

# Deferment, Suspension & Cancellation of Enrolment Policy & Procedure



## Purpose:

To ensure that Central Australian College enables students to withdraw, defer, temporarily suspend or cancel their studies, including granting a leave of absence, during the course through formal agreement in certain limited circumstances.

## Scope

This policy applies to students enrolled in Central Australian College and addresses the requirements related to deferral, suspension and cancellation of enrolment. This policy would be directly managed and implemented by the Student Administration. The RTO Manager is responsible to overlook and ensure the smooth functioning of the procedures outlined under the policy.

## Relevant standards, acts ad legislations

The deferment, suspension and cancellation policy and procedures adheres to the Standards or Registered Training Organisations (SRTO's) 2015 Standard 6 Clause 6.1 and 6.2; ESOS Framework (ESOS Act 2000) National Code 2018 Standard 9.

## Definitions

Term	Definition
CEO	Chief Executive Officer
CoE	Certificate of Enrolment
Cancellation	CoE is cancelled. Student must re-apply if he or she wishes to continue study.
Deferment	A request by the student prior to the commencement of the study period to temporarily postpone study (Student initiated).
DoHA	Department of Home Affairs
DET	Australian Government Department of Education and Training
Department	Victoria State Government Department of Education and Training
Leave of absence	A request by the student to temporarily postpone study after the commencement of the study period (Student initiated).
ESOS Framework	Education Services for Overseas Students Act 2000 is a national code that applies to delivering of education and training courses to overseas students.
Offer letter	Offer letter is a formal letter of offer, which includes information on students' programme of study, tuition fees, deposits, start date and any academic/non-academic conditions and the student agreement.
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.
PRISMS	Provider Registration and International Student Management System
Standards for Registered Training Organisations (SRTO) 2015	A legislative instrument describing the minimum standards to be met by RTOs through the VET Quality Framework. The VET Quality Framework is aimed at achieving greater national consistency in the way providers are registered and monitored and in how standards in the vocational education and training (VET) sector are enforced. <a href="http://www.asqa.gov.au/about-asqa/national-vet-regulation/vet-quality-framework.html">http://www.asqa.gov.au/about-asqa/national-vet-regulation/vet-quality-framework.html</a>

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Term	Definition
(also referred as Standards)	

## Policy

This policy affirms the commitment of CAC in providing provisions for deferment, cancellation, and suspension of enrolment for students and to ensure that it meets the reporting requirements:

- CAC 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 in the student’s file of the assessment of the application.
- CAC can only defer or suspend the enrolment of a student if it believes there are compassionate or compelling circumstances.
- CAC may suspend or cancel a student’s enrolment including, but not limited to, on the basis of:
  - a. misbehavior by the student
  - b. the student’s failure to pay an amount he or she was required to pay to the college to undertake or continue the course as stated in the written agreement
  - c. a breach of course progress or attendance requirements by the overseas student, which must occur in accordance with Standard 8 (Overseas student visa requirements).
- CAC may cancel a student’s enrolment where a serious breach of visa or enrolment conditions has occurred.
- CAC shall ensure to inform the student if the suspension or cancellation is initiated, before imposing a suspension or cancellation CAC must;
  - a. inform the student of that intention and the reasons for doing so, in writing
  - b. advise the student of their right to appeal through CAC’s internal complaints and appeals process, in accordance with Standard 10 (Complaints and appeals), within 20 working days.
- CAC must inform the overseas student of the need to seek advice from Immigration on the potential impact on his or her student visa.
- CAC must report the change to the overseas student enrolment to the department via PRISMS.
- The suspension or cancellation of the overseas student’s enrolment cannot take effect until the internal appeals process is completed, unless the overseas student’s health or wellbeing, or the wellbeing of others, is likely to be at risk.

**In order to achieve the above mentioned policy statements, the RTO Manager/ Student Administration Manager shall arrange for:**

1. Student initiated deferral, suspension or cancellation of enrolment
2. Provider Initiated Deferral, Suspension or Cancellation of Enrolment
3. Recording and reporting deferments, suspension or cancellation of enrolments

## Procedure

Students are able to initiate deferral, suspension or cancellation of their studies during their stay in Australia only in certain limited circumstances as described below:

### 1. Student Initiated Deferral, Suspension or Cancellation of Enrolment

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## 1.1. a. Student Deferral

- a. A student wishing to defer an enrolment must do so prior to the commencement of the course.
- b. Students must complete an 'Application to Defer, Suspend or Cancel Enrolment' form and submit it to the Student Administrations Department.  
Please note:
  - i. This application to defer must include in detail the reasonable ground (compassionate and compelling circumstances see Appendix I) for which the deferral should be considered.
  - ii. Student is required to provide supporting evidences to support the request for deferral.
- c. All deferral applications are considered on a case-by-case basis at the discretion of the training manager, on the basis of the information provided in the deferral application form.
- d. Student will be notified of the outcome of the deferral application by email. Student administration is required to tell the student to seek advice from the Department of Home Affairs on the potential impact on their visa if enrolment has been deferred.
- e. Department of Home Affairs shall be notified via PRISMS of the decision to defer the enrolment as a result of the student's request within 28 days of the approval.
- f. If the student request for deferral is not approved, student will need to either commence on the original start date, or reapply at a later stage when they are ready to commence study.
- g. If you defer the commencement of your study, and you have already been issued a Confirmation of Enrolment (CoE), your CoE will be cancelled. CAC needs to ensure that student has a valid CoE in PRISMS with a start date that reflects the students intended date of return to studies. Student will be required to submit the new acceptance agreement before the COE is re-issued.
- h. If CAC does not know when the overseas student will return, it can choose not to create a new CoE at that point, but to wait until the student notifies the CAC of the intended date of return before creating the CoE.
- i. If CAC is deferring or suspending the overseas student enrolment without affecting the end date of the CoE, there will be no change to the CoE on PRISMS. However, the DET needs to be notified.
- j. Deferral can be done up-to 12 months.
- k. If the student does not return to study after the approved deferral period, their enrolment will become inactive and the CoE should be cancelled by the Student Administration. Student should be informed about the impact of this on their student visa.

## 1.1.b. Ground in which deferral is not possible:

- a. Deferral may not be possible for courses that are being taught out, and will no longer take new students. Student administration to negotiate alternative study options with the student should this occur.

## 1.2. Student Suspension

- a. CAC is only able to temporarily suspend the enrolment of the student on the grounds of compassionate or compelling circumstances (See Appendix 1).
- b. Students will be required to complete an 'Application to Defer, Suspend or Cancel Enrolment' form and submit to the Student Administrations Department. Students will also be required to provide evidence of the compassionate or compelling circumstances in their application. (i.e. a medical certificate or police report, etc.)

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- c. Where a suspension of enrolment is granted, CAC will suspend an enrolment for an agreed period of time - to a maximum of 12 months. If the suspension is required for longer than 12 months, the student shall have to re-apply once the initial suspension period has expired.
- d. Student administration is required to inform the DET via PRISMS if the student enrolment has been suspended within 28 days of suspension.
- e. Please refer all questions about whether students may remain in Australia during a period of suspension of enrolment to Department of Home Affairs.
- f. Students are to be informed in writing of the outcome of their application for suspension and informed that it may affect their student visa. A photocopy of the letter is to be kept on the student file.
- g. All application documentation for the suspension will be kept on the students profile and DoHA shall be notified via PRISMS of the decision to suspend the enrolment as a result of the student's request.

### 1.3. Student Cancellation

- a. Students wishing to cancel their enrolment must complete an 'Application to Cancel Enrolment' and submit to the Student Administrations Department.
- b. All application documentation for the cancellation will be kept on the students file and DoHA shall be notified via PRISMS of the decision to cancel the enrolment as a result of the student's request.

Please note: Students wishing to transfer their enrolment prior to completing 6 months of study in their principle course must provide a letter of offer from an alternative provider. This is required under Standard 7 of the National Code and further information can be gained from the 'Transfer between Providers Policy and Procedure'.

## 2. Provider Initiated Deferral, Suspension or Cancellation of Enrolment

### 2.1. Provider Deferral

CAC may defer an enrolment where the course is not being offered at the proposed date, site, or any other reason CAC deems necessary to cancel the course. In such cases a refund shall be processed as required or alternative courses offered.

### 2.2. Provider Suspension

CAC has the ability to suspend a student's enrolment on the grounds of misbehaviour. This misbehaviour may include but is not limited to acts of discrimination, sexual harassment, vilification or bullying, as well as acts of cheating or plagiarism. Such acts of misbehaviour will be classified into one of two categories:

#### 2.2.1 Student Misconduct

- a. Academic Misconduct

The following gives an indication to the types of behaviour that constitute 'Academic Misconduct' within CAC:

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Assessment breaches such as:

- Students must not copy or paraphrase any document, audio-visual material, computer-based material or artistic piece from another source except in accordance with the conventions of the field of study
- Students must not use another person's concepts, results or conclusions and pass them off as their own
- In cases where the assessment task is intended to be individual work not group work, students must not prepare an assignment collaboratively and then submit work that is substantially the same as another student's assessment.
- Students must not ask another person to produce an assessable item for them.

A student may be excluded from a final assessment in a unit for any of the following reasons:

- unauthorised absence from class
- failure to meet unit requirements, for example non-submission of assignments or failure to attend class or mid-semester tests
- academic misconduct

## b. General Misconduct

Students may also have their enrolment suspended due to misbehaviour which can also be grounds for cancellation of studies.

General misconduct is where a student: acts dishonestly; harasses other students or staff; interferes with students or staff; prevents or disrupts learning; disobeys/fails to comply with contractual or legal requirements; misuses, damages or steals an RTO's property or the property of others; alters/defaces CAC documents or records; prejudices the good name of CAC, or otherwise acts in an improper manner.

The following examples indicate the kinds of behavior which constitute student misconduct. They are for illustrative purposes and are not intended to be exhaustive. Student misconduct occurs when a student:

- contravenes any rules or acts;
- prejudices the good name or reputation of CAC;
- prejudices the good order and governance of CAC or interferes with the freedom of other people to pursue their studies, carry out their functions or participate in the life of CAC;
- fails to comply with conditions agreed in the contract;
- wilfully disobeys or disregards any lawful order or direction from CAC personnel;
- refuses to identify him or herself when lawfully asked to do so by an officer of CAC;
- fails to comply with any penalty imposed for breach of discipline;
- misbehaves in a class, meeting or other activity under the control or supervision of CAC, or on CAC premises or other premises to which the student has access as a student of CAC;
- obstructs any member of staff in the performance of their duties;
- acts dishonestly in relation to admission to CAC;

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- xi. knowingly makes any false or misleading representation about things that concern the student as a student of CAC or breaches any of CAC rules;
- xii. alters any documents or records;
- xiii. harasses or intimidates another student, a member of staff, a visitor to CAC, or any other person while the student is engaged in study or other activity as a CAC student, because of race, ethnic or national origin, sex, marital status, sexual preference, disability, age, political conviction, religious belief or for any other reason;
- xiv. breaches any confidence of CAC;
- xv. misuses any facility in a manner which is illegal or which is or will be detrimental to the rights or property of others. This includes the misuse, in any way, of any computing or communications equipment or capacity to which the student has access at or away from CAC premises while acting as an CAC student, in a manner which is illegal or which is or will be detrimental to the rights or property of others;
- xvi. steals, destroys or damages a facility or property of CAC or for which CAC is responsible; or is guilty of any improper conduct.

## c. Procedure for addressing Student misconduct

- i. Where a student has been identified of Academic or General Misconduct the DOS/Training Manager shall be informed and will make a decision on the penalty and the severity of the penalty. The Training Manager may take into account the type of misconduct that has occurred and the level of misconduct that occurred when deciding penalties.
- ii. Where a student has been identified with Academic or General Misconduct CAC shall ensure the following:
  - Students must be treated fairly, with dignity and with due regard to their privacy
  - Students are to be regarded as innocent of the alleged misconduct until they have either admitted to it or been found by proper inquiry by the Training Manager to have so behaved.
  - Past misconduct is not evidence that a student has behaved in the same manner again.
  - Each case is dealt with on its own merits and according to its own circumstances with the provision that the first instance of misconduct will be penalised more leniently than subsequent instances of misconduct.
- iii. Students are able to access the ‘Complaints & Appeals Policy and Procedure’ to reference if they feel that the decision is unfair or they have other grounds to appeal the decision.
- iv. The penalties the Training Manager can impose are:
  - Academic Misconduct could include a warning, deemed unsatisfactory in an assessment, deemed NYC in the unit, or suspension of enrolment
  - A charge for any costs that the general misconduct may have caused
  - Temporary exclusion from CAC in the form of suspending enrolment for a period of time.
- v. Where a student’s enrolment is suspended a letter will be sent to the student indicating them of the suspension and the length of suspension. Students are also required to be informed how to access to ‘Complaints & Appeals Policy and Procedure’ and that they have 20 working days to submit any appeal against the decision.

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- vi. If a student's enrolment is suspended for a period of 28 days or longer, is that the student must return home (unless special circumstances exist). Please refer all questions about whether students may remain in Australia during a period of suspension of enrolment to DoHA.
- vii. Where the misconduct is severe, the Training Manager may decide to cancel the enrolment (see below).

## d. Provider Cancellation Student Misconduct

In some cases, where the student's misconduct is severe, CAC has the right to cancel the enrolment.

- a. Where the Training Manager has decided the misconduct is severe enough for cancellation the following must occur:
  - The student must be informed in person (where possible), and in writing of the decision of CAC to cancel the student's enrolment
  - They must be informed of the fact they have the right to appeal the decision by accessing the relevant procedures and completing this appeal within 20 working days of the notification
  - Students must also be informed that CAC is obliged to inform DoHA via PRISMS after the 20 working day period and that they will be at risk of having their Visa cancelled
- b. Where the Training Manager has decided the misconduct is severe enough for cancellation the following must occur:
- c. A "Recommendation to Cancel a CoE" form must be completed by the Student administration and approved by either the CEO or RTO Manager.
- d. Student Administration will cancel COE via PRISMS only after the CEO or the RTO Manager has given an approval for cancellation.

### 2.2.2. Provider Cancellation on Non-payment of fees

CAC can initiate cancellation of student enrolment, for failure to pay an amount he or she was required to pay to the college to undertake or continue the course as stated in the written agreement. Procedure for initiating cancellation on non-payment of fees:

- a. CAC may initiate cancellation on non-payment of fees. Where a student has been identified to have not paid the outstanding tuition fee on the due date, an 'Overdue Fee Reminder- Notification' would be issued by the Accounts within two weeks of the original due date:
  - The 'Overdue Fee Reminder – Notification' should contain the outstanding amount.
- b. Where the student continues to have outstanding fees, 'Overdue Fee Reminder – Warning' will be issued after 3 days of the notification. This warning letter must include information regarding restrictions to student enrolment, outstanding fees as a debt to CAC and breach of student visa condition on the basis of the students' failure to pay an amount he or she was required to pay CAC to undertake or continue the course as stated in the written agreement.
  - Restrictions to student enrolment may include not being able to access enrolment information, record of results, transcripts and other information. Student would be given 3 days to respond.
- c. Where the student continues to have outstanding fees after 3 days of the warning, he/she will be issued with the Intention to Report Due to Non Payment of Fees and their course enrolment would be cancelled. Intention to report letter must include about the outstanding Debt to CAC and the right of the student to access Complaints and Appeals process within 20 days of the letter.

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- The intention to report due to non-payment of fees shall be issued by the Student Administration, upon recommendation by the Accounts Officer.

d. Fee payment extension – An extension time to pay tuition fees is possible for continuing students. The extension may be granted on the request of a senior officer from the Accounts or the Senior Management officer on determining the consideration of the student appeal.

### 3. Recording and reporting deferrals, suspension or cancellation of enrolments

- a. All applications of deferment/suspension and outcomes are to be kept on the students file
- b. All reports of misconduct, decisions and actions taken in relation to misconduct, and other related documentation must be kept on file.
- c. Any decisions to initiate deferral, suspension or cancellation of an enrolment must be reported to the appropriate government agency(s) via PRISMS and student records are updated in the RTO manager (student management system).
- d. Students are to be kept informed of any decisions or outcomes that relate to a deferment, suspension, or cancellation of enrolments.
- e. All students are to be given the opportunity to access the 'Complaints & Appeals Policy and Procedure' before reporting any provider initiated suspensions or cancellations of enrolments via PRISMS occurs. The students have 20 working days to lodge an appeal.
- f. Where a student decides to access this procedure within 20 working days of notification CAC must wait until the process has finished before going ahead with the reporting of the student's enrolment changes via PRISMS.

#### Policy Reference:

- ESOS Standard 9 The National Code 2018, Education Services of Students ACT 2000
- SRTO 2015: Standard 6 Clause 6.1 and 6.2

#### Relevant Policies and Procedures

- Complaints and Appeals Policy and Procedure
- Access and Equity Policy and Procedure

#### Forms and documents

- Application for deferment, suspension and cancellation form
- Complaints and Appeals Forms
- Letter template Decision of deferment, suspension & cancellation of enrolment

#### Appendix 1 – Compassionate and compelling circumstances

'Compassionate or compelling' circumstances are generally those beyond the control of the overseas student and which have an impact upon the overseas student's course progress or wellbeing. These could include, but are not limited to:

- serious illness or injury, where a medical certificate states that the overseas student was unable to attend classes;

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- bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided);
- major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the overseas student's studies;
- a traumatic experience, which could include:
  - involvement in, or witnessing of a serious accident; or
  - witnessing or being the victim of a serious crime, and this has impacted on the overseas student (these cases should be supported by police or psychologists' reports)
- where the registered provider was unable to offer a pre-requisite unit, or the overseas student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol.
- Inability to begin studying on the course commencement date due to delay in receiving a student visa.

Please Note: The above are only some of examples of what may be considered compassionate or compelling circumstances. The Training Managers will use their professional judgment to assess each case on its individual merits. When determining whether compassionate or compelling circumstances exist, CAC will consider documentary evidence provided to support the claim, and should keep copies of these documents in the student's file.

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