

# National Code Standard 9

## *Deferring, Suspending or Cancelling Student Enrolment Policy*

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### **Student's Application for Deferral or Temporary Suspension**

1. A student's enrolment may be deferred, suspended or cancelled at the instigation of the College or on application by the student.
2. A student may elect to have their enrolment deferred or cancelled if there are compassionate or compelling circumstances which merit such a deferral or cancellation.
3. Such applications must be made in writing and addressed to the Chief Executive Officer or National Manager. Applications must be lodged with evidence sufficient to support the student's reason for the application.
4. The College will endeavour to assess these applications within 10 working days of their receipt.
5. Compassionate and compelling circumstances are generally circumstances outside the control of the student and which have an impact on the student's wellbeing or course progress. Documentary evidence to substantiate such claims is required and is to be retained on the student's file. Examples of compassionate and compelling circumstances include:
  - 5.1. Serious illness or injury, where a medical certificate states that the overseas student was unable to attend classes;
  - 5.2. Bereavement of close family members such as parents or grandparents – a death certificate must be provided;
  - 5.3. Major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student's studies;
  - 5.4. A traumatic experience, which could include:
    - Involvement in, or witnessing of a serious incident or accident;
    - Witnessing or being the victim of a serious crime, impacting on the overseas student's well-being and/or health;
    - Inability to begin studying on an allocated course commencement date due to delays in receiving a student visa;
    - Inability to complete, or failing, a pre-requisite unit and subsequently being short of relevant units for which they are eligible to enrol.

### **Grounds for Deferment or Suspension of Student Enrolment**

6. A decision to defer, suspend or cancel a student's enrolment will be made by the Chief Executive Officer or National Manager.
7. The College will only approve the deferment of a student's commencement of study or suspend a student for the following reasons:
  - 7.1. there are compassionate or compelling circumstances (refer to the College's Policy on compassionate and compelling circumstances for factors which indicate that such circumstances exist in a particular case); or
  - 7.2. the student misbehaves (see discussion below about what constitutes student misbehaviour); or
  - 7.3. failure to pay relevant course fees or fee instalments required to undertake or continue the course as stated in the written agreement; or
  - 7.4. the student breaches course progress.

## **Student Misbehaviour**

8. Student misbehaviour means behaviour by a student which is unlawful, unethical or is of such a nature which results in substantial disruption to fellow students or staff of the College.
9. Examples of behaviour which may constitute student misbehaviour and result in the suspension or cancellation of a student's enrolment include: plagiarism; discrimination; harassment; vilification or bullying.

## **Warning of Intention to Suspend or Cancel Student Enrolment**

10. Where the suspension or notification is not at the request of the student, the National Manager will advise the student in writing of its intention to suspend or cancel the student's enrolment and the reasons for doing so.
11. The letter to the student will include advice that the student has 20 working days to make a complaint or appeal under the College's complaints and appeals policy. This applies even if the student's misbehaviour provides grounds for immediate expulsion, unless the health and/or wellbeing of the student or others is at risk.
12. If the student chooses to access the College's complaints and appeals policy, the College will maintain the student's enrolment until the College's internal complaints and appeals procedure is completed. The exception to this is where extenuating circumstances relating to the welfare of the student apply, such as their health or wellbeing, or the wellbeing of others, is likely to be at risk.
13. The College may proceed with the deferral, suspension or cancellation of the student after the **internal complaints procedure** has been completed (in cases such as for misbehaviour or non-payment of fees);
14. The College may not proceed with the deferral, suspension or cancellation of the student's enrolment until after both the **internal and external complaints** procedures have been completed (in cases such as for course progress breaches).
15. If the situation is so grave that the student's health and/or well-being or the health and/or well-being of others is affected, then the overseas student does not have to be given the opportunity to appeal the College's decision to defer, suspend or cancel the enrolment. However, the College must keep evidence to support such a decision. Situations where this may occur include where the student:
  - is missing,
  - has medical concerns, severe depression or psychological issues which lead to the College fearing for the students' well-being;
  - has engaged or threatens to engage in behaviour that is reasonable believed to endanger the student and/or others;
  - is at risk of committing a criminal offence.

## **Record Keeping**

16. The College will maintain documentary evidence of the reason supporting the College's decision to defer, suspend or cancel a student's enrolment. This record or a copy of it must be kept on the student's file.
17. If an application by a student to defer or suspend their enrolment is successful, the student and the College will enter into a formal agreement which sets out the terms of the deferral or suspension.
18. Additional fees will be charged for deferrals of a student's enrolment.

## **Reporting to Government Authorities**

19. Where a student's enrolment is deferred, suspended or cancelled, the College will:
  - 19.1. advise the student that this action may affect his or her student visa; and
  - 19.2. advise the student to seek advice from the Department of Home Affairs regarding the potential impact on their student visa; and
  - 19.3. notify the Secretary of Department of Education via PRISMS of the deferment, suspension or cancellation of the student's visa.

## **Effect on CoE's and Student Visas**

20. If the student is deferred or suspended for any period without affecting the end date of the CoE, the student will still be listed as studying. However, the notice of deferment or suspension must be recorded on PRISMS.
21. If the student is deferred or suspended for any period and the deferral or suspension affects the end date of the relevant CoE, PRISMS will cancel the original CoE and immediately offer an opportunity to create a new CoE with a more appropriate end date.
22. If no 'new' end date is known, then the College can choose not to create a new CoE, but to wait until the overseas student notifies the College of the intended return date before creating a new CoE.
23. If the student's CoE is permanently cancelled on PRISMS, the CoE status will become 'cancelled'.

## **Related Policies**

- Intervention strategy policy
- Course duration policy
- Complaints and appeals policy
- Compassionate and compelling circumstances policy
- Assessment policy
- Attendance policy
- Student Code of Conduct

## **Related Standards**

- National Code Standard 6
- National Code Standard 10
- National Code Standard 11
- Standards for Registered Training Organisations 2015 – Standard 1 – Clause 1.7