

PP16 DEFERRING, SUSPENDING OR CANCELLING THE STUDENT'S ENROLMENT

SCOPE

This policy applies to all staff of Southern Cross Education Institute (SCEI) who are involved in the process of Deferral, Suspension and Cancellation of Student's enrolment and all the students of the SCEI.

POLICY

This policy/procedure supports 'Standard 13 – Deferring, suspending or cancelling the student's enrolment' of the 'National Code of Practice for Registration Authorities & Providers of Education & Training to Overseas Students 2007' which states:

'Registered providers may only enable students to defer or temporarily suspend their studies, including granting a leave of absence, during the course through formal agreement in certain limited circumstances.'

And:

The Victorian Training Guarantee 2014 guidelines, which states: The registered training organisations (RTOs) that are contracted with the Victorian Government to deliver this training are bound by the requirements of the 2014 Service Agreement Victorian Training Guarantee Program (the Service Agreement). The 2014 Guidelines about Determining Student Eligibility and Supporting Evidence (the Guidelines) must be read in conjunction with the Service Agreement.

The following procedures will ensure SCEI follows the required process when a student wishes to defer, suspend, or cancel their enrolment with SCEI.

Students are able to initiate deferral, suspension or cancellation of their studies during their stay in Australia only in certain limited circumstances as described below.

Students may also have their enrolment suspended due to misbehaviour which can also be grounds for cancellation of studies.

Students have the right to appeal a decision by the SCEI to defer, suspend or cancel their studies and the SCEI will not notify DIISRTE of a change to the enrolment status until the internal complaints and appeals process is completed.

PROCEDURE FOR STUDENT INITIATED DEFERRAL, SUSPENSION OR CANCELLATION OF ENROLMENT

1.1. Student Deferral

- A student wishing to defer an enrolment must do so prior to the commencement of the course.
- Students who would like to defer their studies must first speak to a staff member in the Student Administration to gain an APPLICATION TO DEFER, SUSPEND OR CANCEL ENROLMENT (FOR06) and to ensure they understand the reasons that deferment may be granted.
- Students must complete an APPLICATION TO DEFER, SUSPEND OR CANCEL ENROLMENT (FOR06) and submit to the Student Administration Department.
- All APPLICATION TO DEFER, SUSPEND OR CANCEL ENROLMENT (FOR06) documentation will be kept in the STUDENT ADMIN FILE (FILE_STAD) and the Department of Immigration and Border Protection (DIBP) shall be notified via PRISMS of the decision to defer the enrolment as a result of the student's request.
- The student will be informed by the ADMINISTRATION MANAGER (ADMINM) or ACADEMIC MANAGER (ACAM) once the deferment has been approved.

For Domestic Students

- The maximum time period approved for the deferment is four weeks. Once the four week time period lapses, students must complete the enrolment process again and a new training plan will need to be put in place with the correct start and end date of the course. Both the student and the TRAINER or ACADEMIC MANAGER will need to sign the new training plan.
- If there is a change in the training package the student is enrolled into and/or the student returns in the new calendar year, the student must complete the enrolment process again with a new training plan.

1.2. Student Suspension

For International Students

- SCEI is only able to temporarily suspend the enrolment of the student on the grounds of compassionate or compelling circumstances. These circumstances could include but are not limited to:
 - Serious illness or injury, where a medical certificate states that the student was / is unable to attend classes;
 - Bereavement of close family members such as parents or grandparents (Where possible a death certificate should be provided);
 - 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:
 - involvement in, or the 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 SCEI is unable to offer a pre-requisite unit
 - Inability to begin studying on the course commencement date due to delay in receiving a student visa.

Please Note: The above are only some of examples of what may be considered compassionate or compelling circumstances. The Administration Manager will use professional judgment and assess each case on its individual merits. When determining whether compassionate or compelling circumstances exist, SCEI will consider documentary evidence provided to support the claim, and will keep copies of these documents in the STUDENT ADMIN FILE (FILE_STAD).

- Students who feel the need to suspend the course will be encouraged to speak to the Welfare Coordinator.
- Students will be required to complete an APPLICATION TO DEFER, SUSPEND OR CANCEL ENROLMENT (FOR06) and submit to the Student Administrations Department. Students will also be required to provide evidence of the compassionate or compelling circumstances in their APPLICATION TO DEFER, SUSPEND OR CANCEL ENROLMENT (FOR06). (i.e. a medical certificate or police report, etc.)
- An APPLICATION TO DEFER, SUSPEND OR CANCEL ENROLMENT (FOR06) must be completed which will need to be approved by the Administration Manager. This APPLICATION TO DEFER, SUSPEND OR CANCEL ENROLMENT (FOR06) must include in detail the 'compassionate or compelling circumstances'.
- Where a suspension of enrolment is granted, SCEI will suspend an enrolment for an agreed period of time - to a maximum of 3 months. If the suspension is required for longer than 3 months the student shall have to re-apply once the initial suspension period has expired.
- DIBP's policy is that if a student's enrolment is suspended for a period of 28 days or longer, the student must return home (unless special circumstances exist). Please refer all questions about whether students may remain in Australia during a period of suspension of enrolment to DIBP.
- Students are to be informed in writing of the outcome of their APPLICATION TO DEFER, SUSPEND OR CANCEL ENROLMENT (FOR06) and informed that it may affect their student visa.
- All APPLICATIONS TO DEFER, SUSPEND OR CANCEL ENROLMENT (FOR06) documentation for the suspension will be kept in the STUDENT ADMIN FILE (FILE_STAD) and DIBP shall be notified via PRISMS of the decision to suspend the enrolment as a result of the student's request.

For Domestic Students

- Students are able to suspend their enrolment during the study periods on the grounds of extenuating circumstances. These circumstances could include but are not limited to:
 - Serious illness or injury, where a medical certificate states that the student was / is unable to attend classes;
 - Bereavement of close family members such as parents or grandparents (Where possible a death certificate should be provided);
 - 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 psychologists' reports)
 - Where the SCEI is unable to offer a pre-requisite unit

- Students who feel the need to suspend the course will be encouraged to speak to the Welfare Coordinator.
- Students will be required to complete an APPLICATION TO DEFER, SUSPEND OR CANCEL ENROLMENT (FOR06) and submit to the Student Administrations Department.
- Where a suspension of enrolment is granted, SCEI will suspend an enrolment for an agreed period of time - to a maximum of six months. Once the student returns after the suspension period, students must complete the enrolment process again and a new training plan will need to be put in place with the correct start and end date of the course. Both the student and the TRAINER or ACADEMIC MANAGER will need to sign the new training plan. If the student does not return after the six month period, the enrolment will be cancelled by the Administration Department.
- All APPLICATION TO DEFER, SUSPEND OR CANCEL ENROLMENT (FOR06) documentation for the suspension will be kept in the STUDENT ADMIN FILE (FILE_STAD) and SVTS shall be notified via AVETMISS (If applicable) of the decision to suspend the enrolment as a result of the student's request.
- SCEI will request any assessments related to the units delivered up until the suspension to be submitted.

1.3. Student Cancellation

For International Students

- Students wishing to cancel their enrolment must complete an APPLICATION TO DEFER, SUSPEND OR CANCEL ENROLMENT (FOR06) and submit to the Student Administrations Department.
- Students wishing to cancel their enrolment prior to completing 6 months of study in their principle course must provide a Letter of Offer from an alternative provider. This is required under Standard 7 of the National Code and further information can be gained from the TRANSFER OF STUDENTS BETWEEN PROVIDERS (PP10).
- All APPLICATIONS TO DEFER, SUSPEND OR CANCEL ENROLMENT (FOR06) documentation for the cancellation will be kept in the STUDENT ADMIN FILE (FILE_STAD) and DIBP shall be notified via PRISMS of the decision to cancel the enrolment as a result of the student's request.

For Domestic Students

- Students wishing to cancel their enrolment must complete an APPLICATION TO DEFER, SUSPEND OR CANCEL ENROLMENT (FOR06) and submit to the Student Administration Department.
- All APPLICATION TO DEFER, SUSPEND OR CANCEL ENROLMENT (FOR06) documentation for the cancellation will be kept in the STUDENT ADMIN FILE (FILE_STAD) and SVTS shall be notified via AVETMISS (if applicable) of the decision to cancel the enrolment as a result of the student's request.
- If the student decides to return to SCEI and continue studying the course, the student must complete the enrolment process again and a new training plan will need to be put in place with the correct start and end date of the course. Both the student and the TRAINER or ACADEMIC MANAGER will need to sign the new training plan.

PROCEDURE FOR PROVIDER INITIATED DEFERRAL, SUSPENSION OR CANCELLATION OF ENROLMENT

1. Provider Deferral

SCEI may defer an enrolment where the course is not being offered at the proposed date, site, or any other reason SCEI deems necessary to cancel the course.

2. Provider Suspension

- SCEI has the ability to suspend a student's enrolment on the grounds of misbehaviour. This misbehaviour may include but is not limited to acts of discrimination, sexual harassment, and vilification or bullying as well as acts of cheating or plagiarism. Such acts of misbehaviour will be classified into one of two categories; Academic or Behavioural Misconduct.
- Where a student has been identified of Academic or General Misconduct the Academic Manager shall be informed and will make a decision on the penalty and the severity of the penalty. The Academic Manager may take into account the type of misconduct that has occurred and the level of misconduct that occurred when deciding penalties.

- Where a student has been identified with Academic or General Misconduct the SCEI shall ensure the following:
 - Students must be treated fairly, with dignity and with due regard to their privacy
 - Students are to be regarded as innocent of the alleged misconduct until they have either admitted to it or been found by proper inquiry by the Academic Manager to have so behaved.
 - Past misconduct is not evidence that a student has behaved in the same manner again.
 - Each case is dealt with on its own merits and according to its own circumstances with the provision that the first instance of misconduct will be penalised more leniently than subsequent instances of misconduct.
- Students are able to access the COMPLAINTS AND APPEALS (PP11) if they feel that the decision is unfair or they have other grounds to appeal the decision.
- DIBP's policy is that if a student's enrolment is suspended for a period of 28 days or longer, the student must return home (unless special circumstances exist). Please refer all questions about whether students may remain in Australia during a period of suspension of enrolment to DIBP.
- Where the severity of misconduct is severe, the Academic Manager may decide to cancel the enrolment.
- For information about what constitutes Academic and Behavioural Misconduct, consequences and penalties of misconduct, refer to section 12 of PP79 Student Rules.

3. Provider Cancellation

In some cases where the student's misconduct is severe, SCEI has the right to cancel the enrolment.

- Where the Academic Manager has decided the misconduct is severe enough for cancellation the following must occur:
 - The student must be informed in person (where possible), and in writing of the decision of SCEI to cancel the student's enrolment
 - They must be informed of the fact that they have the right to appeal the decision by accessing the COMPLAINTS AND APPEALS (PP11) and completing this appeal within 20 working days of the notification
 - Students must also be informed that SCEI is obliged to inform DIISRTE / DIBP via PRISMS after the 20 working day period and that they will be at risk of having their Visa cancelled.

PROCEDURE FOR RECORDING AND REPORTING DEFERMENTS, SUSPENSION OR CANCELLATION OF ENROLMENTS

For International Students

- All APPLICATION TO DEFER, SUSPEND OR CANCEL ENROLMENT (FOR06) and outcomes are to be kept in the STUDENT ADMIN FILE (FILE_STAD).
- All reports of misconduct, decisions and actions taken in relation to misconduct, and other related documentation must be kept in STUDENT ADMIN FILE (FILE_STAD).
- Any decisions to initiate deferral, suspension or cancellation of an enrolment must be reported to DIISRTE / DIBP via PRISMS.
- Students are to be kept informed of any decisions or outcomes that relate to a deferment, suspension, or cancellation of enrolments.
- All students are to be given the opportunity to access the COMPLAINTS AND APPEALS (PP11) before reporting any provider initiated suspensions or cancellations of enrolments via PRISMS occurs. The students have 20 working days to lodge a Complaint or an Appeal.
- Where a student decides to access this procedure within 20 working days of notification SCEI must wait until the process has finished before going ahead with the reporting of the student's enrolment changes via PRISMS.

For Domestic Students

- All APPLICATION TO DEFER, SUSPEND OR CANCEL ENROLMENT (FOR06) and outcomes are to be kept in the STUDENT ADMIN FILE (FILE_STAD).
- All reports of misconduct, decisions and actions taken in relation to misconduct, and other related documentation must be kept in STUDENT ADMIN FILE (FILE_STAD).

- Any decisions to initiate deferral, suspension or cancellation of an enrolment must be reported to SVTS via AVETMISS if applicable.
- Students are to be kept informed of any decisions or outcomes that relate to a deferment, suspension, or cancellation of enrolments.
- All students are to be given the opportunity to access the COMPLAINTS AND APPEALS (PP11) before reporting any provider initiated suspensions or cancellations of enrolments occurs. The students have 20 working days to lodge a Complaint or an Appeal.

Review

This Policy and Procedure will be reviewed annually in line with the SCEI Continuous Improvement Plan