

DEFERRAL, SUSPENSION OR WITHDRAWAL OF STUDENTS

This Policy and Procedure is in compliance with National Code Part D, Standard 9, and Section 19 of the ESOS Act

Context

To give specific effect to these policies and procedures the Director, International Programs and the approved school Principal or their delegates and invitees will meet each term to discuss and coordinate specific actions identified, if any, relating to individual students. Such meetings may be called on an individual basis as required.

This policy allows for the deferral, suspension or withdrawal of a student from his/her studies only on the grounds of compassionate or compelling circumstances, or gross misbehaviour by the student. In granting a student a deferment, suspension, withdrawal or cancellation of enrolment, the provider must notify Home Affairs (via PRISMS) and inform the student that their Student Visa may be adversely affected.

If it is the School that initiates the suspension, termination, or cancellation of a student's enrolment, the student must be informed that they have 20 days to access the internal Complaints and Appeals process. Also, until the internal process is completed, the termination, suspension, withdrawal or cancellation cannot take effect unless there are extenuating circumstances relating to the welfare of the student or to that of other students; and notwithstanding that in such cases the appeals processes are still available to the student.

Definitions

Compassionate and compelling circumstances are those which have sufficient impact on a student to prevent their effective continuation of their course of study. These may include, for example:

1. serious illness or injury preventing attendance at school;
2. the serious illness or death of a close family member such as a parent or grandparent;
3. involvement in, or witness to, a serious accident or crime; or
4. a natural disaster or major political upheaval in the home country of the student requiring emergency travel to that country.

Gross misbehaviour:

Where a student causes an incident that is serious in relation to themselves or others, the providers' codes and standards of behaviour policies apply.

Procedure

Deferral or Suspension of Study

ASC International, in conjunction with the approved school, may only allow students to defer or suspend their studies temporarily, or to take leave of absence, through formal agreement and in limited circumstances. These being:

1. The course in which they enrolled is not available at the time,
2. There is a delay in the processing of a visa application, or
3. For compassionate reasons or other compelling circumstances.

Students who apply for suspension or deferral of enrolment based on one of the above conditions, must provide written third-party evidence to support their application. If the documentation is not originally in English, then it must be translated by a registered translator. Without this evidence it is unlikely that the application will be

considered. Once an application has been made, the School must determine, within two working days, whether or not to approve the application.

The student must be informed at the time that deferring, suspending or cancelling an enrolment is likely to affect their student visa. Also, the provider is required to notify the Department of Home Affairs (via PRISMS) under Section 19 of the ESOS Act when a student's enrolment is deferred, temporarily suspended or cancelled.

Where an application for deferral is approved, the provider must update the Letter of Offer and the eCoE for the student and advise them of these changes by mail or email and all documentation must be filed in the student's file.

Where an application for temporary suspension is approved, the student must be advised of this in writing by mail or email, and all documentation filed in the student's file.

If an application for deferral or suspension is not approved, the student must be informed of this in writing and the letter, together with the application and supporting documents, must be filed on the student's file. The letter must include information on accessing the School's Complaints and Appeals process.

In the case of enrolment variation due to Academic Progress please refer to Academic Intervention Policy and Enrolment Variation Policy (Standard 8)

Cancellation of Enrolment

If a student applies to cancel his/her enrolment, and the reason for cancellation is to go to another education provider, the withdrawal policy and the policy on transferring between registered providers should be used.

The ASC may elect to cancel a student's enrolment in the case of:

1. The student's behaviour being a threat to the well-being of other students or staff;
2. Breach of conditions of enrolment;
3. Breach of meeting the conditions of their Student Visa;
4. Serious student misconduct (academic or social);
5. Failing to meet the course progress requirements;
6. Non-payment of tuition fees.

For situations as indicated above, the appropriate documentation must be completed including the International Student Intervention Notification form and the Notice of Intention to Report letter issued.

This letter must include information on accessing the ASC's Complaints and Appeals process.

When the appeals process is initiated, the student's enrolment will be maintained until the internal appeals process is complete, except in extenuating circumstances where the student:

1. refuses to maintain approved care arrangements, if they are under 18 years of age
2. is missing;
3. behaves in a manner that is reasonably considered to endanger themselves or others;

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4. shows symptoms of suffering severe depression or other mental illness;
 5. is at risk of committing a serious criminal offence.

If an appeal is to be made, the student must submit evidence as to why their enrolment should not be suspended, deferred or cancelled. This application will be considered in accordance with the School's and ASC's Complaints and Appeals Policy and Procedure.

Where the ASC suspends or cancels the enrolment of an international student, the CAAW responsibilities will remain in place and the ASC will continue to approve the welfare arrangements for that student until any of the following applies:

- the student has alternative welfare arrangements approved by another registered provider
- care of the student by a parent or nominated relative is approved by Immigration
- the student leaves Australia
- the registered provider has notified Immigration that it is no longer able to approve the student's welfare arrangements and has taken the required action after not being able to contact the student.

Please refer to Flowchart 1 for steps to consider when cancelling a Confirmation of Enrolment or CAAW.

Authority:

Commercial Manager

Reviewed:

January 2019

Approved:

Director of International Programs

Flowchart 1: Enrolment and Welfare Cancellation Process

