



DEFERRAL, SUSPENSION OR CANCELLATION OF ENROLMENT POLICY AND PROCEDURE

| | |
|---------------------------------|---|
| Related Standards / Legislation | <ul style="list-style-type: none"> • The National Code 2007, Part D – Standard 13 Deferment, suspension or cancellation of enrolment • Standards for the Registered Training Organisations (2015), Standard 6 |
|---------------------------------|---|

Purpose

This policy and procedure supports:

1. The National Code 2007, Part D – Standard 13 Deferment, suspension or cancellation of study during enrolment which states that:

“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.”

2. Standards for the Registered Training Organisations (2015), Standard 6, Clauses 6.1 and 6.2, which state that:

“6.1 The RTO has a complaints policy to manage and respond to allegations involving the conduct of:

- a) *the RTO, its trainers, assessors or other staff;*
- b) *a third party providing services on the RTO’s behalf, its trainers, assessors or other staff; or*
- c) *a learner of the RTO.*

6.2 The RTO has an appeals policy to manage requests for a review of decisions, including assessment decisions, made by the RTO or a third party providing services on the RTO’s behalf.”

Scope

This policy/procedure applies to all international students of ACE.

Definitions

| | |
|--------------------------|--|
| Deferment: | A request by the student prior to the commencement of the study period to temporarily postpone study (Student initiated). |
| Leave of Absence: | A request by the student to temporarily postpone study after the commencement of the study period (Student initiated). |
| Suspension: | When the enrolment of a student in his or her course of study is suspended for a period of time, after which the student may recommence study. |
| Cancellation: | CoE is cancelled. Student must re-apply if he or she wishes to continue study. |

1. Policy

- 1.1** ACE allows changes to a student's enrolment to take place by way of assessing, approving and recording a deferment of the commencement of study or suspension of study for the student, including keeping documentary evidence on the student's file of the assessment of the application.
- 1.2** ACE can only defer or temporarily suspend the enrolment of the student on the grounds of
- compassionate or compelling circumstances (for example, illness where a medical certificate states that the student is unable to attend classes); or
 - misbehaviour by the student
- 1.3** ACE may cancel a student's enrolment where a serious breach of visa or enrolment conditions has occurred.
- 1.4** Regardless of whether the suspension of enrolment is the result of a student request for suspension or provider-imposed suspension of enrolment due to misbehaviour, the period of suspension of enrolment (as entered in PRISMS) will not be included in attendance monitoring calculations. See *Monitoring Attendance Policy and Procedure* for further information about monitoring attendance.
- 1.5 ACE must:**
- inform the student in writing that deferring, suspending or cancelling his or her enrolment may affect his or her student visa; and
 - notify the Secretary of the Dept. of Education – Secretary via PRISMS as required under section 19 of the ESOS Act where the student's enrolment is deferred, temporarily suspended or cancelled.
 - inform the student in writing 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 to access ACE's internal complaints and appeals process.
 - not suspend or cancel the student's enrolment, if the student accesses ACE's internal complaints and appeals process, until the internal process is completed, unless extenuating circumstances relating to the welfare of the student apply.

EXTERNAL APPEALS

- 1.6** The following three categories are covered under this policy and the processes are detailed in clause 2 - Procedures:
- Student requests for Deferral or Suspension of Enrolment:** The policy enables students to defer or temporarily suspend their studies, including granting a leave of absence, during the course through formal agreement in certain limited circumstances.
 - Student requests for Cancellation of Enrolment:** The policy enables student to cancel their enrolment* for personal reasons (compassionate or compelling circumstances or other) or transferring to another registered provider.

*Cancelling a student's enrolment does not necessarily mean that a student will be provided with a Letter of Release. For more information regarding circumstances in which a Letter of Release will be provided, refer to the *Transfer between Registered Providers Policy and Procedure*.

- ACE initiated Suspension or Cancellation:** ACE may seek to cancel or suspend the student's enrolment.

2. Procedures

The following procedures outline the application, assessment and approval of the deferment, suspension, leave of absence or cancellation of enrolment whether instigated by the student or ACE and further deals with the

| | | |
|---|-----------------|---------------------|
| [13] Deferral, Suspension or Cancellation of Enrolment Policy and Procedure | Version 6 | Updated: April 2015 |
| Authorised by CEO | CRICOS # 03219A | RTO # 22424 |
| ©Australian Careers Education Pty Ltd | | Page 2 of 7 |

subsequent reporting requirements to the Secretary of the Department of Education (DoE) via PRISMS and the responsibility of ACE to keep and maintain records of all relevant documents in the student's file.

2.1 Student Initiated Deferral or Suspension

- a. International students may defer commencement of a course or suspend their enrolment during their course only in the following limited circumstances:
- I. On the grounds of *Compassionate or Compelling circumstances**; or
 - II. Unavailability of a course/units; or
 - III. Delay in acquisition of a student visa.

**Compassionate or Compelling Circumstances*

ACE considers these circumstances seriously and professional judgement is used to assess each case on its individual merits.

Definition: Compassionate or Compelling Circumstances are generally those beyond the control of the student and which affects the student's course progress or well-being. These could include (but not limited to):

- Where a student is unable to begin studying on the course commencement date due to a delay in receiving a student visa; or
- Serious illness or injury – where a medicate certificate states the student was unable to attend classes; or
- Bereavement of close family member such as parents or grandparents (where possible a death certificate should be provided); or
- Major political upheaval or natural disaster in home country requiring emergency travel and this has impacted on the students studies; or
- A traumatic experience which could include:
 - Involvement in, or witnessing of a serious accident; or
 - Witnessing or being victim of a serious crime, and this has impacted on the student (these cases should be supported by police or psychologists' reports)
- Where ACE was unable to offer a pre-requisite unit.

NB: Other reasons may be considered but documentary evidence must be provided to support the claim.

- b. Students may request a deferral of the commencement or temporarily suspend their course by completing the Application of Deferral or Suspension of Enrolment form and submitting it with the appropriate supporting evidence to the Course Coordinator prior to the commencement of their course or during the course of their study.
- c. Students must submit the application form a minimum of 14 days before the requested suspension or deferral date (as far as possible).
- d. The Course Coordinator will review the application and use professional discretion, in line with this policy, to determine whether the application for deferment/suspension will be granted or denied. The Course Coordinator will review the student's application and provide a response by 10 working days.
- e. Once the suspension or deferment is processed the student will receive a written letter from the Course Coordinator granting suspension or cancellation. Thereby, if any deferment or suspension is processed, ACE will notify DoE via PRISMS.
- f. The student will be informed on the impact of the deferral or suspension of his/her enrolment may have on his/her student visa and will be advised to contact the DIBP for more information.

| | | |
|---|-----------------|---------------------|
| [13] Deferral, Suspension or Cancellation of Enrolment Policy and Procedure | Version 6 | Updated: April 2015 |
| Authorised by CEO | CRICOS # 03219A | RTO # 22424 |
| ©Australian Careers Education Pty Ltd | | Page 3 of 7 |

- g. Once the deferral is processed via PRISMS, the student will receive a copy of their new CoE (if relevant) and a copy will be stored in their file.

NB: A student's enrolment can be suspended for a maximum period of one semester (equivalent to 6 months or 2 study periods).

2.2 Student Initiated Cancellation:

- Student requesting cancellation of their enrolment must complete the Cancellation of Enrolment Form and submit it with relevant supporting evidence to the Course Coordinator at least 14 days prior to their anticipated cancellation date.
- The Course Coordinator will review the application and determine whether the application for cancellation will be granted. The Course Coordinator will review the student's application and provide a response by 10 working days.
- The student will be informed on the impact of the cancellation of his/her enrolment may have on his/her student visa and will be advised to contact the DIBP for more information.
- Thereby, if any cancellation is processed, ACE will notify DoE via PRISMS

2.3 ACE Initiated Deferral, Suspension or Cancellation

- a. ACE **may defer** commencement of a course when a course is not offered.
- b. ACE may **temporarily suspend or cancel** enrolment in the following circumstances:
 - i. ACE may **temporarily suspend** a student enrolment in the following instances:
 - a. Compassionate or compelling circumstances (e.g. illness where a medical certificate states that the student is unable to attend classes)
 - b. Student misbehaviour, as outlined in the Student Code of Conduct.
 - ii. ACE may **cancel** a student enrolment in the following instances:
 - a. Student demonstrates serious misconduct as outlined in the Code of Conduct
 - b. Unsatisfactory attendance and course progress. See ACE's Monitoring Attendance and Monitoring Course Progress Policies and Procedures for further information.
 - c. Non payment of outstanding fees.
- c. In cases where **suspension** or **cancellation** of the student's enrolment is initiated by ACE, student will be notified in writing and given 20 working days to access ACE's internal complaints and appeals process. The student will be directed to ACE's website or contact the Student Support Services Officer to complete the Complaints and Appeals application form. If the students chooses to:
 - i. access ACE's appeals process then ACE must maintain the student's enrolment (i.e. not notify DoE via PRISMS until the internal appeals process is completed, unless extenuating circumstances* relating to the welfare of the student or the safety of others apply. Please refer to Complaints and Appeals Policy and Procedure for further information.

*'Extenuating circumstances' relating to the welfare of the student may include, but are not limited to the following. The student:

- is missing;

| | | |
|---|-----------------|---------------------|
| [13] Deferral, Suspension or Cancellation of Enrolment Policy and Procedure | Version 6 | Updated: April 2015 |
| Authorised by CEO | CRICOS # 03219A | RTO # 22424 |
| ©Australian Careers Education Pty Ltd | | Page 4 of 7 |

- has medical Concerns, severe depression or psychological issues which lead ACE to fear for the student's 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.

NB: Any claim of extenuating circumstances will need to be supported by appropriate evidence (see Guidelines of Evidence below)

- ii. access an external appeals process as per the provider's policy ACE does not have to wait for the outcome of an external appeal before notifying the Department of Education of the change to the student's enrolment status.
- d. The student will be informed on the impact of the cancellation or suspension of his/her enrolment may have on his/her student visa and will be advised to contact the DIBP to obtain relevant and current information.
- e. During the 20 working day appeals process, students will be provided the opportunity to continue to attend class so as not to deny them learning opportunities and disadvantage their subsequent studies should the appeals process find in their favour. The only exclusion to this is in the case of a student who is in breach of the code of conduct and is a risk to his/herself or to the safety of others.

3. PRISMS Instructions

- d. **If ACE is cancelling a student's enrolment** then ACE notifies the DoE via PRISMS that it is permanently cancelling the student's enrolment. Once this process is complete, the student's CoE status will be listed as 'cancelled'
- e. **If ACE is deferring or suspending a student's enrolment** for a period without affecting the end date of the CoE then ACE notifies the DoE via PRISMS of the same. In this case there will be 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'. This information will simply be kept for future reference by DIBP.
- f. **If ACE is deferring or suspending a student's enrolment** for a period which will affect the end date of the CoE then ACE notifies the DoE via PRISMS of the same. In this case, PRISMS will cancel the original CoE and immediately offer ACE the opportunity to create a new CoE with a more appropriate end date. If ACE does not know when the student will return, then ACE will wait until the student has notified ACE of the intended date of return before creating the new CoE.

4. Guidelines for Evidence

Evidence supplied will be assessed and deemed valid by ACE according to the following guidelines:

Medical Certificates must:

- Be issued by a Certifying Health Practitioner (i.e. General Practitioner, Psychiatrist or Specialist)
- State that the student was medically unfit to attend classes
- State the duration of absence
- State the Certifying Health Practitioner's contact details

Death Certificate must:

- Be certified
- Translated into English

Police Reports must:

| | | |
|---|-----------------|---------------------|
| [13] Deferral, Suspension or Cancellation of Enrolment Policy and Procedure | Version 6 | Updated: April 2015 |
| Authorised by CEO | CRICOS # 03219A | RTO # 22424 |
| ©Australian Careers Education Pty Ltd | | Page 5 of 7 |

- State the police officer's contact details

Psychological Reports must:

- Be issued by a registered psychologist
- Indicate the student's psychologically incapacity to attend class
- State the psychologist's contact details

Evidence to verify visa refusal must be a letter from the Australian Government with their letterhead.

NB: Failure to supply documented evidence will result in compassionate or compelling circumstances being deemed as non-existent.

5. Additional Guidelines & Notes

- Please refer to ACE's *Refund Policy* for further information relating to refunds in the event of a deferment, suspension or cancellation.
- Once ACE notifies the DoE of the suspension or cancellation of a student's enrolment, the student has 28 days to leave Australia, to show DIBP a new CoE by enrolling in an alternative course (to satisfy student visa condition 8202) or to provide DIBP with evidence that he or she has accessed an external appeals process. DIBP will then consider the student's individual circumstances and whether to cancel or maintain the student's visa.
- International students can temporarily suspend enrolment for a maximum period of 1 semester (equivalent to 6 months or 2 study periods).
- Deferral, suspension or cancellation of enrolment may affect the student's visa.
- If an international student's enrolment is suspended for more than six months, the student's visa may be cancelled by Department of Immigration and Border Protection (DIBP).
- The period of suspension of enrolment (as entered in PRISMS) will not be included in attendance monitoring calculations.
- Information entered into PRISMS will be electronically transferred to DIBP.
- If a student does not return to studies after a break, ACE will consider the student to have 'inactively' advised that they will not be continuing with their studies. In this case, ACE will notify DoE via PRISMS of 'student notified cessation of studies' by going to the Student Course Variation screen and choosing 'Termination prior to completing the course'. The 'termination reason' will be 'Student notified cessation of studies'. ACE may wish to enter a comment such as 'Student did not return' or 'Student did not re-enrol'. There will be no requirement to send a Notice of Intention to report letter and observe the associated appeals requirements; nor notify the student of ACE's intention to cancel their studies as this action is not considered against the student's will.
- Retrospective suspension or deferment* – ACE will not authorise and report a deferment or suspension retrospectively unless there are unusual circumstances where it may be required. E.g. a student has an accident whilst on holiday overseas and does not turn up to class at the beginning of the semester. In this case a retrospective deferment may be justified if the student is unable to contact ACE following the accident. Second e.g. of a student is required to return home at short notice for urgent medical attention (before requesting a suspension of studies), ACE could grant a suspension of studies retrospectively, that is, when the student returns to study and requests this suspension.
- Note* – ACE monitors attendance and thus under Standard 11 ACE will be contacting students and counselling them if they have been absent for more than five consecutive days without approval or where the student is at risk of not attending for at least 80% of the scheduled course contact hours. Please refer to the *Monitoring Attendance Policy and Procedure*.
- Note* – students are advised to contact the DIBP to obtain the relevant and updated information that may affect their student visa.

6. Responsibility

- CEO
- Course Coordinator
- Student Support Services Officers

| | | |
|---|-----------------|---------------------|
| [13] Deferral, Suspension or Cancellation of Enrolment Policy and Procedure | Version 6 | Updated: April 2015 |
| Authorised by CEO | CRICOS # 03219A | RTO # 22424 |
| ©Australian Careers Education Pty Ltd | | Page 6 of 7 |

7. Forms / Policies

Primary Forms

Deferral or Suspension of Enrolment Form
Cancellation of Enrolment Form
PRISMS Variation Report Form

Secondary Forms

Refund Request Form

Secondary Forms

Refund Policy

8. Implementation

This Procedure will be implemented using the following strategies:

- All staff are informed and provided complete information of the above during their induction.
- The above policy and procedure is maintained on the ACE's Public Drive and Website

9. Forms / Record Keeping

| Title | Location | Responsible Officer | Retention Period |
|--|--------------|---------------------|------------------|
| Deferral or Suspension of Enrolment Form and Cancellation of Enrolment Form (and all relevant documentary evidence attached for both forms) | Student File | Course Coordinator | 7 years |