



Deferment, Suspension or Cancellation of Student Enrolment Policy (ESOS Specific)

Policy code	DSC-001	Version 2.3	Effective date: January 2021	
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PURPOSE

Standard 13 of the National Code allows students, where compassionate or compelling circumstances exist, to defer commencement of studies, take a leave from studies or temporarily suspend their studies during their program. This must be completed through a formal agreement with their registered provider. Students must be advised that deferring, taking leave from studies or temporarily suspending their studies during their program may affect their student visa.

The registered provider may also seek to cancel or suspend the student's enrolment for disciplinary reasons.

This procedure outlines the circumstances for the application, assessment and approval of the deferment, suspension, a leave from studies, or cancellation of enrolment, when instigated by either student or St Basil's RTO and subsequent reporting requirements via PRISMS.

SCOPE

This Procedure applies to all international students studying on shore holding a Student Visa as a student of St Basil's RTO. This is irrespective of teaching location.

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DEFINITIONS

TERM	DEFINITION
Cancellation	CoE is cancelled. Student must re apply for program if they wish to continue study
Compassionate or compelling Circumstances* *Professional judgement to assess each case on its merits:	<ul style="list-style-type: none"> Where a student does not receive their student visa in time to arrive at St Basil's RTO to commence study. Serious illness or injury – where a medical certificate is granted, and each case is assessed on its merits was unable to attend classes Bereavement of close family members such as parents or grandparents (death certificate should be provided). Major political upheaval or natural disaster in home country requiring emergency travel and this has impacted on the student's studies. A traumatic experience i.e. involvement in or witnessing of a serious crime or accident and this has impacted on the student (police or psychologists report to be provided). Where the registered provider was unable to offer a pre-requisite course/unit. Other reasons may be considered but must have documentary evidence to support the claim. <p>Note: Deferral due to lack of funds is not accepted by DHA as a compassionate or compelling circumstance to defer for a term. It is a condition of a student visa that students have access to funds to cover the tuition fees and cost of living for the duration of their student visa.</p>
CoE	Confirmation of Enrolment
Deferment	A request by the student prior to the commencement of study of their program to temporarily postpone study (student initiated)
DHA	Department of Home Affairs
ESOS	Education Services for Overseas Students Act 2000, as amended from time to time
Extenuating Circumstances	<ul style="list-style-type: none"> Is missing. Has medical concerns. Has engaged or threatens to engage in behaviour that is reasonably believed to endanger the student or others
Faculty	Faculty or School delivering programs to international students
Leave from Studies	A request by the student to temporarily postpone study after the commencement of their Course. (Student initiated)
PRISMS	The Provider Registration and International Student Management System
Suspension	The enrolment of a student in their program of study is suspended for a period of time, after which time the student may recommence study.
Note: Suspension of enrolment should not be included in attendance monitoring calculations	

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ACTIONS

St Basil's RTO Statutes and Regulations must be read in conjunction with this Procedure.

Where a decision is made, the student always has the right to appeal this decision using the appeals processes as outlined in St Basil's RTO and Regulations. This must always be clearly communicated to the student with the notification of the decision.

Actions required to meet this procedure are outlined in the following sections:

- Deferment or Leave from Absence
- Withdrawal from All Studies
- Suspension of Enrolment
- Cancellation of Enrolment

DEFERMENT OR LEAVE FROM STUDIES

NO	STEPS	WHO IS RESPONSIBLE	COMMENTS
1	Request for Deferral Form	Student/Management	<ul style="list-style-type: none"> • Must be in writing using the Deferral Form. • Additional documentation to support application must be lodged with form
2	Receipt of Deferral Form	College Staff / Management	<ul style="list-style-type: none"> • Student Services or Management will provide student with a dated receipt when form lodged. • Student services officer will forward form to management for assessment. Management may attach recommendation to the student's form
3	Assessment for Deferral Form	College Staff / Management	<ul style="list-style-type: none"> • Approval can only be given in accordance with defined compassionate or compelling circumstances. • Where a student wishes to take a break from their studies but does not have compassionate or compelling circumstances the student will need to withdraw and reapply when they are ready to return to study
4	Approval / Decline of Deferral	College Staff / Management	
5	Notification is provided to student of decision	College Staff / Management	<ul style="list-style-type: none"> • Records to be maintained of the provision of notification and information provided to student. • Information provided to student to include: their visa may be affected as a result of deferral and DHA contact details. • DHA will advise the student if they are required to leave the country while on approved leave.
		College Staff / Management	<ul style="list-style-type: none"> • The College/ Management retains a copy of the form

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6	Approved signed form is sent to Student Management and copy of form sent to Management after approval or decline by College		
7	Form is processed in Student Management System	Student Support	<ul style="list-style-type: none"> Processed form is kept by Student Management
8	Change to CoE reported via PRISMS	College Staff / Management	<ul style="list-style-type: none"> Management retains a copy of the form in the student's file.
9	Deferment of commencement of program	Student	<ul style="list-style-type: none"> Students requesting a deferment due to not receiving their student visa in time to commence their program for the current term or other compassionate or compelling reasons will contact Management and request a new CoE for the following term
10	Deferment approved	College Staff / Management	<ul style="list-style-type: none"> Management will contact faculty for approval (if applicable). When approved management will issue a new offer & acceptance agreement and re-issue a CoE with new commencement date. The new commencement date will be recorded in the Student Management System
NOTE:			
<ul style="list-style-type: none"> Students can take a leave from studies if there are no courses/units they can study in the relevant study period as this is considered to be a compelling circumstance. Students should check with DHA before applying for leave of studies. In most cases students will be required to go back to their home country while on leave from studies. Students leave will be assessed per term. Leave approved especially for more than one Term may not be recognised by DHA and it may act to cancel the student's visa 			

WITHDRAWAL FROM ALL STUDIES

NO	STEPS	WHO IS RESPONSIBLE	COMMENTS
1	Withdrawal from All Studies	Student	<ul style="list-style-type: none"> Must be in writing using Withdrawal from course form Student must have form signed by Management representative
2	Student presents form for signing at Management	College Staff / Management	<ul style="list-style-type: none"> Management sign form and keeps a copy
3	Student lodges form at Faculty or for students studying at College with the student support	Student/College	
4	Faculty lodges form at Student Support for processing. For students studying at a St Basil's RTO	College Staff / Management	

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5	Student support processes withdrawal according to date student has entered on form	Student Support	
6	Management cancels student's enrolment in program via PRISMS from the date listed on withdrawal form	Management	<ul style="list-style-type: none"> Copy of withdrawal form with date reported on PRISMS filed in student's file.
NOTE:			
<ul style="list-style-type: none"> Students should check with DHA before withdrawing from all studies 			

SUSPENSION OF ENROLMENT (COLLEGE INITIATED)

NO	STEPS	WHO IS RESPONSIBLE	COMMENTS
1	Action / Decision applicable Statute or Regulation	College	Refer to College Website Student code of conduct policy
2	Written notification to student of the decision to suspend them from their studies. Advice must include: <ul style="list-style-type: none"> 20 working days to access College Appeals Process. Suspension may impact on student's visa 	As per applicable Statute or Regulation	<ul style="list-style-type: none"> Suspension cannot take effect until the internal appeals process is completed. Unless extenuating circumstances relating to the welfare of the student or other students apply. Correspondence to students in regard to appeals and appeal outcomes must be sent to student's email account followed by Australia Post to current postal address. Postage can be regular, express or registered post
3	Notify Management of the suspension within 7 days of the appeal period passing or any appeal finding in favour of the origin decision to suspend	Management	<ul style="list-style-type: none"> Students who choose to appeal to the External appeal provider must do so within 10 working days of date of letter and must notify Management their lodgment reference number. Students suspended for discipline reasons do not need to be enrolled during the external appeals process and their suspension may be reported to DHA.
4	Report student via PRISMS to DHA that the student's enrolment is suspended.	Management	

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CANCELLATION OF ENROLMENT

NO	STEPS	WHO IS RESPONSIBLE	COMMENTS
1	Action as per above applicable Statute or Regulation.	College	<ul style="list-style-type: none"> Refer to St Basil's RTO Policies and procedures
2	Written notification to student of the decision to suspend them from their studies. Advice must include: <ul style="list-style-type: none"> 20 working days to access College Appeals Process; Suspension may impact on student's visa; 	As per applicable Statute or Regulation	<ul style="list-style-type: none"> Cancellation cannot take effect until the internal appeals process is completed unless extenuating circumstances relating to the welfare of the student or welfare of other students apply. Correspondence to students in regard to appeals and appeal outcomes must be sent to student's student email account followed by Australia Post to current postal address. Postage can be regular, express or registered post.
3	Notify Management of the cancellation within 7 days of the appeal period passing or any appeal finding in favour of the origin decision to cancel	Management	<ul style="list-style-type: none"> Students who choose to appeal to the external appeal process must do so within 10 working days of date of letter and must notify Management their lodgment reference number. Students whose enrolment is cancelled for disciplinary reasons do not need to be enrolled during the external appeals process and their exclusion may be reported to DHA.
4	Report student via PRISMS to DHA that the student's enrolment is suspended.	Management	

RESPONSIBILITIES

Specific responsibilities for are included under Actions.

- Management – College Manager
- Student Management

POLICY BASE

- ESOS Act 2000
- The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (The National Code).

ASSOCIATED DOCUMENTS

- Student Appeal Procedure.

FORMS / RECORD KEEPING

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TITLE	LOCATION	RESPONSIBLE OFFICER	MINIMUM RETENTION PERIOD
Application for Deferment, Suspension or Leave of	Student File	College	7 years
Evidence of Assessment of applications for deferment	Student File	College	7 years
Evidence of Approval / Rejection of Application	Student File	College	7 years if upheld 15 years if dismissed
Evidence of information provided to student informing them of possible changes to their student visa	Student File	College	7 years after completion of course