelling circumstances at the discretion of the International Student Registrar.

## 10. Reporting on PRISMS:

- 10.1 The International Student Registrar will inform DEEWR via PRISMS when a student's enrolment is deferred, suspended or cancelled.
- 10.2 If the International Student Registrar advises DEEWR through PRISMS that it is deferring or suspending a student's enrolment for a period **without affecting the end date of the CoE**, there is no change to the CoE or the student's enrolment status on PRISMS i.e. the student's CoE status will still be listed "as studying". However, the notice of deferment or suspension will be recorded in PRISMS and sent on to the Department of Immigration and Citizenship (DIAC). This information will be kept on the student's master file located at the International College.
- 10.3 If the International Student Registrar advises DEEWR through PRISMS that it is deferring or suspending a student's enrolment for a period, which **will affect the end date of the CoE**, PRISMS will cancel the original CoE, and immediately offer Cadet International College the opportunity to create a new CoE with a more appropriate end date. If Cadet International College does not know when the student will return, it can choose not to create a new CoE at that point, but to wait until the student has notified the College of the intended date of return before creating and issuing a new CoE.
- 10.4 If Cadet International College notifies DEEWR through PRISMS that it wishes to **permanently cancel** the student's enrolment then once this process is complete, the student's CoE will be listed on PRISMS as "cancelled".
- 10.5 If the student appeals the decision to defer, suspend or cancel his or her enrolment, the International Student Registrar will not notify DEEWR of a change to the student's enrolment status until the internal complaints and appeals process is completed.