

## Deferment, Suspension and Cancellation Policy

Date of Approval by Governing Board: 7<sup>th</sup> April '16

Date of review: April '19

### 1 Purpose

1.1 This Policy sets out the *Leaders Institute* (LI) requirements to ensure that it complies with Standard 9 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018).

1.2 Independent of LI requirements and expectations, the Department of Home Affairs sets out requirements for students to defer, suspend or cancel their course.

1.3 International students applying for a deferment, suspension or cancellation of their course should refer to the Application Guide at <http://www.internationaleducation.gov.au> to view current Australian Government regulations.

### 2 Principles:

2.1 LI provides the opportunity for a student to request a temporary deferment or suspension to enrolment on the grounds of compassionate or compelling circumstances.

2.2 LI acknowledges the obligations with regards to the enrolment of student due to a breach of the specified code of conduct or policies in accordance with the required legislation and laws.

2.3 LI acknowledges that the student will be able to appeal a decision that is made in accordance with the *Student Grievance & Appeal Policy*.

### 3 Definitions:

**Deferment:** Student requests LI prior to the commencement of their course to temporarily postpone their course.

**Suspension:** LI suspends the enrolment of a student for a period of time, after which the student may recommence their course.

**Leave:** Student requests to temporarily postpone their course after it has commenced.

**Cancellation:** The Confirmation Of Enrolment (COE) for the student has been cancelled. If this student wishes to continue then they must reapply as a new student or have their original COE reinstated.

Compelling or compassionate circumstances are those beyond the control of the student and which have an impact upon the student's course progress or wellbeing such as:

- Serious illness or injury, where a medical certificate states that the student was unable to attend classes;
- Death of close family members such as parents or grandparents (where a death certificate should be provided if possible)
- Major political upheaval or natural disaster in the home country requiring emergency travel which has impacted on the student's studies; or
- A traumatic experience that has impacted on the student which could include involvement in, or witnessing of a serious accident or witnessing or being the victim of a serious crime. Such cases supported by police or psychologists' reports;
- Where LI is unable to offer a pre-requisite unit; or

- Inability to begin studying on the course commencement date due to delay in receiving a student visa.

#### **4 Roles and Responsibilities**

4.1 The CEO is responsible to ensure that the policy is implemented across all departments of the Institute.

4.2 The Registrar is responsible to ensure that all staff and students are aware of the policy and act in accordance with the procedures outlined in the *Deferment, Suspension & Cancellation Procedures*.

#### **5 Scope:**

5.1 This policy applies to all LI students currently enrolled in Leaders Institute.

5.2 It covers students initiated deferral, suspension and cancellation of studies, as well as suspension and cancellation initiated by LI.

5.3 The policy should be read in conjunction with the following documents:

- *Deferment, Suspension & Cancellation Procedures*
- *Student Grievance & Appeal Policy*
- *Student Grievance & Appeal Procedures*
- *Refund Policy*
- *Refund Procedures*
- *ESOS Act 2000*
- *The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (The National Code)*

## Deferment, Suspension and Cancellation Procedure

### 1 Context

1.1 Leaders Institute (LI) understands as per Standard 9 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018), students are allowed to defer commencement of their studies, take a leave of absence or temporarily suspend their studies during their course due to extenuating, compelling or compassionate circumstances which are outside the control of the student.

1.2 There may also be circumstances where LI may also seek to cancel or suspend the enrolment for a student.

1.3 Students will be able to appeal a decision that they are not happy with in accordance with the *Student Grievance & Appeal Policy*

### 2 Definitions

**Deferment:** Student requests LI prior to the commencement of their course to temporarily postpone their course.

**Suspension:** LI suspends the enrolment of a student for a period of time, after which the student may recommence their course.

**Leave:** Student requests to temporarily postpone their course after it has commenced.

**Cancellation:** The Confirmation Of Enrolment (COE) for the student has been cancelled. If this student wishes to continue then they must reapply as a new student or have their original COE reinstated.

### 3 Procedures:

A student may request a temporary deferment or suspension to enrolment on the grounds of compassionate or compelling circumstances.

Compelling or compassionate circumstances are those beyond the control of the student and which have an impact upon the student's course progress or wellbeing such as:

- Serious illness or injury, where a medical certificate states that the student was unable to attend classes;
- Death of close family members such as parents or grandparents (where a death certificate should be provided if possible)
- Major political upheaval or natural disaster in the home country requiring emergency travel which has impacted on the student's studies; or
- A traumatic experience that has impacted on the student which could include involvement in, or witnessing of a serious accident or witnessing or being the victim of a serious crime. Such cases supported by police or psychologists' reports
- Where Leaders Institute is unable to offer a pre-requisite unit; or
- Inability to begin studying on the course commencement date due to delay in receiving a student visa.

Students wanting to defer, suspend or cancel enrolment will be required to complete an application to defer, suspend or cancel enrolment. Students will be advised to speak to the Student Support Officer (where applicable) and documentation will be kept in the student admin file. Students will be notified of the outcome within 10 working days from the date of receipt of application.

## 2.1 Deferment

Students must complete an application to defer enrolment and supporting documentation will need to be provided with this application. Once approved the documentation will be kept in the student file and Department of Home Affairs will be notified via PRISMS.

Leaders Institute will always use its professional judgment to assess each student's case on its individual merits when determining whether compassionate or compelling circumstances exist.

## 2.2 Suspension

Students must complete an application to suspend enrolment and supporting documentation will need to be provided with this application. Once approved the documentation will be kept in the student file and Department of Home Affairs shall be notified via Provider Registration and International Student Management System (PRISMS).

Leaders Institute is only able to temporarily suspend the enrolment of the student on the grounds on compassionate or compelling circumstances.

## 2.3 Cancellation

Students must complete an application to cancel enrolment and supporting documentation will need to be provided with this application. Once approved the documentation be kept in the student file and Department of Home Affairs notified through PRISMS.

Students wanting to cancel their enrolment prior to completing 6 months of the principle course must provide a Letter of Offer from another provider.

Once approved the documentation will be kept in the student file and Department of Home Affairs shall be notified via PRISMS.

Deferment, suspension or cancellation of a student's enrolment may affect the student visa. When a student's enrolment is deferred, suspended or cancelled, Leaders Institute will notify Department of Home Affairs via PRISMS of the change in enrolment status.

## 2.4 Complaints and appeals process for deferral, suspension or cancellation

When Leaders Institute initiates the suspension or cancellation of a student's enrolment, the student will be notified of this intention and will be informed that they have 20 working days to access Leaders Institute's *Student Grievance & Appeal Policy*, unless extenuating circumstances relating to the welfare of the student apply.

Extenuating circumstances relating to the welfare of the student may include:

Student is missing; has medical concerns, severe depression or psychological issues which lead the provider 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; or is at risk of committing a criminal offence.

In most cases, Leaders Institute will continue to provide learning opportunities to students during the appeal process

***Before cancelling or suspending a student's enrolment, Leaders Institute will wait for the Appeals Process to be completed.***

## 2.5 Unsatisfactory attendance or academic progress

If the student is appealing Leaders Institute intention to report the student to Department of Home Affairs via PRISMS for unsatisfactory attendance, non-payment of fees, academic progress, Leaders Institute will maintain the student's enrolment throughout the appeals process, including the external appeal, should the student choose to access an external arbitrator. Leaders Institute will only cancel a student's enrolment, if the student has not appealed or the appeals process is completed and the decision is in Leaders Institute favour.

## 2.6 Other reasons

If the student is appealing Leaders Institute intention to cancel or suspend his or her enrolment for other reasons, including **misbehaviour** (ref. previous section for list), Leaders Institute will maintain the student's enrolment throughout the internal appeals process. Leaders Institute is not required, however, to wait for the outcome of an external appeal before notifying Department of Home Affairs through PRISMS of the change to the student's enrolment. Once Department of Home Affairs has been notified of the change to the student's enrolment, the student has 28 days within which to choose one of the following 3 options:

- a. leave Australia
- b. show Department of Home Affairs a new CoE
- c. provide Department of Home Affairs with evidence that he or she has accessed an external arbitrator.

*Please note that Leaders Institute may cancel the student's enrolment without waiting for the internal appeals process to run its course, if the Institute fears for the safety and wellbeing of the student and/or people the student may encounter. The student, however, can still appeal from his or her Australian residence or home country.*

## 2.7 Attendance Monitoring during suspension or deferment of enrolment

If a student has had his or her studies suspended or deferred, the student's attendance will not be monitored for the period covered by the suspension or deferment.

Release Date	17 <sup>th</sup> Sept '18
Approved By	CEO
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