

## DEFERRING, SUSPENDING OR CANCELLING A STUDENT'S ENROLMENT POLICY

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| <b>Approving authority</b>   | Academic Board   |
| <b>Purpose</b>               | This policy outlines the obligations of the Institute to refuse enrolment, defer, suspend or cancel enrolment under specified conditions.  |
| <b>Responsible Officer</b>   | Head of Marketing and Student Experience   |
| <b>Next scheduled review</b> | September 2026   |
| <b>Document Location</b>     | <a href="http://www.ozford.edu.au/higher-education/policies-and-procedures/">http://www.ozford.edu.au/higher-education/policies-and-procedures/</a>  |
| <b>Associated documents</b>  | <p>Academic Appeals Policy and Procedure</p> <p>Academic Integrity Policy and Procedure</p> <p>Academic Progress Policy and Procedure</p> <p>Anti-Bullying and Harassment Policy and Procedure</p> <p>Anti-Discrimination Policy and Procedure</p> <p>Completion within Expected Duration of Study Policy and Procedure</p> <p>Child Safety Policy and Procedure</p> <p>Diversity and Equity Policy and Procedure</p> <p>Occupational Health and Safety Policy</p> <p>Sexual Assault and Sexual Harassment Policy and Procedure</p> <p>Social Media (Students) Policy and Procedures</p> <p>Student Code of Conduct Policy and Procedure</p> <p>Student Grievances and Appeals Policy and Procedure</p> <p>Student Support and Services Policy and Procedure</p> <p>Time limits for Completion of an Award Course Policy</p> <p>Transfer between Registered Providers Policy and Procedure</p> <p>Use of Information Technology Facilities and Services Policy and Procedure (Student)</p> <p>Younger Students Policy and Procedure</p> <p>Deferring, Suspending or Cancelling a Student's Enrolment Procedure</p> |

### 1. PRINCIPLES

Ozford Institute of Higher Education (hereafter referred to as “the Institute”) acknowledges that students are able to initiate deferral, suspension or cancellation of their studies in certain limited circumstances as described in the policy. Students may also have their enrolment suspended or cancelled by the Institute due to misconduct, breach of student visa conditions, failure to pay fees or unsatisfactory academic performance. Matters relating to academic performance are addressed in the *Academic Progress Policy* and the related appeals policies.

For international students, this policy and the associated procedure supports Standard 9 of the ESOS National Code 2018 – Deferring, Suspending or Cancelling overseas student’s enrolment.

### 2. SCOPE

This policy applies to both **domestic** and **international students** but is based on the requirements that must be met with respect to international students. External notifications and references to Confirmation of Enrolment apply to international students only, except where indicated to the contrary.

### 3. DEFINITIONS

#### ***Cancellation***

The student's enrolment with the Institute and the CoE is terminated (may be student or Institute initiated).

#### ***Confirmation of Appropriate Accommodation and Welfare (CAAW)***

A Confirmation of Appropriate Accommodation and Welfare (CAAW) is issued via PRISMS to confirm that appropriate arrangements have been made for the student's accommodation, support and general welfare. The period nominated must be at least the length of the student's Confirmation of Enrolment (CoE) plus 7 days at the end of the CoE or until the student turns 18.

#### ***Confirmation of Enrolment (CoE)***

The Confirmation of Enrolment (also called a CoE) is an official statement from the Institute via PRISMS that lists the student's details, course and the start and end dates of the course.

The Confirmation of Enrolment (COE) is an official document issued to international students by universities and other education providers in Australia. It confirms that the student has accepted a place in a course and has paid required tuition fees and Overseas Student Health Cover (OSHC). The COE is required by the Department of Home Affairs for the purpose of issuing a student visa.

#### ***Compassionate or Compelling Circumstances***

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 wellbeing. These could include, but are not limited to:

- serious illness or injury where a medical certificate states that the student is unable to attend class;
- bereavement for the death of close family members such as parents or grandparents (documented evidence must be provided);
- serious illness, accident or family incident which requires immediate travel which has impacted the student to studies;
- the inability to begin study on the course commencement date stated on the CoE due to delay in receiving a student visa if relevant;
- major political upheaval or natural disaster in the home country requiring their immediate travel and this has impacted on the student's studies;
- a traumatic experience supported by police or psychologist's reports which could include but is not limited to:
  - involvement in or witnessing of an accident; or
  - a crime committed against the student; or
  - the student being a witness to a crime and this has impacted on the student.
- where the Institute was unable to offer a pre-requisite unit.

#### *Notes:*

- *misreading the examination timetable, examination anxiety or returning home will not be accepted as Compassionate and Compelling circumstances;*
- *religious or faith-based issues are not in themselves grounds for special consideration. However, they may be used in support of an application that meets the Compassionate and Compelling circumstances set out above.*

#### ***Deferment***

A request by the student prior to the commencement of study of their program to temporarily postpone commencement of study (student initiated).

In most cases, this will be due to the student's visa not having been granted or an Immigration issue. Deferral due to lack of funds is not accepted as a compassionate or compelling circumstance. 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.

### ***Extenuating circumstances***

The student

- is missing.
- has medical concerns or issues ie. the student is incapacitated.
- has engaged or threatens to engage in behaviour that is reasonably believed to endanger the student or other Institute stakeholders.
- Is at risk of committing or has a criminal offence.

### ***Suspension (includes Leave)***

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 (may be student or Institute initiated).

A request by the student to temporarily postpone study after the commencement of their program or student leave is a suspension of study. (Student initiated).

### ***Provider Registration and International Student Management System (PRISMS)***

Means the Provider Registration and International Students Management System (the electronic system that holds CRICOS and the electronic confirmation of enrolment).

### ***Severe misconduct***

Severe misconducts include but not limited to:

- acting dishonestly in relation to admission to the Institute;
- knowingly making any false or misleading representation about things that concern the student as a student of the Institute or breaching any of the Institute's rules;
- altering any documents or records;
- harassing or intimidating another student, a member of staff, a visitor to the Institute, or any other person while the student is engaged in study or other activity as an Institute student, because of race, ethnic or national origin, sex, marital status, sexual preference, disability, age, political conviction, religious belief or for any other reason;
- breaching any confidence of the Institute;
- Misusing any facility in a manner which is illegal, or which is or will be detrimental to the rights or property of others. This includes the misuse, in any way, of any computing or communications equipment or capacity to which the student has access at or away from the Institute premises while acting as an Institute student, in a manner which is illegal, or which is or will be detrimental to the rights or property of others;
- stealing, destroying or damaging a facility or property of the Institute or for which the Institute is responsible.

### ***Time Limits***

Time limits are the maximum time allowed for a student to complete a course. The maximum period is the elapsed calendar years starting from the year in which credit was first achieved in the course and is inclusive of periods of leave of absence, discontinuation or exclusion.

## ***Unsatisfactory Progress***

Unsatisfactory progress occurs where a student in two consecutive compulsory study periods fails more than 50% of the units in which the student has been enrolled.

## **4. POLICY**

- 4.1 Students will be informed in writing about this Policy and Procedure during the Admission process.
- 4.2 The Institute will assess and respond to all eligible and completed applications within ten working days from receiving the application.

### **Student initiated deferral, suspension or cancellation.**

- 4.3 Students must lodge all requests for deferment, suspension or cancellation of enrolment in writing with supporting evidence. Applications with no supporting documentary evidence will not be processed

### **Student Initiated Deferral**

- 4.4 A student wishing to defer an enrolment must submit a completed application at least 10 working days prior to the commencement of the course. Any application for deferral received after this date will not be eligible for assessment.
- 4.5 Students are only able to apply for deferral of commencement their studies on the basis of compassionate or compelling circumstances.
- 4.6 The Institute will assess each case on its individual merits to decide if the deferral study can be granted.

### **Student initiated Suspension**

- 4.7 Students are only able to apply for suspension of their studies on the basis of compassionate or compelling circumstances.
- 4.8 The Institute will assess each case on its individual merits to decide if the suspension of study can be granted.
- 4.9 The Institute may approve the suspension or cancellation of the enrolment of a student if it believes there are compassionate or compelling circumstances.
- 4.10 The impact of such on the expected duration of the course will be considered as set out in the ***Completion within Expected Duration of Study Policy and Procedure*** and the ***Time limits for Completion of an Award Course Policy***.
- 4.11 An agreed action plan will be developed by the Institute in conjunction with the student so that the absence from the Institute will have minimal impact on course duration.
- 4.12 If a female student applies for a ,suspension of studies on the basis of pregnancy, the Institute will follow normal processes for assessing a suspension of studies. However as a general rule, the suspension will commence no earlier than six weeks prior to the expected birth (unless otherwise supported by

medical evidence) with the return date of the student being calculated as being at the beginning of the next teaching period that is at least 8 weeks after the birth.

- 4.13 If the requested suspension is longer than 12 months, then the student will be required to withdraw from the course and reapply when they are ready to return to study.

### Student initiated Cancellation (Withdrawal)

- 4.14 Students may apply for a cancellation (or withdrawal) of the enrolment if they are unable to continue their enrolled course with the Institute.
- 4.15 An international student who has not completed the first six months of the principal course may not transfer to another provider except in limited circumstances as set out in the ***Transfer between Registered Providers Policy and Procedure***.
- 4.16 If the international student is under 18 years of age and under CAAW responsibility, there can be no welfare gap and the Institute will require that the other education provider takes responsibility for the student's welfare and accommodation. If the application is granted, the Institute must inform the student of their visa obligation to maintain their current welfare arrangements until the transfer date or have alternate welfare arrangements approved or return to their home country until the new approved welfare arrangements take effect.

### Non-commencement of study

- 4.17 If an international student fails to commence the course on the agreed start date by presenting themselves to the Institute to commence their course.
- The Institute will attempt to contact the student to remind the student of their obligation to start within 10 working days of the commencement date.
  - If the student is not contactable it will be regarded a student-initiated cancellation.
  - Under Section 19(1) of the ESOS Act, the Institute will cancel the student's COE via PRISMS stating that there has been *non-commencement of the course* within 30 days of the event occurring.
  - This process does not require the Institute to give the student access to the appeals process.
- 4.18 If the students fail to return for the commencement of a new trimester after holiday and the students have not successfully applied for a deferment of their studies:
- The Institute will attempt to contact the student to remind the student of their obligation to start within 10 working days of the commencement date.
  - If the student is not contactable it will be regarded a student-initiated cancellation.
  - Under Section 19(1) of the ESOS Act, the Institute will cancel the student's COE via PRISMS stating that there has been *termination of studies prior to completing the course* within 30 days of the event occurring.
  - This process does not require the Institute to give the student access to the appeals process.

### Notification

- 4.19 When a deferral, suspension or cancellation application is granted, the Institute must:
- inform the international student of the need to seek advice from Immigration on the potential impact on his or her student visa;

- report the change to the overseas student's enrolment in PRISMS to comply with section 19 of the ESOS Act.

## Appeals

- 4.20 Students who are dissatisfied with the outcome of their application for deferral, suspension or cancellation of their enrolments may appeal the decisions using the Institute's ***Student Grievance and Appeals Policy and Procedure***.

## Institute initiated deferral, suspension or cancellation

- 4.21 The Institute may suspend or cancel a students' enrolment in the following circumstances, including but not limited to:
- Academic misconduct or misbehaviour by the student;
  - a breach of course progress; or
  - the student's failure to pay an amount he or she was required to pay the Institute to undertake or continue the course as stated in the Acceptance Agreement.
- 4.22 Matters relating to academic misconduct, misbehaviour or course progress by the student are addressed in the following Policies and Procedures:
- ***Student Code of Conduct Policy and Procedure***
  - ***Academic Progress Policy and Procedure***
  - ***Academic Integrity Policy and Procedure***
  - ***Anti-Bullying and Harassment Policy and Procedure***
  - ***Anti-Discrimination Policy and Procedure***
  - ***Completion within Expected Duration of Study Policy and Procedure***
  - ***Child Safety Policy and Procedure***
  - ***Diversity and Equity Policy and Procedure***
  - ***Occupational Health and Safety Policy***
  - ***Sexual Assault and Sexual Harassment Policy and Procedure***
  - ***Social Media (Students) Policy and Procedures***
  - ***Use of Information Technology Facilities and Services Policy and Procedure (Student)***
  - ***Younger Students Policy and Procedure***
- 4.23 Where there is severe misconduct or exceptional circumstances, the Institute may take action to immediately cancel the student's enrolment ie. the health and wellbeing of the student and/or others are likely to be at risk.. The CEO and President will approve any decision to immediately cancel an enrolment.
- 4.24 When there is any deferral, suspension or cancellation action taken, the Institute will:
- inform the international student of the need to seek advice from Immigration on the potential impact on his or her student visa;
  - report the change to the overseas student's enrolment in PRISMS to comply with section 19 of the ESOS Act.
- 4.25 The Institute will maintain records of any decision in the process for assessing, approving and recording the suspension or cancellation of study.

## Appeals

- 4.26 Students who are dissatisfied with the decision of the Institute to initiate suspension or cancellation of their enrolments may appeal the decisions using the Institute's ***Student Grievance and Appeals Policy and Procedure***.
- 4.27 The suspension or cancellation of the student's enrolment cannot take effect until the internal appeals process is completed, unless severe misconduct or extenuating circumstances apply such as the student's health, or the wellbeing of others, is likely to be at risk.

## Monitoring and Reporting

- 4.28 A report will be provided to the Academic Board that includes details of student deferment, suspensions and cancellations.

## 5. QUALITY ASSURANCE

To ensure that this policy is fit for purpose and meet the requirements of the HES Threshold Standards the policy will be;

- 5.1 internally endorsed by the Executive Management Team on development or review, prior to approval by Governing Board, or the Academic Board or other delegated authority;
- 5.2 externally reviewed as part of any independent review of the HES Threshold Standards approved by the Governing Board;
- 5.3 internally reviewed by the Responsible Officer every three years from the date of approval (if not earlier);
- 5.4 referenced to the applicable HES threshold Standard and/or other legislation/regulation.

## 6. FEEDBACK

Feedback or comments on this policy is welcomed by the listed Responsible officers of the Institute.

## 7. ACKNOWLEDGEMENT

This policy was developed with reference to the following:

- CQUniversity, Deferment and Pre-Ponement of Admission Commencement (International Students), December 2013;
- University of Ballarat, Transfer, Withdrawals and Refund Procedure, December 2013.
- Federation University, Deferment, Suspension or Cancellation of a Student's Enrolment (ESOS Specific) Procedure, 2023 ([Deferment, Suspension or Cancellation of a Student's Enrolment \(ESOS Specific\) Procedure \(federation.edu.au\)](#))
- RMIT University, Enrolment Procedure - Discontinuation of Student Program, 2022 ([Enrolment Procedure - Discontinuation of Student Program / Document / Policy Register \(rmit.edu.au\)](#))

- Ozford College, Deferring, Suspending or Cancelling a Student’s Enrolment Policy and Procedure (see Ozford website)

## 8. VERSION CONTROL

| Version                                     | Date approved   | Description   | Approved by |
|---|---|---|-------------|
| 1.0   | May 2014  | Initial issue   | AB          |
| 2.0   | August 2018   | Internal update   | AB          |
| 2.1   | December 2019   | Internal review   | AB          |
| 3.0   | June 2023   | Internal review   | AB          |
| 3.1   | September 2023  | Internal review – minor formatting changes and add external referencing | EMT         |
| Related legislation/<br>regulation/standard | Tertiary Education Quality and Standards Act 2011<br>Education Services for Overseas Students Act (ESOS) 2000<br>Education Services for Overseas Students Regulations 2019<br>The National Code of Practice for Providers of Education and Training to Overseas Students 2018 Standard 5 and 9<br>Higher Education Standards Framework (Threshold Standards) 2021 |   |             |

Notes:

AB = Academic Board

EMT = Executive Management Team