



ESOS Standard 13

Deferring, Suspending or Canceling the Student's Enrolment Policy and Procedures

Policy

1. AITI shall 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.
2. AITI can only defer or temporarily suspend the enrolment of the student on the grounds of:
 - a. Compassionate or compelling circumstances
 - b. Misbehavior by the student.
3. AITI shall:
 - 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 DEEWR via PRISMS as required under section 19 of the ESOS Act where the student's enrolment is deferred, temporarily suspended or cancelled.
4. AITI 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 AITI's internal complaints and appeals processes as per ESOS Standard 8.1. If the student access the processes, the suspension or cancellation of the student's enrolment under this standard can not take effect until the internal process is completed, unless extenuating circumstance relating to the welfare of the student apply.

Definitions:

Deferral: Approved postponement of commencement of study in a course for a specific period of time

Suspension: A break from study in a course

Cancellation: Cessation of enrolment in a course



This is governed by Standard 13 of the ESOS National Code. For more information go to:

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

Procedure

1. AITI staff need to follow the *ESOS Standard 13 Deferring Suspending and Cancelling the Student's Enrolment Policy and Procedures* when dealing with the relevant cases.
2. A student who wishes to defer, suspend or cancel his/her enrolment must meet one of the following conditions:
 - unavailability of a course
 - delay in the process of visa
 - compassionate and compelling circumstances – are generally beyond the control of the student and have an impact on the student's course progress or wellbeing. These could include but are not limited to:
 - Serious illness or injury, where medical certificate states that the student was or will be unable to attend classes;
 - Bereavement of close family members such as parents or grandparents (where possible death certificates 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
 - 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)

The above are only some of examples of what may be considered compassionate or compelling circumstances. AITI uses its professional judgment and to assess each case on its individual merits.



Supporting documents must be provided upon application eg. Medical certificates, police reports and etc. AITI should keep copies of these documents in the student's file.

Student under 18 years of age wishing to defer, suspend or cancel their course must, in addition to above requirements, supply a written request from his/her parent or legal guardian at the time of lodging application. Appropriate welfare and accommodation arrangements must be in place before any change in enrolment will occur.

Students must be advised that: Deferring, suspending or canceling an enrolment may affect your student visa. All students should contact their nearest DIAC office or refer to www.immi.gov.au for further information. Any deferral, suspension or cancellation will be reported to the Secretary of DEST via PRISMS as required under section 19 of ESOS Act.

3. Process of handling student applications

- 1) Students may request **deferral of study** in a course prior to course commencement or within 14 days after the course commencement.
- 2) All **suspension** applications must be submitted at least 14 days prior to suspension date. The maximum suspension period is six (6) months. Approval will only be given to the limited circumstances described above.
- 3) When apply for **cancellation**, if the student has not completed the first six (6) months of their principal course, they must provide a letter of offer from an alternative provider therefore complying with the conditions of Standard 7 of the National Code.

If the reason for cancellation is to go to another education provider please follow the *transfer to another provider procedure*, NOT the cancellation procedure.

- 4) Form ESOS 13-1 Deferment, Suspension and Cancellation Request of a Course must be completed by the student and submit with supporting documents.
- 5) Admission Officer emails the form along with the supporting documents to PEO.
- 6) PEO will decide to approve or decline the application as soon as practicable.
- 7) If deferral is approved, the Admission Officer will send a letter of approval (Form ADMIN026 Template of Approval Letter of Student's Request) to the student. Admission Officer will update the *Student's Request of Deferment, Suspension, Cancellation and Special Consideration Register* on Intranet.



- 8) Admission Officer will update eCoE and advise the student of these changes by mail or email. Admission Officer in charge of filing all relevant documents to the student file.
- 9) If the application is rejected, the Admission Officer will send a letter of refusal to the student and filling all relevant documents to the student file.

4. AITI initiated deferral, suspension or cancellation

AITI may defer the student's enrolment for a course when a course is not currently offered.

AITI may suspend a student's enrolment for:

- misconduct behaviour of a student:
- has been in serious breach of AITI's rules
- is in breach of enrolment conditions
- is considered to provide a threat to the wellbeing of other students or staff

AITI may cancel a student's enrolment for:

- a serious breach of AITI's rules
- breach of enrolment conditions
- where a student is considered to provide a threat to the wellbeing of other students or staff
- serious misconduct
- failing to meet the requirements of the course progress policy
- non-payment of tuition fees
- non re-enrolment

Where deferral, suspension or cancellation is initiated by AITI, students will receive a notice of *Intention to Defer, Suspend or Cancel Enrolment*. This notice will clearly identify that a student will be given 20 working days to access the Institute's internal complaints and appeals process. When the appeals process is initiated, AITI will still keep the student's enrolment until the internal appeals process is complete. AITI reserves the right of not providing learning opportunities during this process should it be deemed appropriate.



5. Procedure for AITI to cancel, suspend or defer a students enrolment:
- a) PEO will approve intention to cancellation, suspension or deferral.
 - b) Admission Officer will contact student to discuss the reasons for the intention to cancel, defer or suspend. This may be done face to face, via telephone or email.
 - c) After this meeting, Admission Officer will email the notice of Intention to Defer, Suspend or Cancel Enrolment to the student. The letter will inform the student of AITI's intention to notify DEEWR of the change of enrolment status and the student has 20 working days in which to access the provider's internal complaints and appeals process.
 - d) After 20 days, if no appeal has been made by student the admissions officer will notify DEEWR of the deferment, suspension or cancellation of the student's enrolment through PRISMS. Admission Officer will email a confirmation of suspension, deferment or cancellation of enrolment to the students.
 - e) The Admissions Officer will update the *Student's Request of Deferment, Suspension, Cancellation and Special Consideration Register* and print all emails and letters relating to this decision and add to the student's file.

If appeal made:

- a) If the student submits evidences why their enrolment should not be suspended, deferred or cancelled or wishes to access AITI's appeal process, this application will be considered as per AITI's appeal process. If the outcome of this appeal is that the student claims are upheld, the Admission Officer will advise the student in writing of the withdrawal of intention to cancel, defer or suspend. Admission Officer is in charge of filling all relevant documents into student's file.
- b) If the outcome of the appeal is not in the students favour, Admissions Officer will notify DEEWR of the deferment, suspension or cancellation of the students enrolment through PRISMS and email a confirmation of suspension, deferment or cancellation of enrolment to the students.



- c) The Admissions Officer will update the *Student's Request of Deferment, Suspension, Cancellation and Special Consideration Register* and print all emails and letters relating to this decision and add to the student's file.
- d) Students may access external appeal, however, DEEWR may be notified prior to the outcome of the external appeal.

6. U18 Students

In the case of **U18 students**, a copy of the notice of Intention to Defer, Suspend or Cancel Enrolment will be forwarded to the parent or legal guardian. AITI will discuss with the parent or legal guardian to achieve the best possible outcome.

Where AITI intends to defer, suspend or cancel the enrolment of a student under 18, AITI will continue to check the suitability of accommodation and welfare arrangements until:

- a) The student is accepted by another registered provider and that registered provider takes over responsibility for approving the student's accommodation, support and general welfare arrangements;
- b) The student leaves Australia;
- c) Other suitable arrangements are made that satisfy migration regulations; or
- d) AITI reports under Standard 5.1 that it can no longer approve of the arrangements for the student.

Currently AITI does not accept students under 18.