Student Deferral, Suspension and Cancellation Policy (VET)

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Approved By: VET Council
Policy Owner: Vice President Wellbeing & Engagement
Policy Area: VET
Audience: Public

1. Purpose

1.1 This policy is in place to ensure correct and sufficient information is provided to students and staff regarding the grounds on which a student's enrolment may be deferred, suspended or cancelled.

2. Scope

2.1 This policy applies to:

2.1.1 all international students studying a VET course at Stanley College; and

2.1.2 all staff involved in the assessment of deferral, suspension or cancellation requests either Stanley College or student initiated.

3. Responsibility

3.1 The Student Engagement Manager is responsible for the assessment of deferral, suspension or cancellations requests either student or Stanley College initiated.

4. Definitions

Australian Consumer Law	A national law guaranteeing consumer rights when buying goods and services to ensure false or misleading information is not provided. Education Services provided by Stanley College is covered by Australian Consumer Law.
CoE	A CoE (confirmation of enrolment), issued via PRISMS provides evidence of a student's enrolment with a provider registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS). This evidence is required before Home Affairs will issue a student visa. The CoE contains information about the Provider, agent (if involved), course and duration of study in which the student has enrolled.
Compassionate or Compelling Circumstances	Circumstances generally out of the student's control which will have an impact upon the student's wellbeing or course progress.
Course Commencement Date	The date the student commenced the course for the first time, as stated within the student's offer letter.

Deferment	A period of approved leave, with specific start and end dates, where a student enrolled in a course is permitted to not be enrolled in any units for that nominated time period.
DoHA	The Department of Home Affairs, which includes responsibility for immigration matters.
ESOS Act	The *Education Services for Overseas Students Act 2000* of the Commonwealth of Australia.
International Student	A student studying in Australia on a student visa issued by DoHA.
National Code 2018	The National Code of Practice for Providers of Education and Training to Overseas Students 2018, established pursuant to Part 4 of the ESOS Act.
Principal Course	The principal course refers to the main course of study to be undertaken by an international student where a student visa has been issued. The principal course of study is typically the final course of study where the international student is granted a student visa to study multiple courses in Australia.
PRISMS	Provider Registration and International Students Management System: the Australian Government database that provides Australian education providers with Confirmation of Enrolment facilities required for compliance with the ESOS legislation.
VET	Vocational Education and Training.
Withdrawal	Cessation of registration in a course or unit, initiated by a student after enrolment.

5. Policy Provisions

Principles

5.1 Stanley College's processes for assessing deferrals, suspensions and cancellations requests are applied fairly and consistently to all students.

5.2 Stanley College's *Student Deferral, Suspension and Cancellation Policy (VET)* and accompanying procedure are in accordance with the National Code 2018, which prescribes the requirements education providers must follow when assessing deferral, suspension and cancellation for requests for students.

5.3 This policy does not cover the process of deferring an offer of admission, which is covered in Stanley College's *Admissions Procedure (VET)*.

Cancellation Requests – Student Initiated

5.4 Students wishing to cancel their enrolment with Stanley College are required to complete the Course Variation Form, confirming the reasons they wish to cancel their enrolment. Students will be referred to the Cancellation and Refund Policy to determine any cancellation fees (or refund) that may be applicable.

5.5 Where students enrolments have a transfer restriction, as indicated in PRISMS, students will be directed to also complete the Application to Transfer Provider Form**.**

5.5 All Course Variations Forms require authorisation from the Student Engagement Manager, or Vice President of Stanley College.

Application Requirements

5.6 The following will need to be provided to apply for a course withdrawal:
- 5.6.1 *Completed Course Variation Form* ; and
- 5.6.2 reasons for the cancellation and evidence to support the reason/s provided.

5.7 Circumstances where Stanley College will refuse the request:
- 5.7.1 if the student has not completed six months of their principal course (this will be assessed as per the *Student Transfer Policy (VET)* and procedure); or
- 5.7.2 there are outstanding fees owing to Stanley College.

Timeframes

5.8 Stanley College will process the withdrawal request within 14 working days of when a complete application has been received.

Approved Cancellations

5.9 If the withdrawal request has been approved, Stanley College will:
- 5.9.1 cancel the student's enrolment in the course;
- 5.9.2 cancel the student's CoE via PRISMS; and
- 5.9.3 notify the student to contact DoHA to seek advice on whether a new visa is required.

Refused Course Cancellation Requests

5.10 If Stanley College refuses the course cancellation request, Stanley College will:
- 5.10.1 issue a written response to the student outlining the reasons for the refusal; and
- 5.10.2 inform the student of their right to appeal the decision, as per the *Student Complaints and Appeals Policy* and procedure.

Record Keeping

5.11 Stanley College will record the following information for two years after the student ceases to be a Stanley College student:
- 5.11.1 applications for cancellations;
- 5.11.2 the assessment of the cancellation request; and

Deferral, Suspension Requests – Student Initiated

5.12 If a student needs to defer or suspend their studies, the student must complete an *Application for Deferment Form* and submit it to the Student Services Office.

5.13 Students who wish to defer their studies may apply for deferment for up to one semesters.

5.14 Requests for deferment are not automatically granted and will not be approved to allow commencement of another program.

5.15 Deferment will usually be granted only on the grounds of compassionate or compelling circumstances. If deferment is granted, tuition fees will be updated to reflect new study period

5.16 Any Stanley College student who wishes to defer their studies is required to:
- 5.16.1 complete an *Application for Deferment Form*; and

5.16.2 provide evidence to show compassionate or compelling circumstances.
5.16.3 Evidence used to demonstrate compassionate or compelling circumstances may be validated, e.g. medical certificate details verified with medical centre.

Approved Deferral Requests

5.17 If the deferral request has been approved, Stanley College will:
5.17.1 Lodge a variation (deferment) on the required eCoE via, PRISMS and
5.17.2 notify the student to contact DoHA to seek advice on whether a new visa is required.

Refused Deferral Requests

5.18 If Stanley College refuses the deferral request, Stanley College will:
5.18.1 issue a written response to the student outlining the reasons for the refusal; and
5.18.2 inform the student of their right to appeal the decision, as per the *Student Complaints and Appeals Policy* and procedure.

Record Keeping

5.19 Stanley College will record the following information for two years after the student ceases to be a Stanley College student:
5.19.1 applications for deferrals;
5.19.2 the assessment of the deferral request; and
5.19.3 the decision of the deferral.

Review of Decisions and Appeals

5.20 Applicants may seek a review of a decision if they are dissatisfied with the outcome of their request. Refer to the *Student Complaints and Appeals Policy* and procedure.

5.21 This policy and the availability of complaints and appeals procedures do not remove the rights of the student to take action under Australia's consumer protection laws (including the ESOS Act 2000) or to pursue other legal remedies.

Cancellation, suspensions – Stanley College Initiated

5.22 Stanley College may initiate cancellations or suspension of enrolment of any students where they have breached the Stanley College Code of Conduct or Student Visa Framework.
5.23 Stanley College will evaluate all of the evidence presented before initiating any suspension or cancellation.
5.24 Depending on the nature of the breach, students may be excluded from classes immediately.
5.25 In accordance with The National Code, grounds for suspension or cancellation of an international students enrolment include, but are not limited to:
5.25.1 Misbehaviour of the student (breach of the Code of Conduct);
5.25.2 Failure to pay an amount that he or she was required to pay to Stanley College to undertake or continue the course as stated in the Offer Letter / Written Agreement.
5.25.3 A breach of course progress or attendance requirements by the international students, which occurs in accordance with Standard 8 of The National Code.
5.26 Before imposing a suspension or cancellation, Stanley College will:
5.26.1 Inform the student of that intention and reasons for doing so, in writing;

5.26.2 Advise the student of their right to appeal through Stanley College Student Complains and Appeals process.

5.26.3 Recommends that the student contacts the Department of Home Affairs to discuss how a cancellation or temporary suspension may impact their visa.

5.27 The suspension or cancellation of the students enrolment cannot take effect until all internal appears process is completed **UNLESS there is a risk to the health or wellbeing of the students or other students.**

5.28 Where there is any suspension or cancellation action taken Stanley College will:

5.28.1 Inform the student of the need to seek advice from the Department of Home Affairs on the potential impacts on their visa; and

5.28.2 Report the change to the student's enrolment via PRISMS as required under section 19 of the ESOS Act

Record Keeping

5.29 Stanley College will record the following information for two years after the student ceases to be a Stanley College student:

Refunds

5.30 If the student believes they are entitled to a refund, further information can be found in Stanley College's *Refund and cancellation Policy (VET)*.

Deferment, Suspension and Cancelation – Student Under 18

5.31 Application initiated by the Student, where the students is under 18 must be signed by the student's parent / guardian and verified with the parent or guardian prior to commencing the application process.

5.32 Where Stanley College initiates the applications, the notices must be sent to the parent / guardian and receipt acknowledged.

6. Policy Information

Policy Area	Student Services
Authorised Officer	Vice President Wellbeing & Engagement
Supporting documents, procedures & forms of this policy	*Student Withdrawal and Deferral Procedure (VET)* *Admissions Procedure (VET)* *Student Complaints and Appeals Policy* *Refund and Cancellation Policy (VET)* *Application for Withdrawal Form* *Student Transfer Policy (VET)* *Application for Deferment Form* *Student Fees Policy (VET)*
Related Legislation and Codes of Practice	National Code of Practice for Providers of Education and Training to Overseas Students 2018 Education Services for Overseas Students (ESOS) Act 2000
Audience	Public