



# TEPO13 Deferring, Suspending or Cancelling Enrolment Policy and Procedure

## Purpose

International students on a student visa are able to defer the commencement of their course or temporarily suspend their enrolment once they have commenced studies in certain compassionate and compelling circumstances. This policy outlines the circumstances under which the Student or the Institute can initiate a deferment, suspension or cancellation of their studies. The policy is set out as a requirement of the ESOS Act 2000 and the National Code 2007.

Deferring, suspending or cancelling enrolment can have an impact on the student's visa. As such, this policy clearly sets out the grounds on which this may occur.

Students are informed of this policy at Orientation, through the website, in the International student handbook and on notice boards. Staff are made aware of this policy at induction and the ESOS training sessions. Records of all decisions, applications and enrolment variations will be maintained on the student's file.

## Legislative Base

The following legislation base is applicable to this policy:

- The Education Services for Overseas Student's Act 2000 (ESOS Act 2000) and ESOS Regulations 2001
- The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Student 2007 (National Code 2007): Standard 13

## Scope

This policy and procedure applies to international students studying English courses at Turner English.

## Definitions

**Deferment:** Postponement of commencement of enrolment

**Suspension:** temporary postponement of enrolment once commenced

**Leave of absence:** temporary postponement of enrolment once commenced

**Cancellation:** Withdrawal from studies

**Compassionate and compelling:** these circumstances are defined in the *Compassionate and Compelling Circumstances Policy and Procedure*



## Procedure

**1. Deferment of Commencement of Study requested by a Student.** Turner English will only grant a deferment of commencement of studies under compassionate and compelling circumstances. These include but are not limited to:

- 1.1.1 Illness, where a medical certificate states that a student was unable to attend classes;
- 1.1.2 Bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided);
- 1.1.3 Major political upheaval or natural disaster in the home country requiring emergency travel that has impacted on studies;
- 1.1.4 A traumatic experience which has impacted on the student (these cases should be where possible supported by police or a psychologist's reports);
- 1.1.5 Delay in student visa being granted or inability to acquire airline tickets, especially during peak season

1.2 Requests for deferment must be made in writing using the *Application for Deferral Form* and documentary evidence must be attached. The final decision to allow deferment will be made by the Principal Administrator or delegate. Students will be informed of the decision in writing of the outcome within 10 days and how the changes may affect their visa.

1.3 Records of deferment will be considered within five days and the decision will be maintained on the student file and in STARS.

1.4 A new eCoE will be created in the event the deferment is granted.

1.5 The Secretary of DEEWR via PRISMS will be notified under section 19 of the ESOS Act

## 2.0 Suspension of Study requested by a Student

2.1. Once a student has commenced the course, the Institute will only grant a suspension of study under compassionate and compelling circumstances. These include but are not limited to:

- 2.1.1. Illness, where a medical certificate states that a student was unable to attend classes;
- 2.1.2. Bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided);
- 2.1.3. Major political upheaval or natural disaster in the home country requiring emergency travel that has impacted on studies;
- 2.1.4. A traumatic experience which has impacted on the student (these cases should be where possible supported by police or psychologist's report).

2.2 The period of suspension will not be included in attendance calculations.

2.3 The final decision for assessing and granting a suspension of studies will be the responsibility of the Principal Administrator or delegate.

2.4 Suspensions of study must be requested in writing using the *Application of Leave Form*. All applications for suspension will be considered within five working days. Students will be informed of the decision in writing of the outcome within 10 days and how the changes may affect their visa.

2.5 Assessment of any leave will take into consideration the student's course progress, attendance and any risk indicators. The student will be counseled accordingly.

2.6 All decisions are recorded on the student's file and in STARS

2.7 Suspensions will be recorded on PRISMS and a new eCoE will be created

2.8 The Secretary of DEEWR via PRISMS will be notified under section 19 of the ESOS Act

## 3.0 Cancellation of enrolment initiated by student



- 3.1 Cancellation of enrolment can occur in a range of circumstances. In the event the student wishes to cancel enrolment to avoid being reported to the DIBP, such as low attendance or poor course progress, the student will be advised of the Institute's obligations.
- 3.2 The Student is required to complete the *Withdrawal from Studies* application form.
- 3.3 Enrolment will be cancelled through PRISMS and all records will be maintained in the student file.
- 3.4 Any fees owed to the Institute will need to be paid. Any refunds will be made in accordance with the *Refund Policy and Procedure*.

#### **4.0 Exclusion from Class (1-28 days)**

- 4.1 The Institute may exclude a student from class on the grounds of misbehavior by the student subject to the Institute's *Student Code of Conduct Policy and Procedure*.
- 4.2 Where the student is provided with homework or other studies for the period of the exclusion, the student must continue to meet the academic requirements of the course.
- 4.3 Exclusions from class will not be recorded on PRISMS. The periods of 'exclusion from class' will not be included in attendance calculations.

#### **5.0 Institute Initiated Suspension of Studies (28 days +)**

- 5.1 The Institute may initiate a suspension from class for a student on the grounds of misbehavior by the student. Suspension will occur as the result of any behavior identified as constituting a breach of the Institute's *Student Code of Conduct Policy and Procedure*. Students will be notified of the Institute's intention to suspend the student's enrolment in writing. Students will be notified that they have 20 working days to access the Institute's internal complaints and appeals process. If the student accesses the Institute's internal complaints and appeals process, the suspension or cancellation of the student's enrolment under this standard will not take effect until the internal process is completed unless extenuating circumstances relating to the welfare of the student apply.
- 5.2 Students who have been suspended for more than 28 days are required to return to their home country by DIBP unless compassionate and compelling circumstances exist (e.g. The student is medically unfit to travel).
- 5.3 If compassionate and compelling circumstances exist, the student must abide by the conditions of his or her suspensions.
- 5.4 Suspensions will be recorded on PRISMS, Student files and STARS.
- 5.5 The period of suspension will not be included in attendance calculations.

#### **6.0 Institute initiated Cancellation of Enrolment.** The Institute will cancel the enrolment of a student under the following conditions:

- 6.1 Failure to pay course fees within 30 days
- 6.2 Any behavior identified as resulting in cancellation in the Institute's *Student Code of Conduct Policy*
- 6.3 The Institute is required to report failure to maintain satisfactory course progress, failure to follow the terms of Intervention Plans constructed and/or failure to maintain satisfactory attendance to the DIBP which may result in the cancellation of the student's visa
- 6.4 If a student does not return to class after the holiday break
- 6.5 Where a proposal to terminate, suspend or cancel a student's enrolment is made, the student will be advised in writing, together with their right to appeal within 20 working days.
- 6.6 If the student does not commence within 5 days of the start date without notification, the DIBP will be notified through PRISMS.



6.7 Students will be notified of the Institutes intention to cancel the student's enrolment in writing. Students will be notified that they have 20 working days to access the Institute's internal complaints and appeals process. If the student accesses the Institutes internal complaints and appeals process, the suspension or cancelation of the student's enrolment under this standard will not take effect until the internal process is completed unless extenuating circumstances relating to the welfare of the student apply.

## 7.0 Complaints and Appeals

7.1 Extenuating circumstances include:

7.1.1 The student is missing;

7.1.2 The student has medical concerns or severe depression or psychological issues which lead the Institute to fear for the student's wellbeing;

7.1.3 The student has engaged or threatened to engage in behavior that is reasonable believed to endanger the student or others;

7.1.4 The student is at risk of committing a criminal offence; or

7.1.5 The student is the subject of investigations relating to criminal matters

7.2 The use of extenuating circumstances by the Institute to suspend or cancel the student's enrolment prior to the completion of any Complaints and Appeals process will be supported by appropriate evidence.

7.3 The final decision for evaluating extenuating circumstances lies with the Principal Executive Officer.

8.0 **Student Advice.** Deferment, suspension and cancellation of enrolment can affect a student's visa as a result of changes to enrolment status. Students will be informed in writing to obtain relevant expert advice from the DIBP to determine how this will affect their student visa.

## Responsibilities

All staff are informed of the requirements of this policy at induction and through the Staff Handbook.

Students are made aware of this policy prior to enrolment, at orientation and through the Student Handbook.

## Review

In the event of deferral, suspension or cancellation, a selection of student files will be reviewed to ensure compliance with processes and procedures and that all records are appropriately documented.

This policy is the subject of review as determined by the internal audit schedule and at any time there are changes to the ESOS Act 2000 and National Code 2007.