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# Deferring, Suspending or Cancelling Enrolment Policy – International

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**Policy Code:** INT-004    **Version:** 8.0    **Effective Date:** 13 March 2017

## Purpose:

This policy sets out the way requests for deferral, suspension or cancellation of enrolment by international students must be managed. This policy is consistent with the [National Code of Practice 2007](#) and the [Education Services for Overseas Students \(ESOS\) Act 2000](#).

**Definition of “College”** – *In the higher education sector, ACPE Limited trades as The Australian College of Physical Education (ACPE); Australian College of Natural Medicine Pty Ltd trades as Endeavour College of Natural Health (Endeavour) and Wellnation; Study Group Australia Pty Limited trades as Martin College and Martin Higher Education (Martin HE). For the purpose of this policy, any reference to ‘College’ or ‘the College’ should be considered a reference to each or any of these respective entities or trading names.*

**Definition of “International students”** – *The College defines an International Student as someone **who is not an** Australian citizen or permanent resident or a New Zealand citizen or a permanent visa holder. This definition includes students studying onshore on a range of temporary visas (working holiday visa, tourist visa, student visa etc) or offshore as an online student. Information that applies only to students studying on specific visa classes (e.g. Student Visa) is specified when relevant. It should be noted that all international students pay fees specified for international students, regardless of visa subclass.*

## Scope:

- All campuses
- All international students

## Policy Statement:

Students can apply, in writing, for deferral, suspension or cancellation of their course enrolment using the [Defer, Suspend or Cancel Enrolment Form - International](#) in the circumstances set out in this policy.

This policy is divided into 2 clearly differentiated sections. Part A of this policy applies to all international students and outlines the majority of the policy. Part B of this policy applies only to international students on a student visa and sets out the College's obligation to record all variations to the enrolment of student visa holders through PRISMS.

## Part A

**Note: This section applies to ALL international students, regardless of visa arrangements or course of study.**

### Deferral

A deferral is the postponement of commencement date of the course and can only be initiated by a student. A student may only apply defer their enrolment in compassionate and compelling circumstances. The student must notify the College of the intent to defer commencement of a course using the [Defer, Suspend or Cancel Enrolment Form - International](#) citing compassionate and compelling circumstances as detailed in the [Special Consideration Policy – Higher Education](#). Commencement of a course may not be deferred in excess of 6 months and acceptance of the deferral request is at the discretion of the College. Deferral can only occur at the beginning of a course.

### Suspension

A suspension is an interruption to the student's course and can be initiated by either the College or the student. A student may only apply to suspend their enrolment in compassionate and compelling circumstances. The student must notify the College of the intent to suspend a course using the [Defer, Suspend or Cancel Enrolment Form - International](#) and citing compassionate and compelling circumstances as detailed in the [Special Consideration Policy – Higher Education](#). Approval of the student's suspension request is at the discretion of the College.

The College may initiate the suspension of a student's enrolment if the student

significantly breaches the [Student Code of Conduct](#) or as a consequence of other significant student misbehaviour as set out in the [Student Misconduct Policy – Higher Education](#); this may include failure to pay fees.

If the suspension is initiated by the College, the College will inform the student in writing of its intention to suspend a student's enrolment and notify the student that he or she has 20 working days (approximately 28 days) to access the College's Complaints and Appeals processes (as set out in the [Complaints and Appeals Policy – International](#)). If the appeals process is activated the suspension of the student's enrolment cannot take effect until the internal process is completed, unless extenuating circumstances relating to the welfare of students apply.

Any claim of extenuating circumstances must be supported by appropriate evidence.

## Cancellation

A student may initiate a cancellation of their enrolment at any time for any reason. The student must notify the College of the intent to suspend a course using the [Defer, Suspend or Cancel Enrolment Form – International](#). Students who initiate a cancellation should consider the financial penalties they may incur when submitting an application (refer to the [Refund Policy – International](#)). If cancellation occurs after the nominated Census Date, students must also consider any [academic penalties](#) that may be incurred as set out in this policy.

The College may initiate the cancellation of a student's enrolment if the student significantly breaches the [Student Code of Conduct](#) or as a consequence of other significant student misbehaviour as set out in the [Student Misconduct Policy – Higher Education](#); this may include failure to pay fees. The College may also cancel a student's enrolment if it deems that the student is or will be unable to meet the entry requirements and/or conditions of enrolment for a course. This includes failure to obtain and maintain approval to work with children through a positive Working With Children check and/or a valid first aid certificate, where these are required as part of practicum components of courses.

If the cancellation is initiated by the College, the College will inform the student in writing of its intention to cancel the student's enrolment and notify the student in writing that he or she has 20 working days (approximately 28 days) to access the College's Complaints

and Appeals processes. If the appeals process is activated the cancellation of the student's enrolment cannot take effect until the internal process is completed, unless extenuating circumstances relating to the welfare of the student apply. Any claim of extenuating circumstances must be supported by appropriate evidence.

### **Withdrawal at subject level**

Students who wish to request withdrawal from one or more subjects (but not the entire course), either to change to a different subject/s or not must:

- Complete an [Add, Drop or Swap Form – Higher Education and VET](#).
- Submit the form to Student Services.

If the withdrawal request is granted by the College Student Services will:

- Initiate investigations as to why the student withdrew e.g. possible 'student at risk' process to be initiated.
- Inform the Registrar / Office of Student Records.

The Registrar / Office of Student Records will:

Record the relevant 'withdrawn' status for the subjects on the student's record (on the Student Management System).

## Penalties for Cancellation

### **Academic Penalties**

In each Semester / Trimester:

- Up to the end of Week 2 - academic record for that subject is removed from student record
- From Week 3 until Census Date - Withdrawal Recorded, no academic penalty
- After Census Date - Withdrawal with academic failure – Fail grade recorded.

Census Date information is available on the relevant College website and on the relevant annual Student Calendars.

### **Financial Penalties**

Depending on timing of and reason for deferral, suspension or cancellation of enrolment, some financial penalties may apply and some or all of the fees paid may be refundable. Please refer to the [Refund Policy – International](#) for full details of applicable refunds.

## Responsibility

The responsibility for executing this policy lies with:

- International Student Advisers
- Student Services team
- National Higher Education Compliance Manager
- Director, Student Services and Retention.

## Record Keeping

The College will fully document, and keep on record in the student's file, all correspondence, documentary evidence and associated materials of the assessment of the student's application for deferral, suspension or cancellation of enrolment.

## PART B

### **Note: This section only applies to student visa holders**

If the student is studying on a student visa, the College must notify the Secretary of the Department of Education via PRISMS as required under section 19 of the ESOS Act where the student's enrolment is deferred, temporarily suspended or cancelled for any reason. These students must be made aware that any change to their enrolment may affect their student visa.

If the student has indicated that they have engaged an education agent the agent will be notified upon cancellation of the student's enrolment.

#### **Definitions:**

**PRISMS** – [Provider Registration and International Students Management System](#). A secure computer system that contains details of all education institutions, their courses and every student studying in Australia on a student visa.

**ESOS** – [Education Services for Overseas Students Act 2000 and related regulations and amendments](#). A legislative framework, administered by the Australian Government, addressing the responsibility of education institutions towards overseas students.

**Deferral** - The postponement of commencement date of the course and is initiated by the student.

**Student** – is an individual person who is formally enrolled to study at the College. The individual person is that who appears on the College’s documents such as enrolment, admission and payment documents, and who is assigned an individual student ID.

**Suspension** - A temporary interruption to the study program of the student, and can be initiated by either the college or student.

**Cancellation** - A permanent interruption to a student’s study program and can be either initiated by either the college or student.

**Compassionate or compelling circumstances** - Those circumstances beyond the student’s control, and/or the circumstances made it impracticable for the student to complete the requirements of the course. These include, but are not limited to:

- Medical reasons: Where the student’s medical condition has changed to such an extent that they are unable to continue with their studies.
- Family/Personal reasons: Such as death or severe medical problems within a family, or unforeseen family financial difficulties, such that it is unreasonable to expect the student to continue with their studies.

Further details are outlined in the [Special Consideration Policy – Higher Education](#).

**Course-related reasons** - Where the College has changed the subject or course originally offered and the person is disadvantaged by either.

**Misbehaviour** - This is defined by the [Student Code of Conduct](#) and includes breaches of any College role or instruction or fails

to comply with the lawful direction of a College officer. This includes breaches of any College policy, including those relating to intellectual property, discrimination, computer or library facilities, health and safety, ethics and professional standards.

**Extenuating Circumstances relating to the welfare of the student** - These circumstances may include, but are not limited to the following situations when the student:

- Refuses to maintain approved care arrangements (only for students under 18 years of age);
- 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.

## Further Information:

<b>Related Policies:</b>	<a href="#">Complaints and Appeals Policy – International</a> <a href="#">Fees Policy - International</a> <a href="#">Refund Policy – International</a> <a href="#">Student Code of Conduct</a> <a href="#">Special Consideration Policy – Higher Education</a> <a href="#">Student Misconduct Policy – Higher Education</a> <a href="#">Working with Children Checks Policy</a>
<b>Related Procedures</b>	<a href="#">Deferring, Suspending or Cancelling Enrolment Procedure - International</a>
<b>Benchmarking:</b>	Not Applicable
<b>Supporting Research and Analysis:</b>	Not Applicable

**Related Documents:** [Cancellation Notice Provider Default Template](#)  
[Cancellation Notice](#)  
[Defer, Suspend or Cancel Enrolment Form - International](#)  
[Entry Requirement Warning Template](#)  
[Intent to Cancel Enrolment Template](#)

**Related Legislation:** **Legislative Framework that applies to Education providers who offer courses to Overseas students in Australia:**

The *Education Services for Overseas Students Act 2000* (ESOS Act).

The *Education Services for Overseas Students Regulations 2001* made under the ESOS Act (ESOS Regulations).

[\*National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007\*](#) (National Code) made under the ESOS Act.

The *Education Services for Overseas Students (TPS Levies) Act 2012* (ESOS TPS Act).

**Guidelines:** Not Applicable



<b>Policy Author:</b>	Leonne Sharkey, Quality & Compliance Coordinator
<b>Policy Owner:</b>	National HE Compliance Manager
<b>Contact:</b>	National HE Compliance Manager
<b>Approval Committee:</b>	ACPE – Academic Board Meeting date: 22-Dec-15  Endeavour - College Council Meeting date: 17-Feb-17  Martin HE – Academic Board (East) Meeting date: 14-Feb-17
<b>Policy Status:</b>	Harmonised – in line with compatible domestic policy, no substantive changes
<b>Responsibilities for Implementation:</b>	National HE Compliance Manager Director, Student Services & Retention Student Services Team
<b>Key Stakeholders:</b>	National HE Compliance Manager Director, Student Services & Retention International Student Advisers Student Services Team International Students
<b>Date for next review:</b>	March 2018