

1. Purpose

The purpose of this policy is to ensure Sunraysia Institute of TAFE assesses a student's eligibility for deferral, leave of absence, suspension or cancellation of enrolment in a manner that complies with the requirements of current legislation.

2. Scope

This policy applies to all Institute international students.

3. Policy

3.1. There are two categories covered under this policy:

- 3.1.1. Student requests for Deferral of studies, Leave of Absence, Suspension of studies or Cancellation of Enrolment
- 3.1.2. Suspension of studies or cancellation of enrolment initiated by the Institute.

3.2. All students will be notified in writing that regardless of the reasons for notifying DOE, the Deferment of studies, Leave of Absence, Suspension or Cancellation of his or her enrolment may affect their student visa.

3.3. Leave of Absence

- 3.3.1. All International students must submit appropriate documentation prior to taking leave from studies in compliance with student visa conditions.
- 3.3.2. Students are advised to access information through the Department of Immigration and Border Protection (DIBP) for advice on seeking leave and any potential impact on the student visa.
- 3.3.3. DIBP allows a leave of absence for compassionate or compelling circumstances for a maximum period of one semester (or six months). Leave of absence beyond six months will result in cancellation of the CoE and Visa.

3.4. Deferral of Studies

- 3.4.1. A student is able to defer or temporarily delay their studies before course commencement. This process can also be initiated by the Institute. A deferment becomes official once DOE via PRISMS is notified that the student enrolment with the Institute has been deferred.
- 3.4.2. Any international student wanting to defer their studies must notify the Institute before their course commencement date.
- 3.4.3. Approval for deferment can only be given in accordance with compassionate or compelling circumstances (as defined).
- 3.4.4. Where a student wishes to take a break from their studies but without compassionate or compelling circumstances (as defined), the student must withdraw and re-apply when they are ready to return to study.

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3.5. Suspension of Studies

- 3.5.1. Either the Institute or the student is able to suspend or temporarily postpone a student's enrolment. A suspension becomes official once DOE via PRISMS is notified that the student enrolment with the Institute has been suspended.

3.6. Suspension of Studies initiated by the student

- 3.6.1. Any student wanting to suspend their studies shall be made aware that the DIBP will only permit Institutes to allow a student to suspend their studies through compassionate or compelling circumstances beyond the control of the student (as defined).
- 3.6.2. Weddings, cultural and religious activities are not acceptable reasons for suspension of studies.
- 3.6.3. Any suspension of studies resulting in a Leave of Absence is to be strictly in keeping with the reason for it.

3.7. Suspension of Studies initiated by Sunraysia Institute of TAFE

- 3.7.1. The Institute has the right to suspend students' enrolment on the following grounds:
- 3.7.1.1. Compassionate or compelling circumstances supported by evidence
 - 3.7.1.2. Disciplinary reasons: The Student breaches the Institute Student Code of Conduct Policy which results in suspension of the students' enrolment.
 - 3.7.1.3. Students are directed to the Student Code of Conduct Policy during Pre-Enrolment and Orientation.

3.8. Cancellation of Enrolment

- 3.8.1. Cancelling a student enrolment means the student is formally no longer a student of the Institute. Cancelling a student becomes official once DOE via PRISMS is notified that the student enrolment with the Institute has been cancelled.

3.9. Cancellation of Enrolment initiated by the student.

- 3.9.1. Cancellation of studies will not be permitted unless all documentary evidence is sighted.
- 3.9.2. The Institute International Student Fee Refund Policy will apply during cancellation processes initiated by the student.

3.10. Cancellation initiated by Sunraysia Institute of TAFE

The Institute has the right to cancel a student's enrolment for the following reasons:

- 3.10.1. Disciplinary reasons: The Student breaches the Institute Student Code of Conduct Policy leading to disciplinary action.
- 3.10.2. Non-Compliance with visa conditions: The student displays poor academic performance or poor attendance resulting in Non-Compliance with visa conditions
- 3.10.3. Change in visa conditions: A change in visa conditions results in the student being eligible to enrol as a domestic student.
- 3.10.4. Non-payment of Fees: The student defaults in paying their course fees (as per International students Fees Payment Policy and Procedure).

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3.10.5. Student is deceased

3.10.6. Non-commencement of studies: A student may be deemed by a lack of action on their part to have notified the Institute they will not be continuing with their studies. Circumstances where the Institute may make this determination include: where the student does not commence studies in a course when they are due to commence and they have not notified the Institute in writing; or where a student requested a deferment, but there were no compassionate or compelling reasons for granting a deferment; or where the student has not completed his or her course and does not return to studies after a break and has not notified the Institute.

3.10.7. Change of Provider: If a student decides to go to another education provider and the Institute grants permission to do so. Refer to the International Student Transfer Policy

3.10.8. Under-enrolment: If a student is deliberately under-enrolling (taking less than a normal load without good reason) despite advice from the Institute.

3.10.9. Non-delivery of a program: The Institute through circumstances beyond its control has been unable to deliver the student's program in whole or in part, resulting in a cancellation of the program. In such a case, the International Student Fee Refund Policy will apply.

3.11. Student Appeals

3.11.1. The student has 20 working days to implement the Appeals process (Complaints Policy & Procedure and Student Reviews and Appeals Procedure) once he or she has been notified of the suspension or cancellation.

3.11.2. If the student accesses the Complaints process, the suspension of studies or cancellation of the student's enrolment shall not take effect until the internal process is completed, unless extenuating circumstances (supported by documentary evidence) relating to the welfare of the student apply.

3.11.3. If the student chooses to access the external appeals process the Institute will not await the outcome before notifying DE via PRISMS of the change to enrolment.

4. Definitions

Acronym/Term	Definition
Cancellation	Termination of the student's enrolment. The student CoE status will be listed as 'cancelled'.
COE	Confirmation of Enrolment
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 student wellbeing. These could include, but are not limited to: <ul style="list-style-type: none">• serious illness or injury, where a medical certificate states that the student was unable to attend classes;• bereavement of close family members such as parents or grandparents (where

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	<p>possible a death certificate should be provided);</p> <ul style="list-style-type: none"> • major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student's studies; or • a traumatic experience which could include: <ul style="list-style-type: none"> ▪ 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 psychologists' reports) • where the registered provider was unable to offer a pre-requisite unit; or • Inability to begin studying on the course commencement date due to delay in receiving a student visa.
CRICOS	Commonwealth Register of Institutions and Courses for Overseas Students.
Deferral / Deferment	A request by the student prior to the commencement of the studies to temporarily postpone enrolment (Student initiated).
DIBD	Department of Immigration and Border Protection
DOE	Department of Education
Extenuating Circumstances	<p>Where a student is:</p> <ul style="list-style-type: none"> • 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
International Student	A person holding an Australian Student visa and is defined as an 'Overseas Student' in the ESOS ACT.
Leave of Absence	A request by the student to temporarily postpone study after the commencement of the study period (Student initiated).
PRISMS	The Provider Registration and International Student Management System (PRISMS) is the system used to process information given to the Secretary of DE by registered providers.

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Suspension	When the enrolment of a student in a course is suspended for a period of time, after which the student may recommence study.
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5. Legislative Context

- Education Services for Overseas Students Act 2000 (ESOS Act)
- Education Services for Overseas Students Regulations 2001 (ESOS Regulations)
- Education Services for Overseas Students Legislation (TPS Levies) ACT 2012
- National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (National Code 2007).
- The education Services for Overseas Students Legislation Amendment (Tuition Protection Service and Other Measures) Act 2012

6. Associated documents

6.1. Associated Policies

- Student Complaints & Appeals Policy
- Student Code of Conduct Policy
- International Students fees Payment Policy
- ESOS Compliance & Policy Framework
- International Student Transfer Policy
- International Student Fee Refund Policy

6.2. Associated Procedures

- Student Complaints Procedure
- Student Reviews and Appeals Procedure
- International Student Fees Payment Procedure
- International Student Deferral, Suspension or Cancellation of Enrolment Procedure
- Student Breach of Conduct Procedure

6.3. Associated Forms

- Nil

6.4. Other associated documents

- ESOS Compliance & Policy Framework

7. Responsibility

The Director Education is responsible for ensuring compliance with this policy, and its associated procedures and systems.

8. Review Frequency

This policy is to be reviewed every three (3) years, and remains in force as amended from time to time, until rescinded.

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Authorised by: Board

Endorsed by: the Executive

Next review date: 18/05/2018

Maintained by: Geoff Dea

Policy number: Current

Original issue: 18/08/2009

Last review date: 6/12/2016

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