



## Purpose

The purpose of this policy is to outline the circumstances in which a student can defer, suspend, or cancel their enrolment with NSWHE and where NSWHE can initiate the suspension or cancellation of the student's enrolment.

This ensures compliance with Standard 9 of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018.

## Definitions

**CoE** means Confirmation of Enrolment

**DET** means Department of Education and Training

**DHA** means Department of Home Affairs

**Deferral** means to postpone commencement of studies.

**Suspension** is a temporary postponement of studies.

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

## Policy

### 1. Deferral and suspension of studies

- Requests from students for deferral and suspension of studies will only be granted in compassionate or compelling circumstances which 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 was 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;
  - a traumatic experience that has impacted on the student which could include involvement in or witnessing of a serious accident or witnessing or being the victim of a serious crime. Such cases supported by police or psychologists' reports;
  - where NSWHE 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;

These circumstances are an example of what may be considered compassionate or compelling circumstances however each case will be assessed on its individual merits.

- When determining whether compassionate or compelling circumstances exist, NSWHE considers documentary evidence provided to support the claim, and stores copies of these documents in the student's file.



- A retrospective deferment or suspension may be justified if the student was unable to contact NSWHE because of a circumstance such as being involved in a car accident.
- Where a student initiates deferral or suspension of enrolment and this is granted, NSWHE will suspend an enrolment for an agreed period of time - to a maximum of 12 months. If the deferral is required for longer than 12 months, the student's application will be re-assessed. If the suspension period has expired and the student does not return, the student's enrolment will be cancelled.

## 2. Provider initiated suspension or cancellation

- NSWHE may suspend or cancel a student's enrolment including, but not limited to, on the basis of:
  - misbehaviour by the student (including plagiarism, collusion and cheating);
  - the student's failure to pay an amount he or she was required to pay the registered provider to undertake or continue the course as stated in the written agreement;
  - a breach of course progress or attendance requirements by the overseas student, which will occur in accordance with Standard 8 (Overseas student visa requirements) and as specified in NSWHE's Course Progress Policy.
- Standards of behaviour required are outlined in the Student Handbook.
- Where NSWHE suspends or cancels a student's enrolment, before imposing a suspension or cancellation NSWHE will inform the student in writing of that intention and the reasons for doing so and advise the overseas student of their right to appeal through the provider's internal complaints and appeals process, in accordance with Standard 10 (Complaints and appeals), within 20 working days.
- Under no circumstances will the suspension or cancellation of the overseas student's enrolment under Standard 9.3 cannot take effect until the internal appeals process is completed, unless the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk.

## 3. Student initiated cancellation of studies

- Students may initiate cancellation of their studies at any time during their course, after the six-month primary course enrolment period.
- Students who wish to withdraw within six months of their course to transfer to another provider will be processed as per NSWHE Student Transfer between providers policy and approved by the CEO of the college.

## 4. Visa status

- When there is any deferral, suspension or cancellation action taken under this standard, NSWHE will inform the student of the need to seek advice from DHA on the potential impact on their student visa, as well as the report the change to the overseas student's enrolment under section 19 of the ESOS Act i.e. notification via PRISMS.
- Students are referred to the DHA web site at <https://www.homeaffairs.gov.au/> or Helpline (131 881) for information and their local DHA office for advice on how the potential change to enrolment status may impact upon his or her visa.



## 5. Complaints and appeals

- Where a student accesses the Complaints and Appeals process, NSWHE will not notify DET via PRISMS until the internal appeals process is complete unless the student's health or wellbeing, or the wellbeing of others, is likely to be at risk. Where the student chooses to access an external appeals process, DET will still be notified via PRISMS.

## 6. Records

- All records relating to deferrals, suspensions and cancellations will be kept on the student's file. This will include all decisions made.

## Procedure

### Student initiated deferral of enrolment

Procedure	Responsibility
<p>A. Process application from student</p> <ul style="list-style-type: none"> <li>– Provide <i>Application for Course-Withdrawal-Amend-Form</i> on request to students.</li> <li>– Assist students to complete form as required.</li> </ul>	Admissions Officer
<p>B. Assess request for deferral and respond to student</p> <ul style="list-style-type: none"> <li>– Consider reasons for request for deferral and approve cases that fall within compassionate and compelling circumstances as defined in this policy.</li> <li>– Notify DET through PRISMS that the student will be deferring their enrolment.</li> <li>– Where the deferral is approved, the student and the end date of the CoE is affected, a new CoE is created through PRISMS and sent to the student along with a new written agreement to reflect the new commencement date.</li> <li>– Forward notification of decision within 10 working days of receipt of an application.</li> <li>– Student will be required to sign and return new written agreement.</li> <li>– Where the request for deferral is approved and does not affect the end date of the CoE (i.e. it is a short period of deferment), although a new CoE will not be required, a notice of deferral will be recorded in PRISMS.</li> <li>– Where the request for deferral is refused, the student will be informed of the decision including the reason for refusal, as well as their right to appeal the decision within 20 working days. The refusal of the request for deferral will be entered into PRISMS and the CoE cancelled. DHA will contact the student regarding the status of their visa.</li> <li>– A refund of fees paid will be made as per NSWHE <i>Refund Policy</i>.</li> </ul>	Academic Manager



## Student-initiated suspension of enrolment

Procedure	Responsibility
<p>A. Process student request for suspension of studies</p> <ul style="list-style-type: none"> <li>- Provide student the <i>Application for Approved Leave Application Form</i> for request for suspension of studies.</li> <li>- Provide assistance to students in completing an <i>Application for Approved Leave Application Form</i> as required.</li> <li>- Students wishing to suspend their enrolment must apply in writing to NSWHE a minimum ten (10) working days prior to the requested suspension date. Note, however, that suspension may be granted retrospectively where the student was unable to contact the organisation to inform them of the suspension in their studies eg. they were involved in a car accident.</li> </ul>	Admissions Officer
<p>B. Assess request for suspension of studies</p> <ul style="list-style-type: none"> <li>- Consider reasons for request for suspension.</li> <li>- Approve cases that fall within compassionate and compelling circumstances as defined in this policy.</li> <li>- Notify DET via PRISMS of suspension of enrolment. Where the suspension is approved and does not affect the end date of the CoE (i.e. it is a short period of suspension), although a new CoE will not be required, a notice of suspension will be recorded in PRISMS and sent onto to DHA.</li> <li>- Where the request for suspension is approved and affects the CoE, create a new CoE through PRISMS and send to the student, along with a new written agreement for signing to reflect the new CoE.</li> <li>- If it is unclear when the student will return, wait until the student has advised of the intended date of return before creating a new CoE.</li> <li>- If the student does not return after a break, it is considered that the student has 'inactively' advised NSWHE that they will not be continuing their studies. DET is notified via PRISMS and student's enrolment status is recorded on PRISMS as cancelled.</li> <li>- Inform student where the request for suspension is refused, including the reason for refusal and of their rights to access the Complaints and Appeals process.</li> <li>- All decisions on suspension are to be advised to students within 10 working days of receipt of an application.</li> </ul>	Academic Manager



## Student-initiated cancellation of enrolment (withdrawal)

Procedure	Responsibility
<p>A. Assess student request for suspension of studies</p> <ul style="list-style-type: none"> <li>- Provide student with the <i>Application for Course-Withdrawal-Amend-Form</i>. Application for Course-Withdrawal-Amend-Form can be accessed from <a href="http://www.nswinstitute.com">www.nswinstitute.com</a> and also from Reception of NSWHE.</li> <li>- Provide assistance to students as required to complete an <i>Application for Course-Withdrawal-Amend-Form</i>.</li> <li>- Organise meeting with student to discuss reasons for the withdrawal.</li> </ul>	Academic Manager
<p>B. Process application for withdrawal</p> <ul style="list-style-type: none"> <li>- Complete course variation report in PRISMS. This will result in the status of the CoE changing to cancelled.</li> <li>- Include reason for cancellation of enrolment, date enrolment was cancelled and any other relevant information.</li> <li>- Process applicable refunds in accordance with NSWHE's <i>Refunds Policy</i>.</li> <li>- Ensure that student's financial records are adjusted to take account of the cancellation of enrolment as relevant.</li> <li>- Inform all relevant personnel that the student's enrolment has been cancelled.</li> <li>- Advise student in writing that their enrolment has been cancelled and that DHA has been informed and they will be advised of their change in visa arrangements.</li> <li>- Record cancellation of enrolment on Student Management System.</li> <li>- Include all documentation in the student's file.</li> </ul>	Admissions Officer



## Provider-initiated suspension or cancellation of enrolment

Procedure	Responsibility
<p>A. Suspend student</p> <ul style="list-style-type: none"> <li>- Inform student in writing that they are temporarily suspended because of misbehaviour and that they will need to continue to attend classes except where behaviour is considered to be such that the student needs to complete work outside of the class.</li> <li>- Notify DET within 14 days of the suspension via a course variation in PRISMS of the suspension as per the instructions in the PRISMS user guide.</li> <li>- Investigate student misbehaviour that led to suspension decision.</li> </ul>	Academic Manager
<p>B. Decide on action and implement decision</p> <ul style="list-style-type: none"> <li>- Arrive at an appropriate decision e.g. issue a warning, charge for any damage caused, request a formal apology or suspend or cancel studies.</li> <li>- Where the decision is to cancel the student's enrolment, provide the student with a <i>Notice of Intention to Cancel Enrolment Letter</i> informing them of their right to access the <i>Complaints and Appeals Policy and Procedure</i>.</li> <li>- Where the student accesses the Complaints and Appeals process and the decision following the internal appeals process is to cancel the student's enrolment, DET should be informed via PRISMS.</li> </ul>	Academic Manager