

DEFERMENT, CANCELLATION OR SUSPENSION OF STUDY

Policy number: 14.20

Authorised by: Director, Trison Business College

Introduction date: 1/1/08

Last revision date: 27/8/08

Policy Statement

This policy and procedure is designed to provide a process for assessing, approving and recording a deferment, suspension or cancellation of study for international students.

Under the requirements of the ESOS Act and National Code 2007 Standard 13, Trison Business College can only defer or temporarily suspend the enrolment of the student on the grounds of:

- compassionate or compelling circumstances
- misbehavior by the student

Policy Guidelines

Student-Initiated Application for Deferment or Suspension of Study

International students may apply to defer their studies if they are unable to commence their course on the scheduled commencement date or, for voluntary suspension of their studies, if they are unable to attend the course for a specified period of time in compassionate or compelling circumstances.

Compassionate or compelling circumstances are generally those beyond the control of the student, which are likely to have an impact upon the student's course progress or wellbeing and could include, but are not limited to:

- serious illness or injury, where a medical certificate states that the student will be unable to attend classes;
- death or illness of close family members such as parents or grandparents (where possible, a doctor's or death certificate should be provided);
- major political upheaval or natural disaster in the international student's home country requiring emergency travel and this has impacted, or will impact, on the 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 student (these cases should be supported by police or psychologist's reports);
- where Trison Business College was unable to offer a pre-requisite unit;
- inability to begin studying on the course commencement date due to a delay in receiving a student visa.

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International students may also defer or suspend their studies with Trison Business College for other reasons; however, the students will be required to provide compelling documentary evidence to support their request.

International students applying to defer or suspend their studies will be reminded that a successful application may affect their student visa and are advised to contact DIAC regarding the effect any deferment or suspension of studies may have on their student visa prior to formally lodging an application.

The maximum time allowed for a deferment or suspension of study is one semester.

The following procedure applies to international students applying for a deferment or suspension of their study :

1. The students must advise Trison Business College in writing of their request accompanied by documentation clearly demonstrating the compassionate or compelling reasons why the deferment or suspension should be granted.
2. If the compassionate and compelling circumstances are demonstrated, Trison Business College will approve the applications and advise the students in writing of the decision within 7 working days and the Director will access PRISMS to advise DEEWR/DIAC the period of deferment or suspension granted. Otherwise, Trison Business College will advise the students in writing within 7 working days of the reason for the decision and that the students have 20 working days to appeal the decision through Policy 14.23 *Complaints or Grievances* or Policy 14.24 *Appeals Process*.
3. If the students choose to access Trison Business College's complaints, grievances or appeals process, the student's enrolment will be maintained until the appeal processes are completed and Trison Business College will not notify DEEWR/DIAC of any change to the students' enrolment status through PRISMS.
4. Any accompanying evidence of the request for deferment or suspension of study and a copy of the written advice to the students of the decision will be placed on the students' files.

Institution-Initiated Suspension of Study or Cancellation of Enrolment

All international students are subject to the potential for Institution-initiated suspension of study or cancellation of enrolment for both academic and non-academic misconduct. Note that suspension due to unsatisfactory academic performance is covered by the Policy 14.17 *Satisfactory Course Progress*.

International students will have been made aware of the circumstances in which their studies may be suspended for misbehavior prior to enrolment and during study.

The following procedure relates to processing an Institution-initiated suspension or cancellation of enrolment:

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1. The Director may consider suspending students' studies or cancelling their enrolment for misbehavior together with supporting evidence;
2. The Director will collect supporting evidence to make the decision.
3. In the event that the Director approves the request to suspend student studies or cancel their enrolment, the Director will write to the student informing them of the intention and the reasons for the decision and advise the student that they have 20 working days to access Trison Business College's complaints, grievances or appeals process.
4. A copy of the letter and supporting evidence along with the Director's documented decision is to be placed on the student's file.
5. If the student chooses to access Trison Business College's complaints, grievances or appeals process, Trison Business College will maintain the student's enrolment until the internal complaints, grievances or appeals processes are completed and will not notify DEEWR/DIAC of any change to the students' enrolment status through PRISMS, except in extenuating circumstances relating to the welfare of the student.
6. 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 Trison Business College to fear for the student's wellbeing;
 - has engaged or threatened to engage in behaviour that is reasonably believed to endanger the student or others; or
 - is at risk of committing a criminal offence.

Any claim of extenuating circumstances will need to be supported by appropriate evidence.

7. The National Code does not require Trison Business College to continue providing learning opportunities throughout the 20 working days allowed to appeal the decision and during the internal grievance process. Based on the nature of the misbehavior, the Director will decide, on a case by case basis, whether to allow the student to continue to attend class, or make alternative study arrangements for the student, or to deny the student access to study opportunities. In making such a decision, the Director will consider whether denying the student learning opportunities throughout the 20 day appeal period and during the internal grievance process will disadvantage the student in their subsequent studies should the grievance process find in their favour.
8. If the student chooses not to access Trison Business College's complaints, grievances or appeals process or has unsuccessfully exhausted all internal appeal processes, the suspension of study or cancellation of enrolment will be formally processed and the Director will access PRISMS to advise DEEWR/DIAC of the change in the students' enrolment. Note that Trison Business College does not have to wait for the outcome of an external appeal process before notifying DEEWR/DIAC of the change to the students' study status.

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9. The Director will ensure that the following tasks are undertaken:
 - the students' financial records are adjusted to take account of the period of suspension of studies or cancellation of enrolment;
 - e-mail the relevant personnel advising them that the student has suspended their study so that records can be updated;
 - ensure that appropriate documentary evidence is placed on the student file with the request
 - make a diary entry to set a reminder for when the student is due back.

10. Once DEST has been notified of a deferment, suspension or cancellation of a student's enrolment, the student has 28 days in which to:
 - leave Australia
 - show the Department of Immigration and Citizenship (DIAC) a new Confirmation of Enrolment
 - provide DIAC with evidence that he or she has accessed an external appeals process