

## DEFERMENT AND WITHDRAWAL OF STUDIES

### Purpose

This policy outlines documented process for assessing, approving and recording a deferment of the commencement of study or suspension or cancellation of study requested by an overseas student and the circumstances where Abbey College Australia may defer, suspend or cancel a student's enrolment.

### Definitions

- 'Deferral' means postponing the commencement of enrolment before the start of the course.
- 'Suspension' means to temporarily put studies on hold during the course
- 'Cancellation' – Withdrawing the enrolment in the course either before starting the course or during the course
- 'Compassionate or compelling' circumstances are generally those beyond the control of the overseas student and which have an impact upon the overseas 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 overseas 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 overseas student's studies; or
  - 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 overseas student (these cases should be supported by police or psychologists' reports)
  - where the registered provider was unable to offer a pre-requisite unit, or the overseas student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol.
  - Any other matters considered by Abbey College Australia.

'Extenuating circumstances' relating to the welfare of the student may include but are not limited to the following. The student:

- is missing;
- has medical concerns, severe depression or psychological issues which lead the provider to fear for the student's wellbeing;
- has engaged or threatens to engage in behaviour that is reasonably believed to endanger the student or others; or
- is at risk of committing a criminal offence.

'Misbehaviour' by student includes but not limited to:

- acts of dishonesty.
- harasses or intimidates another student, a member of staff, a visitor to ACA, or any other person while the student is engaged in study or other activity as ACA student, because of race, ethnic or national origin, sex, marital status, sexual preference, disability, age, political conviction, religious belief or for any other reason.
- interferes with students or staff.
- preventing or disrupting learning.
- disobeying/failing to comply with legal requirements.
- misusing, damaging or stealing ACA property or the property of others.
- altering/defacing ACA documents or records
- prejudices the good name of ACA, or otherwise acts in an improper manner.
- obstructing any member of staff in the performance of their duties.
- breach of enrolment conditions
- providing false or misleading information to gain enrolment.
- cheating, plagiarising or otherwise act dishonestly in undertaking an assessment task or assisting other students to do so. Students are considered guilty of cheating if they seek to gain advantage by unfair means such as copying another students' work, or in any way mislead trainer/assessor about their knowledge, ability, or the amount of original work they have done.

### Policy

A students may withdraw from his or her studies at any time. The policy applies to domestic as well as international students.

Abbey College must be notified of a student's intention to discontinue studies in writing. Abbey College Australia will not accept verbal requests from students. All requests for refunds will be assessed in accordance with the Institute's refund policy.

Fee paying students enrolling for short courses are permitted to defer commencement of studies prior to commencement at the discretion of the RTO.

Students can request to defer their studies due to:

- Delays in student visa grant (offshore students)
- Failure to complete a unit or course which is either an entry requirement or pre-requisite of the course to be commenced
- Compassionate or compelling circumstances

Students can request to temporarily suspend their enrolment if there are compassionate or compelling circumstances.

Abbey College Australia may defer a student's enrolment for a course when a course is not currently offered.

Abbey College Australia may suspend or cancel the enrolment of a student, including but not limited, on the grounds of:

- misbehaviour by the student

- the student's failure to pay, by the due date, an amount he or she was required to pay Abbey College Australia to undertake or continue the course as stated in the written agreement.
- breach of course progress requirements by the overseas student, which must occur in accordance with 'Monitoring course progress' policy and procedure.

Students have the right to appeal a decision by Abbey College Australia to defer, suspend or cancel their enrolment and Abbey College Australia will not report the change in enrolment in PRISMS until the internal complaints and appeals process is completed unless extenuating circumstances exist.

Abbey College Australia will inform the student that deferring, suspending or cancelling enrolment may affect his or her student visa and they must seek advice from the Immigration department on the potential impacts on their student visa

Abbey College Australia will report the change to the overseas student's enrolment as a result of deferral, suspension or cancellation in PRISMS in accordance with section 19 of the ESOS Act.

Abbey College Australia provides this policy in the Student Handbook which is made available to on its website, and the grounds for deferral, suspension or cancellation are outlined in the written agreement. This policy and procedure is also explained to students during the orientation.

## Procedures

### Deferment of studies

- Students must request to defer in writing by completing the Deferment Form.
- Applications for deferment are accepted at the RTO's discretion. The maximum period of deferment is 1 term.
- If students apply to defer their studies at least 28 days before they start the course and their deferment is accepted, any fees paid will be transferred to the next term.
- A non-refundable application fee of \$250 applies irrespective of outcome.
- Students must pay all outstanding fees prior to approval of this application.
- Abbey College Australia may transfer you to a different classroom or a different intake group and may need to extend your electronic Course of Enrolment.
- If the reason for deferral includes any overseas travel, or medical reasons, proof of travel and medical certificates is required.
- A written record should be maintained of all decisions made (approve/reject) and the reasons for it. These records are to be maintained in student's file. Electronic records are to be maintained in the Student Management System.

### Withdrawal from studies

Students requesting to cancel their enrolment must first speak to the Office Administrator to discuss their situation and explore support options.

Student will be notified that the cancellation may affect their student visa. If Abbey College Australia accepts the reasons for cancellation request then all current and future enrolments will be cancelled.

If Abbey College Australia rejects the cancellation request, student will be notified of the result and the process for appeals.

Student will be advised to refer to their signed enrolment agreement for refunds related enquiries.

- Students on a student visa are not permitted to defer the commencement date of their course unless on grounds of medical illness or any compassionate or compelling reasons.
- Students must apply to withdraw in writing and submit this document to the RTO by post or email.
- The students will be required to complete a *Withdrawal Form* and submit this, along with any training materials supplied to the RTO Manager.
- Students will not be permitted to withdraw until they provide proof of study (or otherwise applicable) at a different college.
- Students will not be considered withdrawn until this process has been completed and any property has been returned to the RTO. Students will be notified in writing when their application to withdraw has been approved.

### **Procedures for Abbey College Australia initiated suspension or cancellation**

After receiving a report of misconduct, non-payment advice or unsatisfactory course progress advice, the CEO/PEO shall call for a meeting to discuss the issues with staff involved. The CEO/ PEO shall also seek further advice from the student or students involved maintaining an unbiased approach to the student or students involved. Based on the discussions and finding, the CEO/PEO shall decide whether an enrolment suspension or enrolment cancellation is warranted.

During the misconduct discussion/investigations, student involved must be treated fairly with due regard to their privacy.

Only the CEO/PEO makes the final determination of suspension or cancellation of student's enrolment.

Student will be informed of the Abbey College Australia's decision to suspend or cancel the enrolment in writing stating the reason for the decision and reaffirming the student's right to the appeals process within 20 working days.

Abbey College Australia shall maintain the student's enrolment if the student chooses to access Abbey College Australia's complaints and appeals process except in the case of extenuating circumstances.

The CEO will not report the suspension or cancellation of enrolment in PRISMS until the internal complaints and appeals process is completed unless extenuating circumstances exist. If necessary, the college will issue a new eCoE with a more appropriate end date as a result of the break, suspension or deferment in the course. Abbey College Australia must inform DHA through PRISMS. Breaks, suspensions or deferments may also affect the student's visa.

### **Supporting documentation not in English**

If any of the supporting documents are not originally in English, Abbey College Australia may request that they be translated by a registered NAATI translator (<http://www.naati.com.au/>)

Abbey College Australia will not request that this be done if it has an employee or education/migration agent who can translate the documents adequately to understand what has been submitted.

Abbey College Australia will not accept documents translated by any other party where it does not have the in-house ability to assess whether the translation is a fair and accurate reflection of the original document.

## Documents

- *Withdrawal Form*
- *Deferment Form*

### *Standard 9*

*9.1 A registered provider must have and implement a documented process for assessing, approving and recording a deferment of the commencement of study or suspension of study requested by an overseas student, including maintaining a record of any decisions.*

*9.2 A registered provider may defer or suspend the enrolment of a student if it believes there are compassionate or compelling circumstances.*

*9.3 A registered provider may suspend or cancel a student's enrolment including, but not limited to, on the basis of:*

*9.3.1 misbehaviour by the student*

*9.3.2 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*

*9.3.3 a breach of course progress or attendance requirements by the overseas student, which must occur in accordance with Standard 8 (Overseas student visa requirements).*

*9.4 If the registered provider initiates a suspension or cancellation of the overseas student's enrolment, before imposing a suspension or cancellation the registered provider must:*

*9.4.1 inform the overseas student of that intention and the reasons for doing so, in writing*

*9.4.2 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.*

*9.5 When there is any deferral, suspension or cancellation action taken under this standard, the registered provider must:*

*9.5.1 inform the overseas student of the need to seek advice from Immigration on the potential impact on his or her student visa*

*9.5.2 report the change to the overseas student's enrolment under section 19 of the ESOS Act.*

*9.6 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.*