

Deferral, Suspension and Cancellation Policy

PURPOSE:

To provide a documented process for assessing, approving and recording a deferment of the commencement of study or suspension of study for the student, including keeping documentary evidence on the student's file of the assessment of the application.

SCOPE:

Orange International College (OIC) 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.

This policy outlines Orange International College (OIC) procedure for assessing, approving and recording a deferment of the commencement of study or suspension of study for the student in accordance with the requirements of the National Code and ESOS Act.

Source: <https://internationaleducation.gov.au/Regulatory-Information/Education-Services-for-Overseas-Students-ESOS-Legislative-Framework/National-Code/nationalcodepartd/Pages/ExplanatoryguideD13.aspx>

DEFINITIONS:

Deferral: means to delay the commencement of a course.

Suspension: means to temporarily delay the enrolment once the course has commenced.

Cancellation: means the cessation of an enrolment on a course.

Misbehaviour: is defined as students who display unacceptable behaviour in accordance with the Student Handbook and Code of Conduct

Compassionate or Compelling circumstances: is defined as circumstances 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:

- a) Serious illness or injury, where a medical certificate states that the student was unable to attend classes,
- b) Bereavement of close family members such as parents or grandparents (Where possible a death certificate should be provided),
- c) Major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student's studies,
- d) A traumatic experience which could include:
 - Involvement in, or witnessing of a serious accident; or
- e) Witnessing or being the victim of a serious crime, and these experiences have impacted on the student (cases should be supported by police or psychologists reports)Inability to begin studying on the course commencement date due to delay in receiving a Student VISA

PROCEDURE:

Orange International College Initiated

1. In accordance with the National Code, Orange International College can defer or temporarily suspend a student's enrolment on the grounds of:
 - a) Compassionate or compelling circumstances, or
 - b) Misbehaviour by the student
2. In addition to a deferment or temporary suspension, Orange International College may cancel a student's enrolment on the grounds of:
 - a) Serious misbehaviour by the student
 - b) Failure to comply with the Contract Agreement for Course Progress and Attendance (*Attendance for ELICOS courses only*), and any formal warning issued by Orange International College against these processes, and
 - c) The Non-Payment of Course Fees in accordance with the Contract Agreement and Payment Schedule.
3. In any given situation that leads to a deferment, temporary suspension or cancellation of studies, instigated by Orange International College, formal written notification will be provided to the student. In turn, the student shall have 20 working days to access Orange International College's Internal Complaints and Appeals process.

The deferment, temporary suspension or cancellation of studies cannot take effect until the Internal Complaints and Appeals process has been completed, unless extenuating circumstances relating to the welfare of the student apply.

4. At the completion of the complaints and appeals process, should the deferment, temporary suspension or cancellation of studies be upheld by the complaints and appeals hearing, Orange International College will inform the Secretary of DET/DE via PRISMS as required under the ESOS Act.

Misbehaviour

5. To ensure all students receive equal opportunity to gain the maximum benefit from their training, any person(s) displaying the following dysfunctional or disruptive behaviour may be asked to leave the session and/or the course.

Examples of unacceptable behaviour include but are not limited to the following:

- a) Continuous interruptions of the trainer.
- b) Smoking in non-smoking areas.
- c) Being disrespectful to other participants.
- d) Harassment by using offensive language.
- e) Sexual harassment.
- f) Acting in an unsafe manner that places themselves and others at risk.
- g) Refusing to participate when required, in group activities.
- h) Continued absence or late arrival at required times.

Student Initiated

6. In accordance with the National Code, student's may through formal agreement with Orange International College, be given permission to defer commencement, temporarily suspend their studies

During the course or be granted a leave of absence. This may only occur on the grounds of:

- a) Compassionate or compelling circumstances, or
- b) Student VISA delay

Deferral

7. Applications for deferral of the commencement of the course must be made by completing a Deferment, Suspension or Cancellation Form (DSC Form) with any additional evidence and submitting it to Orange International College Administration Staff prior to the course commencing.
- a) The DSC Form can be submitted via Email, Fax and Mail or in Person.
8. Once Orange International College has processed the deferral request, the student will receive a written correspondence of the outcome.
- a) An updated Confirmation of Enrolment letter and Enrolment Agreement will be provided to reflect the new schedule.
 - b) Orange International College will inform the Secretary of DET/DE via PRISMS as required under the ESOS Act.

Suspension

9. Applications for Suspension of enrolment must be made by completing a DSC Form with any additional evidence and submitting it to Orange International College Administration Staff.
- a) Applications must be received at least 10 working days prior to the requested Suspension date.
 - b) Applications received less than 10 working days prior to the requested Suspension date will not be processed.
 - i. In the event of an emergency situation requiring Suspension, the submission timeline of 10 working days may be waived by the Orange International College.
10. Once Orange International College has processed the Suspension request, the student will receive a written correspondence of the outcome.
- a) Orange International College will inform the Secretary of DET/DE via PRISMS as required under the ESOS Act.

Cancellation

11. Applications for Cancellation of enrolment must be made by completing a DSC Form with any additional evidence and submitting it to Orange International College Administration Staff.
- b) The DSC Form can be submitted via Email, Fax and Mail or in Person.
12. Once Orange International College has processed the Cancellation request, the student will receive a written correspondence of the outcome.
- a. If the request is granted, the student will receive a Letter of Release
 - i. Once the Cancellation has been processed, Orange International College will inform the Secretary of DET/DE via PRISMS as required under the ESOS Act.
- B.** If the request is denied, then the student may appeal the outcome in accordance with the Complaints and Appeals Policy.

Guidelines and Implications of Deferral, Suspension or Cancellation

13. Should a student enrolment be temporarily suspended for a period of 28 days or longer, the student
Must return home, unless special circumstances exist.
14. Students are to be made aware that:
- Students can only temporarily suspend enrolment for a maximum period of six months,
 - Deferral, Suspension or Cancellation of enrolment may affect the student's VISA, and
 - If the enrolment is suspended for a period greater than six months, the student's visa may be cancelled by DIBP (www.border.gov.au)

Roles and Responsibilities

15. All documentation relating to deferment, temporary suspension or cancellation of studies will be held in the student's file.
16. In addition, any discussions with the student and relevant staff members relating to the deferment, temporary suspension or cancellation of studies will be recorded and placed as minutes in the student's file as well as being noted in the Student Management System.

Reporting Process

Orange International College Initiated

- Orange International College staff member completes and submits a DSC Form with any supporting evidence to Orange International College Student Services/ Administration Staff
- Student Services/ Administration Staff record the DSC Form in the DSC Register and then forward the form to the RTO Manager/ CEO
- RTO Manager/ CEO will then assess the request and evaluate any supporting evidence, taking into account the current academic progress of the student
- RTO Manager/ CEO will inform the student of the decision and intended course of action along with the student's right to appeal the decision in accordance with the Complaints and Appeals Policy
 - At the completion of the complaints and appeals process, should the deferment, temporary suspension or cancellation of studies be upheld by the complaints and appeals hearing, or 'extenuating circumstances relating to the welfare of the student apply', then Orange International College will inform the Secretary of DET/DE via PRISMS as required under the ESOS Act
- Student Services/Administration Staff are to place all documents on the student's file and record the result in the Student Management System

Student Initiated

- Student completes and submits a DSC Form with any supporting evidence to Orange International College Student Services/Administration Staff
- Administration Staff record the DSC Form in the DSC Register and then forward the form to the RTO Manager/ CEO
- RTO Manager/ CEO will then assess the request and evaluate any supporting evidence, taking into account the current academic progress of the student
- RTO Manager/ CEO will then respond in writing to the student to confirm the decision
 - The student has the right to appeal the decision in accordance with the Complaints and Appeals Policy
- Administration Staff are to place this letter on the students file and to record the outcome within the Student Management System

Appendix:

National Code

Standard 13 – Deferring, suspending or cancelling the student's enrolment

Outcome of Standard 13

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.

13.1 The registered provider must have in place documented procedures for assessing, approving and Recording a deferment of the commencement of study or suspension of study for the student, including Keeping documentary evidence on the student's file of the assessment of the application.

13.2 The registered provider can only defer or temporarily suspend the enrolment of the student on the Grounds of:

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- a) Compassionate or compelling circumstances (e.g. illness where a medical certificate states that the student is unable to attend classes), or
 - b) Misbehaviour by the student.

13.3 The registered provider must:

- a) Inform the student that deferring, suspending or cancelling his or her enrolment may affect his or her student visa, and
- b) Notify the Secretary of DET/DE via PRISMS as required under section 19 of the ESOS Act where the student's enrolment is deferred, temporarily suspended or cancelled.

The registered provider must inform the student of its intention to suspend or cancel the student's enrolment where the suspension or cancellation is not initiated by the student and notify the student that he or she has 20 working days to access the registered provider's internal complaints and appeals process as per Standard 8.1. If the student accesses the registered provider's internal complaints and appeals process, the suspension or cancellation of the student's enrolment under this standard cannot take effect until the internal process is completed, unless extenuating circumstances relating to the welfare of the student apply.