

# 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 International Students enrolled in Central Australian College and addresses cancellation of enrolment and requirements and notification through PRISMS. 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 Support Services 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 Part D Standard 13

## Definitions

Term	Definition
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).
DIAC	Department of Immigration and Citizenship
Leave of absence	A request by the student to temporarily postpone study after the commencement of the study period (Student initiated).
DOS	Director of Studies
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 they may need to satisfy.
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 (also referred as Standards)	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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## Policy

This policy affirms the commitment of CAC in providing provisions for deferment, cancellation, and suspension of enrolment for international students and ensures that:

- 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 on the student’s file of the assessment of the application.
- CAC can only defer or temporarily suspend the enrolment of the student on the grounds of
  - a. compassionate or compelling circumstances (for example, illness where a medical certificate states that the student is unable to attend classes); or
  - b. misbehaviour by the student
- CAC may cancel a student’s enrolment where a serious breach of visa or enrolment conditions has occurred.
- Students have the right to appeal a decision by CAC to defer, suspend or cancel their studies and CAC will not notify the appropriate government agency(s) of a change to the enrolment status until the internal complains and appeals process is completed.

**In order to achieve the above mentioned policy statements, the RTO Manager/ CEO 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 defer, 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

#### 1.1. Student Deferral

- a. A student wishing to defer an enrolment must do so prior to the commencement of the course. Students must complete an ‘Application to Defer or Suspend Enrolment’ and submit to the Student Administrations Department. This application to defer must include in detail the ‘compassionate or compelling circumstances.’ The Training Manager is to review the request and assess if it should be approved or rejected.
- b. All application for deferral documentation will be kept on the students file and DIAC shall be notified via PRISMS of the decision to defer the enrolment as a result of the student’s request.

#### 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. These circumstances could include but are not limited to:

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- Serious illness or injury, where a medical certificate states that the student was / is unable to attend classes;
- 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 student's studies; or
- 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 student (these cases should be supported by police or psychologists' reports)
- Where CAC is unable to offer a pre-requisite unit
- 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 Manager will use their professional judgment and 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.

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.)

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. DIAC's policy is that if a student's enrolment is suspended for a period of 28 days or longer, 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 DIAC.

e. 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.

f. All application documentation for the suspension will be kept on the students file and DIAC shall be notified via PRISMS of the decision to suspend the enrolment as a result of the student's request.

## 1.3. Student Cancellation

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

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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:

#### a. Academic Misconduct

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

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

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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:

- i. contravenes any rules or acts;
  - ii. prejudices the good name or reputation of CAC;
  - iii. 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;
  - iv. fails to comply with conditions agreed in the contract;
  - v. wilfully disobeys or disregards any lawful order or direction from CAC personnel;
  - vi. refuses to identify him or herself when lawfully asked to do so by an officer of CAC;
  - vii. fails to comply with any penalty imposed for breach of discipline;
  - viii. 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;
  - ix. obstructs any member of staff in the performance of their duties;
  - x. acts dishonestly in relation to admission to CAC;
  - 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.
- a. 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.
- b. 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

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- 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.
- c. 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.
- d. 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.
- e. 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.
- f. 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 DIAC.
- g. Where the severity of misconduct is severe, the Training Manager may decide to cancel the enrolment (see below).

## 2.3. Provider Cancellation

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 DIAC 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 DOS.
- d. Student Administration will cancel COE via prism only after the CEO or DOS has given an approval for cancellation.

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

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- 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 13, Education Services Of Students ACT 2000
- SRT0 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

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