

POLICY STATEMENT

The aim of this Policy is to ensure fair and equitable processes for deferring, suspending or cancelling a student's enrolment, whether initiated as a result of a student request or by The Academy of International Education (Australia) ("TAIE").

PURPOSE

The purpose of this policy and procedure is to ensure that TAIE is abiding by the requirements of the National Code 2018 as per Standard 9 Deferring, Suspending or Cancelling Student's Enrolment. This policy only applies to TAIE's international Students.

SCOPE

1. **DEFERMENT OF COMMENCEMENT (Requested by Student)**

TAIE will only grant a deferment of commencement of studies for compassionate and compelling circumstances or misconduct by the student.

Compassionate or compelling circumstances are generally those beyond the control of the student and which have an impact upon the student's course progress or wellbeing. These could include, but are not limited to:

- serious illness or injury, where a medical certificate states that the student was unable to attend classes;
- bereavement of close family members such as parents or grandparents;
- major political upheaval or natural disaster in the home country requiring emergency travel when this has impacted on the student's studies; or
- a traumatic experience which could include:
 - involvement in, or witnessing of a serious accident;
 - witnessing or being the victim of a serious crime when this has impacted on the student. (these cases should be supported by police or psychologists' reports)
- where TAIE is unable to offer a pre-requisite unit; or
- inability to begin studying on the course commencement date due to delay in receiving a student visa.

When determining whether compassionate or compelling circumstances exist, TAIE will consider documentary evidence provided to support the claim, and to keep copies of these documents in the student's file.

The final decision for assessing and granting a deferment of commencement of studies is the responsibility of the Director of Studies.

2. **DEFERMENT OF COMMENCEMENT (Initiated by TAIE)**

TAIE may initiate a course deferment on the grounds that it is not able to offer a suitable class for a student at the time of the student's initial commencement date.

Under these circumstances, the student is entitled to a refund in accordance with TAIE's Refund Policy and Procedure.

Course deferments will be recorded on PRISMS.

3. *SUSPENSION (Initiated by TAIE)*

TAIE may initiate a suspension of studies on the grounds of Misconduct of a student, in accordance with TAIE's Code of Conduct- Student and Student Discipline/ Misconduct Policy & Procedure.

Students who have been suspended for more than 28 days will be advised, in writing, that they are required by DIBP to return to their home country, unless extenuating circumstances prevent them from so doing.

Attendance will not be recorded during the period of suspension.

Course suspensions will be recorded on PRISMS.

4. *CANCELLATION (Requested by Student)*

If the student has not completed 6 months of their principal course, and would like to obtain enrolment with another provider, the student is required to assess the release process. (see CPP497 Transfer Request Policy and Procedure)

A student must complete a Deferment or Cancellation of Study Application Form and submit to Administration Officer.

The student must ensure that all outstanding fees are paid in full and understand that cancellation of enrolment does not remove the right to take further action under Australia's Consumer Protection Law nor does it waiver financial liability.

The final decision for assessing and granting a deferment of commencement of studies is the responsibility of the Director of Studies.

5. *CANCELLATION (Initiated by TAIE)*

TAIE may initiate the cancellation of a student's enrolment on the following grounds:

1. A repeated or severe breach of TAIE's Student Code of Conduct
2. The student no longer holds a Student Visa
3. The student's failure to pay required course fees
4. The approval of a student's Request for Cancellation by the Director of Studies

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The final decision for assessing and granting a cancellation of studies is the responsibility of the Director of Studies.

Course cancellations will be recorded on PRISMS.

RESPONSIBILITIES

The Director of Studies is responsible for the implementation of this policy/procedure and to ensure that staff and students are aware of its application and that staff implement its requirements.

The Director of Studies is responsible for the implementation of this policy/procedure in relation to analysing requests for Deferral, Suspension or Cancellation of Enrolment and the subsequent notification to students and to ensure that staff and students are aware of its application and that staff implements its requirements.

This policy applies to all international students enrolled in all courses offered by TAIE

DEFINITION

Deferral - To temporarily defer studies in PRISMS (adjourn, delay, postpone, leave of absence). Student must return to home country unless medically unfit to travel. Appropriate Documentation required.

Medically Unfit to Travel- A doctors certificate stating that student is unable to travel

Valid return airfare – An airfare ticket showing departure date no more than 28 days from deferral date

DIBP – Department of Immigration and Border Protection

Letter of Release – Required if the student has not completed 6 months of their Principal course, and would like to transfer to another provider.

Principal Course – Last course listed on a packaged student visa

Cancellation of Enrolment – Student to permanently terminate their enrolment.

Suspension – The school to temporarily disallow a student entry to studies.

Expulsion – The school to permanently disallow a student entry to studies.

PROCEDURES

REQUIREMENTS

- Students will be informed prior to enrolment of grounds on which enrolment may be deferred, suspended or cancelled.
- Students will be informed that deferment, suspension or cancellation of enrolment may affect a student visa.
- Students will be advised of suspension, deferral or cancellation of enrolment procedures. The *Complaints and Appeals policy and procedure* will apply.
- TAIE will inform the student of its intention to suspend or cancel the student's enrolment where the suspension or cancellation is not initiated by the student and notify the student that he or she has 20 working days commencing three days after the date of the notifying letter to access TAIE's internal appeals process. (see *Complaints & Appeals policy & procedure*.) If the student accesses TAIE's internal appeals process, suspension or cancellation of the student's enrolment under this standard can not take effect until the internal process is completed, unless extenuating circumstances relating to the welfare of the student apply
- Where compassionate and compelling circumstances exist, students may deferred or cancel their enrolment effective immediately. Students will still have the right to internal appeal.
- If the student chooses to access TAIE's appeals process, TAIE will maintain the student's enrolment until the *internal* appeals process is completed (and has supported the provider's intention to suspend or expel the student).
- The student may choose to access the external appeals process but TAIE does not have to wait for the outcome of external appeal before notifying DIBP of change to enrolment status if extenuating circumstances apply, such a risk of harm to self or others.
- A student must meet grounds of compassionate and compelling circumstances for granting a deferral.
- Misconduct is grounds for suspension or expulsion.
- All requests must be submitted to the Director of Studies with grounds evidence as stated later of this policy and procedure in a single submission process. If approved, the student must receive a response in writing.
- Deferrals can be granted for a period of up to six months and must be supported by appropriate documentation. Deferral must be the whole term and recommence their studies in the next term if their request is approved.
- Attendance is not recorded in calculations for monitoring purposes where a student is suspended/deferred in PRISMS.
- Suspension from class for a short period of time is not entered into PRISMS. Attendance for this period must not be included in attendance calculations.
- If approved, the student's record and CoE must be updated on aXcelerate and PRISMS by Administration Officer. A brief note re the Suspension/Deferral must be written on the system under the student's record and a copy of all the relevant documents must be filed in the student file.
- Administration Officer must notify the Director of Studies for the purpose of removing students from the Timetables and class roles.

DEFERRAL

- A student must complete the Deferral Application Form and submit the completed form to the Director of Studies with all supporting documentation. All requirements of the form must be completed and additional documentation attached, or the request may be declined.
- The Director of Studies will assess the request based on the information provided and if needed, arrange a meeting with the student.
- The Director of Studies will assess the potential impact on academic progress and make a recommendation for the period of deferral, sign the application form and pass back to the Administration for processing.

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- The Principal Executive Officer will ensure there are no outstanding tuition fees. If fees are outstanding the request may not be approved pending review of compassionate and compelling circumstances.
- If the request is approved, the Director of Studies must advise the student in writing. Student will be advised to seek information relevant to potential impact on studies as dictated by the Director of Studies. The letter must also indicate that the student should check the validity of their visa if they are not leaving the country during this period.
- If the request is not approved, the student will be advised that they have access to the appeals process.
- If the COE end date is affected, the student must nominate a date of return and provide a copy of an airline ticket. Student will not be allowed early return to class.
- If the COE end date is not affected, the student is informed in writing of outcome via letter which is referred to DIAC regarding visa considerations. As the deferral is over 28 days the student must return to their home country unless medically unfit to travel.
- Refer the student to the DIBP website or helpline 131 881 for advice on how the potential change to enrolment status may impact on his/her visa.
- The details of the Deferral must then be passed on to Administration Officer accompanied by the signed application form, evidence and copy of approval letter
- Administration Officer will update the student's status and enrolment information on the aXcelerate and if the end date on the CoE is affected, a course variation will be submitted against the student's CoE on PRISMS and a new CoE will be created. A note re the Deferral will also be written and kept on the student's record on the system.
- All documents will then be filed in the student's file.
- The Director of Studies must keep a record of the student's expected date of return. If the student has not returned by the expected date the Director of Studies will advise Administration Officer via a Recommendation to Cancel Form.

SUSPENSION

- All misconduct issues are reported to the Director of Studies who may refer the incident to the Principal Executive of Studies. The Director of Studies will consult in order to recommend appropriate action which may include suspension, behavioural contract and/or monitoring contract as per the Student Discipline/ Misconduct Policy & Procedure.
- Director of Studies to complete with the student a suspension form and submit the completed form to Student Support Officer with all supporting documentation.
- The length of the exclusion will be determined by the Director of Studies taking into consideration student's continued access to educational programs, progress and assessments
- The student is expected to adhere to the terms of the short-term suspension and/or behavioural or monitoring contract. Failure to do so may result in the student triggering the expulsion process.
- To maintain Service Provider contact, Administration Officer will maintain the 'Record of Contact for Students not in Class' form during the period of the suspension.
- Short term suspensions do not need to be entered on PRISMS
- The Director of Studies will inform Administration Officer that attendance records will reflect "suspended" for the period of the suspension and will not be counted in determining the percentages of student current and projected attendance.
- Where the student is suspended, the student may lodge an appeal as per the Complaints & Appeals Policy & Procedure.

EXPULSION

- Where a serious incident, breach or misconduct has occurred the Director of Studies is notified ASAP. After the student is removed from the situation or premises, a Report of Alleged Misconduct

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is completed by the relevant staff member and referred to the Director of Studies and Principal Executive Officer.

- Where a decision is made to cancel student enrolment for misconduct the student is notified in writing of the decision and advised in writing with an Intention to cancel letter sent with Appeals Form and Policy
- The student will be given access to the appeals process as per the Complaints & Appeals Policy & Procedure.
- If extenuating circumstances exist, the student will be reported in PRISMS prior to the completion of the internal appeals process.

CANCELLATION

- If the student has not completed 6 months of their principal course, and would like to obtain enrolment with another provider, the student is required to assess the release process. (see Transfer Request Policy and Procedure)
- A student must complete a Cancellation of Enrolment Form and submit to Administration Officer.
- The student must ensure that all outstanding fees are paid in full and understand that cancellation of enrolment does not remove the right to take further action under Australia's Consumer Protection Law nor does it waive financial liability.
- Students who cancel their enrolment whilst in the reporting process (Eg: ITR sent) will be notified to DIBP
- Students who cancel their enrolment whilst in the release period (Eg: Not completed 6 months of their principal course) may in some cases be notified to DIBP
- Student will be referred to the DIBP website or helpline 131 881 for advice on how the potential change to enrolment status may impact on his/her visa.
- Administration Officer will update the student's status and enrolment information on the Accelerate and PRISMS
- All documents will then be filed in the student's file.

GROUND FOR DEFERRAL, SUSPENSION AND EXCLUSION

- Provider Grounds-Misconduct. Appeals process applies to internal level only. If Extenuating Circumstances exist appeals wait period is waived; No right of appeal
- Student Grounds-Compassionate or Compelling grounds for Deferral or Release.

COMPASSIONATE COMPELLING CIRCUMSTANCES:

- This means unusual, exceptional or compelling circumstances that are not part of daily life experience The following are Grounds that must be strictly addressed with Appropriate Documentation evidence provided:
 - Serious illness or injury, where a medical certificate states that the student is unable to attend classes for a significant period of time
 - If illness is psychological – must provide a psychologists report
 - Bereavement of close family members such as parents or grandparents
 - Major political upheaval or natural disaster in the home country requiring emergency travel
 - A traumatic experience which could include involvement in, or witnessing a serious accident; and witnessing or being the victim of a serious crime
 - Detainment by authorities for a criminal act
- The following are not unusual or exceptional circumstances and are not grounds:

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- Work-related pressures
- Daily life traumas and stresses
- Relationship difficulties and break ups
- Minor illnesses i.e. non life threatening
- Celebratory relationship events eg Weddings
- Any type of Health or religion-related claims regarding food handling where food handling is a clear requirement of the enrolled course program

EXTENUATING CIRCUMSTANCES; RELATE TO STUDENT WELFARE AND MAY INCLUDE BUT NOT LIMITED TO:

- Refusing to maintain approved care arrangements
- Is missing
- Severe depression or psychological issues which lead to provider concern for student wellbeing
- Has engaged or threatens to engage in behaviour that is reasonably believed to endanger the student or others
- Is at risk of committing a criminal offence
- Any claim of extenuating circumstances will need to be supported by appropriate evidence

MISCONDUCT

Misconduct is grounds for suspension, exclusion or expulsion as per Student Discipline and Misconduct Policy and Procedure. Under extenuating circumstances the appeals wait period is waived.

GROUND'S EVIDENCE – DOCUMENTS TO BE PROVIDED WITH AN APPLICATION

Appropriate documentation:

- If the student is requesting deferral on grounds then the student must provide the appropriate documentation.
- If the student is unable to return to home country medically unfit to travel documents are required. Specific dates must be provided. Terms such as 'early', 'mid', 'late' or month only are not acceptable.
- If the student is going offshore then they must be able to show a valid Departure and Return airfare. (This may be purchased after approval)
- Bereavement – A Death Certificate must be provided
- A Traumatic Experience – A Police Report must be provided

SUPPORTING DOCUMENTATION

TAIE documentation which supports the implementation of this Policy includes:

- Deferment or Cancellation Application Form
- Deferment, Suspension or Cancellation of Study Application Form
- Deferment, Suspension or Cancellation of Study Approval Letter
- Deferment, Suspension or Cancellation of Study Rejection Letter

REVISION HISTORY

Revision	Date	Description of modifications
3.2	June 2012	
3.3	April 2013	Included History Table Updated job roles Removed reference to Standard 5
3.4	October 2018	Review and Updated National Code 2018 Added Document Details

Document Details

Document Name:	Deferring Suspending or Cancelling Student Enrolment Policy & Procedure
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