

Deferring, Suspending or Cancelling Policy and Procedure

1. Purpose

1.1 Standard 9 of the National Code 2018 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 course. 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.

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

1.3 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 Australian College of Management and Innovation (ACMi) and subsequent reporting requirements via PRISMS.

2. Related Documents

Change of Enrolment - Application Form

Refund and Cancellation Policy and Procedure

3. Related Legislation

Standards for Registered Training Organisations (RTOs) 2015

National Code of Practice for Providers of Education and Training to Overseas Students 2018

Education Services for Overseas Students (ESOS) Act 2000

National Vocational Education and Training Regulator Act 2011 (Cth)

4. Scope

This Policy and Procedure applies to all international students studying on shore holding a Student Visa as a Student of ACMi.

5. Responsibility

The people responsible for the deferment, suspending and cancelling a student's enrolment are:

- Admin/Student Service Officers
- CEO



6. Definitions

ACMi	Australian College of Management and Innovation
Cancellation	CoE is cancelled. Student must reapply 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 ACMi to commence study. * Serious illness or injury – where a medical certificate states the student 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 Immigration as a compassionate or compelling circumstance to defer for a semester. 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)
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. * Is at risk of committing a criminal offence.
Leave from Studies	A request by the student to temporarily postpone study after the commencement of their program. (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. If student initiated refer to Leave from Studies.



7. Policy Provisions

7.1 Deferment of Commencement of Study

7.1.1 ACMi will only grant a deferment of commencement of studies under compassionate and compelling circumstances. These include but are not limited to:

- 7.1.1.1 Illness, where a medical certificate states that a student was unable to attend classes;
- 7.1.1.2 Bereavement of close family members such as parents or grandparents, supported by a letter from a family member or a death certificate;
- 7.1.1.3 Major political upheaval or natural disaster in the home country requiring emergency travel that has impacted on studies;
- 7.1.1.4 A traumatic experience which has impacted on the student (these cases should be where possible supported by police or a psychologist's reports);
- 7.1.1.5 Delay in student visa being granted or inability to acquire airline tickets, especially during peak season

7.1.2 Requests for deferment must be made in writing using the "Course Variation Application Form" and documentary evidence must be attached. The final decision to allow deferment will be made by the CEO. Students will be informed of the decision in writing of the outcome within ten (10) working days and how the changes may affect their visa.

7.1.3 A new CoE will be created in the event the deferment is granted.

7.1.4 The Secretary of DoHA via PRISMS will be notified under section 19 of the ESOS Act

7.2 Suspension of Study

7.2.1 Once a student has commenced the course, ACMi will only grant a suspension of study under compassionate and compelling circumstances. These include but are not limited to:

- 7.2.1.1 Illness, where a medical certificate states that a student was unable to attend classes;
- 7.2.1.2 Bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided);
- 7.2.1.3 Major political upheaval or natural disaster in the home country requiring emergency travel that has impacted on studies;
- 7.2.1.4 A traumatic experience which has impacted on the student (these cases should be where possible supported by police or psychologist's report).



8. Policy Information

Authorised Officer	CEO
Supporting documents, procedures & forms of this policy	Change of Enrolment - Application Form Refund and Cancellation Policy and Procedure
Related Legislation and Codes of Practice	Standards for Registered Training Organisations (RTOs) 2015 National Code of Practice for Providers of Education and Training to Overseas Students 2018 Education Services for Overseas Students (ESOS) Act 2000 National Vocational Education and Training Regulator Act 2011 (Cth)
Audience	Public

9. Procedure

Process for Suspension Applications

- 9.1 The period of suspension will not be included in attendance calculations.
- 9.2 The final decision for assessing and granting a suspension of studies will be the responsibility of the CEO
- 9.3 Suspensions of study must be requested in writing using the “Course Variation Application Form”
- 9.4 Students will be informed of the decision, in writing, of the outcome within ten (10) days and how the changes may affect their visa.
- 9.4 Assessment of any leave will take into consideration the student’s course progress, attendance and any risk indicators. The student will be counselled accordingly.
- 9.5 All decisions are recorded on the student’s file and in the database
- 9.6 Suspensions will be recorded on PRISMS and a new CoE will be created
- 9.7 CoE may not be recreated if the period of suspension will not affect the end date of study. (i.e. A course may be run for seven weeks, so 2 weeks would have a significant impact)
- 9.8 The Secretary of DHA via PRISMS will be notified under section 19 of the ESOS Act
- 9.9 When the student returns from leave, PRISMS is to be updated noting recommencement of studies.
- 9.10 An Intervention Strategy meeting may need to be implemented for re-introducing students to study, with an Intervention Plan being developed for the student to get back on track with their studies.

Cancellation of enrolment initiated by student

- 9.11 Cancellation of enrolment can occur in a range of circumstances. In the event the student wishes to cancel enrolment and to avoid being reported to the DoHA, the student will be required to complete a “Course Variation Application Form”
- 9.12 If the student’s application is approved, the enrolment will be cancelled through PRISMS and all records will be maintained in the student file.
- 9.13 Any fees owed to ACMi will need to be paid. Any refunds will be made in accordance with the Refund and Cancellation Policy and Procedure.



9.14 Reasons that the student may apply for cancellation of their enrolment include:

- Student Completed Course early
- Student wishes to Transfer Providers
- Student notifies cessation of studies
- Student has passed away and a family member is requesting a refund
- Student no longer holds a student visa

9.15 Exclusion from Class (1-28 days)

9.15.1 ACMi may exclude a student from class on the grounds of misbehavior by the student subject to ACMi Student Code of Conduct Policy and Procedure.

9.15.2 Where the student is provided with homework or other studies for the period of the exclusion, the student must continue to meet the academic requirements of the course.

9.15.3 Exclusions from class will not be recorded on PRISMS. The periods of ‘exclusion from class’ will not be included in attendance calculations.

9.16 ACMi Initiated Suspension or Cancellation of Enrolment (28 days +)

9.16.1 ACMi may initiate a suspension from class for a student on the grounds of misbehavior by the student. Suspension will occur as the result of any behaviour identified as constituting a breach of ACMi Student Code of Conduct Policy and Procedure.

9.16.2 Students will be notified of the Institutes intention to suspend the student’s enrolment in writing. Students will be notified that they have 20 working days to access the ACMi’s internal Complaints and Appeals process. If the student accesses the Institutes internal Complaints and Appeals process, the suspension or cancelation of the student’s enrolment under this standard will not take effect until the internal process is completed unless extenuating circumstances relating to the welfare of the student apply.

9.16.3 Students who have been suspended for more than 28 days are required by DoHA to return to their home country unless compassionate and compelling circumstances exist (e.g., The student is medically unfit to travel).

9.16.4 If compassionate and compelling circumstances exist, the student must abide by the conditions of his or her suspension.

9.16.5 Suspensions will be recorded on PRISMS, Student files and the Student Management System.

