



Department of
Education



CANNING
COLLEGE

INTERNATIONAL STUDENT DEFERRAL, SUSPENSION OR CANCELLATION POLICY

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1. POLICY STATEMENT

This policy outlines the processes involved in the deferral or suspension and cancellation of enrolment of an onshore international student, currently enrolled in a mainstream vocational education and training or higher education program with Canning College. These processes comply with:

- Standard 9 of the *National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018* (the *National Code*):
 - A registered provider must have and implement a documented process for assessing, approving and recording a deferment of the commencement of study or suspension of study requested by an overseas student, including maintaining a record of any decisions.
 - A registered provider may defer or suspend the enrolment of a student if it believes there are compassionate or compelling circumstances.
 - A registered provider may suspend or cancel a student's enrolment under particular circumstances.
 - If the registered provider initiates a suspension or cancellation of the overseas student's enrolment, before imposing a suspension or cancellation, the registered provider must:
 - Inform the overseas student of that intention and the reasons for doing so, in writing
 - Advise the overseas student of their right to appeal through the provider's internal complaints and appeals process, in accordance with Standard 10 (Complaints and appeals), within 20 working days.
 - When there is any deferral, suspension or cancellation action taken under this standard, the registered provider must:
 - Inform the overseas student of the need to seek advice from immigration on the potential impact on his or her student visa.
 - Report the change to the overseas student's enrolment under section 19 of the *Education Services for Overseas Students Act 2000* (ESOS Act).
 - The suspension or cancellation of the overseas student's enrolment under Standard 9.3 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.

2. SCOPE

This policy applies to all onshore international students who are enrolled with Canning College in a Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) registered program.

3. BACKGROUND

Standard 9 of the *National Code 2018* states that:

"An overseas student's enrolment can be deferred, suspended or cancelled. This may be initiated by either the overseas student for compassionate and compelling circumstances, or the registered provider for an overseas student's breach of visa conditions, failure to pay fees, misbehaviour, or other condition listed in a registered provider's policy."

4. PROCEDURES

4.1 Deferral or suspension initiated by student

4.1.1 An international student can apply to defer or temporarily suspend their enrolment on compassionate grounds or for exceptional circumstances. These may include:

- serious illness or injury, where a medical certificate states that the overseas student was 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 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 psychologist's 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; or
- inability to begin studying on the course commencement date due to delay in receiving a student visa.

4.1.2 The student submits an *Application to Defer Studies* form to Canning College; detailing the reason(s) for their request to defer or temporarily suspend studies. This application must include documentary evidence to substantiate exceptional circumstances. Students under 18 years of age must also submit a written statement of support from a parent or legal guardian. Students who wish to defer one (1) semester of their studies, prior to commencement, will not be required to provide evidence of compassionate or exceptional circumstances.

4.1.3 The student's application is reviewed by the Director of International Operations and additional information is requested if required.

4.1.4 If the deferral or temporary suspension is approved by the Director of International:

- the student will be advised in writing of the approved deferral period and their new commencement date, as well as the impact this may have on their visa status; and
- inform the Department of Home Affairs, via the Provider Registration and International Student Management System (PRISMS) database, of the change to the student's course of study.

4.1.5 Deferral of a student's enrolment may result in an increase in tuition, resource or materials fees. Students who defer their enrolment will be required to pay the fees that apply at their new commencement date.

4.1.6 If the deferral or temporary suspension is refused, the student:

- will be advised in writing of the refusal;
- has 20 days to lodge an appeal of this decision with Canning College; and
- will have the decision reviewed by Canning College who will make a recommendation for the appeal to be upheld or refused.

4.2 Suspension or cancellation of enrolment initiated by Canning College

4.2.1 An international student may have their enrolment cancelled or suspended if they have breached the College's Good Standing and Suspension Policy or the *International Student Code of Conduct*. Canning College will initiate suspensions and cancellations initiated by and after consideration of all of the evidence presented. Depending on the nature of the breach, students may be excluded from classes during this time (see the *International Student Code of Conduct Policy*).

- 4.2.2 In line with Standard 9 of the National Code, grounds for suspension or cancellation of the overseas student's enrolment include but are not limited to:
- misbehaviour by the student;
 - the student's failure to pay an amount that he or she was required to pay Canning College to undertake or continue the course as stated in the written agreement; or
 - a breach of course progress or attendance requirements by the overseas student which must occur in accordance with Standard 8 (Overseas student visa requirements).
- 4.2.3 Before imposing a suspension or cancellation Canning College will:
- inform the student of that intention and the reasons for doing so, in writing;
 - advise the student of their right to appeal through Canning College's internal complaints and appeals process, in accordance with Standard 10 (Complaints and Appeals), within 20 working days; and
 - recommend that the student contacts the Department of Home Affairs to discuss how a deferral or temporary suspension may impact their visa.
- 4.2.4 When there is any suspension or cancellation action taken under this standard, Canning College will:
- inform the student of the need to seek advice from the Department of Home Affairs on the potential impact on their visa; and
 - report the change to the student's enrolment under section 19 of the ESOS Act.
- 4.2.5 The suspension or cancellation of the student's enrolment cannot take effect until the internal appeals process is completed, unless the overseas student's health or wellbeing of others is likely to be at risk.
- 4.2.6 If the student's appeal is successful and the decision is made not to cancel or suspend the student's enrolment; the student will be placed on an Intervention Strategy to ensure that the behaviour/breach is not repeated. The student will then be counselled as to the consequences of a suspension or cancellation of their enrolment should the issue continue.

5. RELATED POLICIES AND OTHER RELEVANT DOCUMENTS

- *International Student Fee Payment and Refund Policy*
- *International Student Complaints and Appeals Policy*
- *International Student Management of Academic Progress Policy*
- *International Student Code of Conduct Policy*
- *Application to Defer form*

6. RELEVANT LEGISLATION

- *Education Services for Overseas Students Act 2000*
- *National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (the National Code)*
- *Standards for Registered Training Organisations (RTOs) 2015*

7. REVIEW DATE

1 November 2020

Development Date		June 2019 Version 1	
Revision History			
Review Date	Reviewer Name	Review Reason	Outcome and Changes
April 2018 V2.0	Director International Students	Continuous Improvement	Reflects business process changes
July 2018 V2.1	Director International Students	Sectoral changes	Updated to reflect change from ETI to TIWA
Jan 2018 V2.2	Director International Students	National Code 2018 changes	Updated to reflect change from National Code 2007 to National Code 2018
March 2019 V3.0	RTO Manager	Continuous improvement	Annual Policy Review