

POLICY AND PROCEDURE DOCUMENT

DEFERRING, SUSPENDING OR CANCELLING ENROLMENT POLICY – INTERNATIONAL STUDENTS

1 Purpose and Scope

This policy sets out the way requests for deferral, suspension or cancellation of enrolment by international students must be managed. This policy is consistent with the National Code 2018, Standard 9, and the Education Services for Overseas Students (ESOS) Act 2000.

Scope:

- International Students
- Academic Staff
- International Student Support Staff
- Registry Staff

2 Policy Statement

The information provided on this policy outlines the process for assessing, approving and recording a deferment of commencement, suspension or cancellation of study.

This policy is divided into 2 clearly differentiated sections: Part A of this policy applies to all international students and outlines the majority of the policy. Part B of this policy applies only to international students on a student visa and sets out the College's obligation to record all variations to the enrolment of student visa holders through PRISMS.

PART A - This section applies to ALL international students, regardless of visa arrangements or course of study.

2.1 Deferral

A deferral is the postponement of commencement date of the course.

A student may only apply to defer their enrolment in compassionate and compelling circumstances. The student must request the College of the intent to defer commencement of

a course using the *Application to Defer or Intermit Studies Form* citing compassionate and compelling circumstances as detailed in the *Special Consideration Policy and Procedure*. Deferral can only occur at the beginning of a course.

2.2 Suspension

A suspension is an interruption to the student's course enrolment and can be initiated by either the College or the student.

Student-initiated suspension of enrolment - A student may only apply to suspend their enrolment in compassionate and compelling circumstances. The student must notify the College of the intent to suspend (intermit studies) using the *Application to Defer or Intermit Studies Form* and citing compassionate and compelling circumstances as detailed in the *Special Consideration Policy and Procedure*. Approval of the student's suspension request is at the discretion of the College.

ACPE-initiated suspension of student enrolment - The College may initiate the suspension of a student's enrolment if the student significantly breaches the Student Code of Conduct or as a consequence of other significant student misbehaviour as set out in the *Academic Integrity Policy* and *Student Misconduct (Non-Academic) Policy*; this may include failure to pay fees.

The College may initiate cancellation of an international student's enrolment where the student has breached his or her visa conditions.

If the suspension is initiated by the College, the College will inform the student in writing of its intention to suspend the student's enrolment and notify the student that he or she has 20 working days to access the College's Grievances, Complaints and Appeals processes (as set out in the *Grievances, Complaints and Appeals Policy*). If the appeals process is activated, the suspension of the student's enrolment cannot take effect until the internal process is completed, unless the international student's health or wellbeing, or the wellbeing of others, is likely to be at risk. .

Any claim of compassionate or compelling circumstances must be supported by appropriate evidence.

2.3 Cancellation

Student-initiated cancellation of enrolment - A student may initiate a cancellation of their enrolment at any time for any reason. The student must notify the College of the intent to cancel a course enrolment using the *Application to Discontinue Studies Form*. Students who initiate a cancellation should consider the financial penalties they may incur when submitting an application (refer to the *Refund Policy*). If the cancellation occurs after the nominated Census Date, students must also consider any academic penalties that may be incurred as set out in this policy.

ACPE-initiated cancellation of student enrolment - The College may initiate the cancellation of a student's enrolment if the student breaches the Student Code of Conduct or as a consequence of other significant student misbehaviour as set out in the *Academic Integrity Policy* and *Student Misconduct (Non-Academic) Policy*; this may include failure to pay fees.

The College may also cancel a student's enrolment if it deems that the student is or will be unable to maintain entry requirements and/or conditions of enrolment for a course. This includes failure to obtain and maintain approval to work with children through a positive Working With Children check, where this is required as part of practicum components of a course.

If the cancellation is initiated by the College, the College will inform the student in writing of its intention to cancel the student's enrolment and notify the student in writing that he or she has 20 working days to access the College's Grievances, Complaints and Appeals processes. If the appeals process is activated the cancellation of the student's enrolment cannot take effect until the internal process is completed, unless the international student's health or wellbeing, or the wellbeing of others, is likely to be at risk. .

Any claim of compassionate or compelling circumstances must be supported by appropriate evidence.

2.4 Withdrawal at subject (unit) level

Students who wish to request withdrawal from one or more subjects (but not the entire course), either to change to a different subject/s or not, must submit the *Enrolment Variation Form* to Student Services.

If the withdrawal request is received before the census date of the teaching period, Student Services will:

- Initiate investigations as to why the student wishes to withdraw and inform the Head of Department (HOD) if the student has a current “At Risk” status or if the withdrawal results in load less than 4 units, for the HOD to provide advice to the student
- If the student is in good standing and remains enrolled on a full-time load of 4 units, record the relevant subject withdrawal on the College’s Student Management System.

2.5 Penalties for Cancellation

2.5.1 Academic Penalties

If a student withdraws on or before the census date of the relevant teaching period, no academic penalty applies. If the student withdraws after the census date, a Fail grade is recorded.

Census Date information is available on the College website and on the annual Student Calendar.

2.5.2 Financial Penalties

Depending on timing of and reason for deferral, suspension or cancellation of enrolment, some financial penalties may apply and some or all of the fees paid may be refundable. Please refer to the *Refund Policy – Domestic and International Students* for full details of applicable refunds.

2.6 Responsibility

The Registry Office and the International Student advisers are responsible for executing this policy.

2.7 Record Keeping

The College will fully document, and keep on record in the student’s file, all correspondence, documentary evidence and associated materials of the assessment and decision of student-initiated and College-initiated deferral, suspension or cancellation of enrolment, including evidence of where the international student’s health or wellbeing, or the wellbeing of others, was likely to be at risk and ACPE did not give the student the opportunity to appeal the provider-initiated deferral, suspension or cancellation of enrolment.

PART B - This section only applies to student visa holders

If the student is studying on a student visa, the College must notify the Department of Education via PRISMS as required under section 19 of the ESOS Act where the student's enrolment is deferred, suspended or cancelled for any reason. These students must be made aware that any change to their enrolment may affect their student visa and that they need to seek advice from the Department of Home Affairs on the potential impact on their student visa.

If the College defers or suspends a student's studies for compassionate or compelling reasons, the College will ensure the student visa holder has a valid Confirmation of Enrolment in PRISMS with a start date that reflects the student's intended date of return to studies.

The College may initiate cancellation of an international student's enrolment where the student has breached his or her visa conditions, including by a failure to make satisfactory academic progress. In the case of a ACPE-initiated deferral, suspension or cancellation of enrolment due to unsatisfactory course progress, the College must wait for both internal and external complaints handling and appeals processes to be completed to proceed with the change of enrolment.

If the student has indicated that they have engaged an education agent the agent will be notified upon cancellation of the student's enrolment.

3 Definitions

- **Confirmation of Enrolment (CoE)** – A document, provided electronically, which is issued by the registered provider to intending overseas students and which must accompany their application for a student visa. It confirms the overseas student's eligibility to enrol into a CRICOS registered course.
- **Compassionate or compelling circumstances** - Those circumstances beyond the student's control, and/or the circumstances made it impracticable for the student to complete the requirements of the course. These include, but are not limited to:
 - *Medical reasons:* Where the student's medical condition has changed to such an extent that they are unable to continue with their studies.
 - *Family/Personal reasons:* Such as death or severe medical problems within a family, or unforeseen family financial difficulties, such that it is unreasonable to expect the student to continue with their studies.

Further details are outlined in the Special Consideration Policy – Higher Education.

- **Deferral** - The postponement of commencement date of the course.
- **ESOS** – Education Services for Overseas Students Act 2000 and related regulations and amendments. A legislative framework, administered by the Australian Government, addressing the responsibility of education institutions towards overseas students.
- **International Student** – a student who is not an Australian citizen or permanent resident or a New Zealand citizen or a permanent visa holder. This definition includes students studying onshore on a range of temporary visas (working holiday visa, tourist visa, student visa etc) or offshore as an online student. Information that applies only to students studying on specific visa classes (e.g. Student Visa) is specified when relevant. It should be noted that all international students pay fees specified for international students, regardless of visa subclass.
- **Misbehaviour** - This is defined by the Student Code of Conduct and includes breaches of any College role or instruction or fails to comply with the lawful direction of a College officer. This includes breaches of any College policy, including those relating to intellectual property, discrimination, computer or library facilities, health and safety, ethics and professional standards.
- **PRISMS** – Provider Registration and International Student Management System; a secure system for providers to issue confirmation of enrolment to overseas students intending to study in Australia and to report changes in the overseas students' course enrolments.
- **Student** – an individual person who is formally enrolled to study at the College. The individual person is that who appears on the College's documents such as enrolment, admission and payment documents, and who is assigned an individual student ID.
- **Suspension** - A temporary interruption to the study program of the student, and can be initiated by either the college or student. The term "intermission in candidature" is also used for a student-initiated suspension of studies.
- **Cancellation** - A permanent cessation of a student's enrolment in a study program and can be either initiated by either the college or student. The term "discontinuation of course candidature" is also used for a student-initiated cancellation.

4 Related Documents

- Academic Progression Policy and Procedure- Fees Policy
- Refund Policy – Domestic and International Students
- Special Consideration Policy
- Grievances, Complaints and Appeals Policy Academic Integrity Policy

- Intervention Strategy for Students At Risk
- Student Code of Conduct
- Student Misconduct (Non-Academic) Policy

Related Legislation:

- Education Services for Overseas Students Act 2000
- National Code of Practice for Education and Training to Overseas Students 2018
- Higher Education Standards Framework (Threshold Standards) 2015, Standards 7.2 and 7.3

5 Policy Administration

Policy Name & Code:			Deferring, Suspending Or Cancelling Enrolment Policy – International Students (POL-31)
Policy Owner:			Registrar
Approval Authority:			Academic Board
Next Review:			September 2023
Approval Date	Effective Date	Version	Summary of changes
22 Feb 13	23 Feb 13	1	Policy harmonised and approved on 22 Dec 2015 by the College Academic Board.
11 Jun 19	15 Aug 19	2	<p>Revision date: 18 May 2019</p> <ul style="list-style-type: none"> • Policy reformatted in line with new ACPE template for policy and procedures. • Policy updated to reflect current College's practices. • Content revised to ensure compliance with the ESOS Act 2000 and National Code 2018. • <i>Section 2.2</i> updated to include statement: "The College may initiate cancellation of an international student's enrolment where the student has breached his or her visa conditions." • <i>Part B</i> updated to include statement: "If the College defers or suspends a student's studies for compassionate or compelling reasons, the College will ensure the student visa holder has a valid Confirmation of Enrolment in PRISMS with a start date that reflects the student's intended date of return to studies. The College may initiate cancellation of an international student's enrolment where the student has breached his or her visa conditions, including by a failure to make satisfactory academic progress. In the case of a ACPE-initiated deferral, suspension or cancellation of enrolment due to unsatisfactory course progress, the College must wait for both internal and external complaints handling and appeals processes to be completed to proceed with the change of enrolment".

			<p>Further review: 11 Aug 2019</p> <ul style="list-style-type: none"> • Bart B updated to include a statement to make students aware that any change to their enrolment may affect their student visa and that they need to seek advice from the Department of Home Affairs on the potential impact on their student visa.
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* Unless otherwise indicated, this policy will still apply beyond the review date.