

## DEFERRAL, CANCELLATION OR SUSPENSION OF STUDY PROCEDURE (INTERNATIONAL STUDENTS)

<b>Policy Hierarchy Link</b>	ESOS Act 2000			
<b>Responsible Officer</b>	Academic Dean			
<b>Superseded Documents</b>	Deferment, Temporary Suspension, or Cancelling of Study (International Students) Policy			
<b>Associated Documents</b>	Academic Grievance (Appeals) Policy Coursework Progress Policy External Dispute Resolution Procedure Non-Academic Grievance Policy Privacy Policy Research Higher Degree Progress Procedure Student Academic Misconduct Policy Student Code of Conduct			
<b>Review Date</b>	October 2020			
<b>Version</b>	<b>Endorsed By</b>	<b>Authorised By</b>	<b>Approval Date</b>	<b>Effective Date</b>
2.0	The Principal	Academic Board	16/10/2015	16/10/2015

### 1. PURPOSE AND SCOPE

This Procedure is required under the National Code 2007 Standard 13 which states that providers must have documented procedures for assessing, approving and recording a deferment or suspension of study. This procedure applies to international students only.

### 2. DEFINITIONS

This section sets out definitions for key terms and acronyms referred to in the procedure.

Term	Definition
CoE	Confirmation of Enrolment (generated in PRISMS)
Compassionate or compelling circumstances	Compassionate or compelling circumstances are generally those beyond the control of the student and which affect the student's course progress or wellbeing. <sup>1</sup>
Defer	To defer or suspend enrolment means to temporarily put studies on hold. <sup>2</sup>
DIBP	Australian Department of Immigration and Border Protection
ESOS Act 2000	Education Services for Overseas Students Act 2000
International student	An international student means a person (whether within or outside Australia) who holds a student visa. <sup>3</sup> An international student is also known as an overseas student.
National Code 2007	National Code of Practice for Registration Authorities and Providers of

<sup>1</sup> National Code 2007. Part D Standard 13. §13.2

<sup>2</sup> National Code 2007. Part D Standard 13.

<sup>3</sup> Education Services for Overseas Students Act 2000 (ESOS), §5 Definitions.

	Education and Training to International Students (the National Code 2007).
PRISMS	Provider Registration and International Student Management System.
Suspend	See defer. It is important to note that to suspend enrolment is not necessarily due to student misbehaviour.

### 3. PRINCIPLES

- 3.1. Moore College will only defer or temporarily suspend the enrolment of a student on the grounds of:
  - (i) compassionate or compelling circumstances, or
  - (ii) misconduct by the student
- 3.2. Moore College informs international students that to defer, suspend or cancel enrolment may affect the student's visa. This information is communicated to students in the orientation programs and will be advised by the Moore College International Student Advisor or Registrar if the student seeks to defer or suspend enrolment.
- 3.3. If the student appeals the decision to defer, suspend or cancel his or her studies, Moore College will not notify the Department of Education of a change to the enrolment status until the internal complaints and appeals process is completed.
- 3.4. Moore College will inform the Department of Education as required under Section 19 of the *ESOS Act*, via PRISMS, when a student's enrolment is deferred, suspended or cancelled.
- 3.5. Following a period of absence a student may only recommence studies after formally notifying the College.

### 4. STUDENT INITIATES DEFERRAL OR SUSPENSION

- 4.1 Deferring Commencement of Course
  - (i) Moore College may grant deferral of commencement of studies for students who request such a change to their enrolment status on the grounds of compassionate or compelling circumstances.
  - (ii) Examples of compassionate or compelling circumstances are given below.
    - (i) Students wishing to apply to defer their course commencement should in the first instance contact the Registrar [registrar@moore.edu.au](mailto:registrar@moore.edu.au). Students will need to submit documentary evidence to support their application.
    - (ii) The College will respond in writing to the application within 10 working days of receipt.
    - (iii) A copy of the student's application and the College's decision will be maintained on the student's file.
    - (iv) If the student provides no acceptable evidence for compelling or compassionate circumstances, then Moore College may cancel the CoE, the student returns home and applies at a later date for a new visa if they wish to return.
- 4.2 Leave of Absence
  - (iii) A leave of absence is an approved period of leave from a course of study requested by a student after they have commenced their course.
  - (iv) Moore College may grant a leave of absence on the grounds of compassionate or compelling circumstances.

- (v) Examples of compassionate or compelling circumstances are given below.
- (vi) Students wishing to apply for a leave of absence should in the first instance contact the Registrar [registrar@moore.edu.au](mailto:registrar@moore.edu.au). Students will need to submit documentary evidence to support their application.
- (vii) The College will respond in writing to the application within 10 working days of receipt.
- (viii) A copy of the student's application and the College's decision will be maintained on the student's file.

#### 4.3 Compassionate and Compelling Circumstances

- (i) Compassionate or compelling circumstances are generally those beyond the control of the student and which have an impact upon the student's course progress or wellbeing.
- (ii) Examples of circumstances include, but are not limited to:
  - serious illness or injury, where a medical certificate states that the student 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
  - a traumatic experience which has impacted the student and is supported by police or medical statements
  - Moore College is unable to provide a required unit
  - inability to begin studying on the course commencement date due to delay in receiving a student visa

## 5. MOORE COLLEGE INITIATES DEFERRAL, SUSPENSION OR CANCELLATION

### 5.1 Grounds for Deferral, Suspension or Cancellation

- (i) The College may suspend or cancel a student's enrolment on the grounds of student misconduct, academic misconduct, or failure to progress.
- (ii) Information on what constitutes misconduct is found in the Student Code of Conduct and the Student Academic Misconduct Policy.
- (iii) Information on academic progression is found in the Research Higher Degree Progress Procedures and the Coursework Progress Policy and associated procedure.

### 5.2 Communication with Student

- (i) If the College decides to suspend or cancel a student's enrolment, the College will inform the student in writing:
  - giving details of the decision,
  - informing the student that this may affect their student visa,
  - that they have 20 working days in which to appeal against the decision, and
  - informing the student of the available appeals processes.
- (ii) If the student appeals using the College's internal grievance and appeals process, suspension or cancellation of the student's enrolment will not take effect until the internal process is completed, unless the College decides that extenuating circumstances relating to the welfare of the student apply.

- (iii) If the student chooses to appeal using an external appeals process the College does not have to wait for the outcome before notifying the Department of Education of the change to the student's enrolment status.

### 5.3 Extenuating Circumstances

- (i) Extenuating circumstances relating to the welfare of the student may include, but are not limited to the following. The student:
- is missing;
  - has medical concerns, severe depression or psychological issues which lead the College 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.
- (ii) Any claim of extenuating circumstances needs to be supported by appropriate evidence.

## 6. REPORTING TO PRISMS

6.1 The College will inform the Australian Department of Education via PRISMS when a Student's enrolment status is deferred, suspended or cancelled.

6.2 There may be three different outcomes for the student's CoE:

- (i) The deferral or suspension period of a student's enrolment does not affect the end date of the CoE. In this case there is no change to the CoE or the student's enrolment status on PRISMS i.e. the student's CoE status will still be listed as 'studying'. However, the notice of deferment or suspension will be recorded in PRISMS and sent on to the DIBP. This information will be kept for future reference.
- (ii) The deferral or suspension period of a student's enrolment does affect the end date of the CoE. In such situations, PRISMS will cancel the original CoE, and immediately offer the College the opportunity to create a new CoE with a more appropriate end date. If the College does not know when the student will return, it can choose not to create a new CoE at that point, but to wait until the student has notified the College of the intended date of return before creating the new CoE.
- (iii) The College notifies the Department of Education through PRISMS that it wishes to permanently cancel (terminate) the student's enrolment. Once this process is complete, the student's CoE status will be listed as 'cancelled'.

## 4. ACKNOWLEDGEMENTS

The following documents are acknowledged in the review of this policy.

James Cook University. *Deferral, Suspension and Cancellation of Study*. June 2011

University of New England. *Deferring and Suspending International Student Enrolment*. April 2012.

## 5. REVIEW AND HISTORY

The history of modifications to the Procedure must be detailed in the table below.

Version	Approved By	Approval Date	Effective Date	Sections modified
1.0	Academic Board	20/05/2011	20/05/2011	New policy.
2.0	Academic Board	16/10/2015	16/10/2015	Reformatted as a procedure following National Code Standard 13. Reviewed for legislative compliance.