



DEFERRING, SUSPENDING OR CANCELLING THE STUDENT'S ENROLMENT POLICY

Policy Name:	Deferring, Suspending or Cancelling the Student's Enrolment
Policy Number:	RTOP9
Current Version:	04
Next Revision Date:	November 2020
Purpose:	To ensure that the PI 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.
Related policies and legislation:	<ul style="list-style-type: none"> • Education Services for Overseas Students (ESOS) legislative framework (ESOS Framework) (https://internationaleducation.gov.au/Regulatory-Information/Pages/Regulatoryinformation.aspx) • National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018) (https://www.legislation.gov.au/Details/F2017L01182)

Glossary of Terms/Definitions

Compassionate and compelling	Examples of compassionate or compelling circumstances 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; 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.
DET	Department of Education and Training (former Department of Education, Employment and Workplace Relations).
DHA	Department of Home Affairs
Extenuating Circumstance	Extenuating circumstances may include, but are not limited to the following. The Student: <ul style="list-style-type: none"> ▪ 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; ▪ is at risk of committing a criminal offence.
ESOS	Education Service for Overseas Students.
Misbehaviour by the student	This may include, but is not limited to, behaviour such as acts of discrimination, sexual harassment, and vilification or bullying as well as acts of cheating or plagiarism.
PI	Peach Institute.

INTRODUCTION

The PI must ensure that it properly assesses a student's eligibility for deferral or suspension and the PI process for cancellation of enrolment complies with the requirements of National Code 2018. PI has documented policies and procedures for assessing, approving and recording a deferment of commencement of study, suspension of study requested by an overseas student, and the cancellation of a student's enrolment.

What is meant by Deferral/Suspension and Cancellation

To defer or suspend enrolment means to temporarily put studies on hold (adjourn, delay, postpone), Cancellation is the cessation of a student's enrolment of a PI course. The PI will do this by notifying DET via PRISMS of the deferment, suspension or cancellation of enrolment. Temporary deferment or suspension may be requested by a student on the grounds of compassionate or compelling circumstances.

Compassionate or Compelling Circumstances

Compassionate or compelling circumstances are the circumstances beyond the control of the student and which have an impact upon the student's course progress or wellbeing which could include, but 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;
- major political upheaval or natural disaster in the home country requiring emergency travel when this has impacted on the student's studies; or
- a traumatic experience which could include:
 - involvement in, or witnessing of a serious accident;
 - witnessing or being the victim of a serious crime (these cases should be supported by police or psychologist's reports)
- Inability to begin studying on the course commencement date due to delay in receiving a student visa.

Misbehaviour

To ensure all students receive equal opportunity to gain the maximum benefit from their training, any student/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 not limited to the following:

- Continuous interruptions of the trainer.
- Smoking in PI premises.
- Being disrespectful to other participants.
- Harassment by using offensive language.
- Sexual harassment.
- Acting in an unsafe manner that places themselves and others at risk.
- Refusing to participate when required, in group activities.
- Continued absence or late arrival at required times.

PEACH INSTITUTE INITIATED- DEFERRAL, TEMPORARY SUSPENSION OR CANCELLATION

Deferral or Temporary Suspension – PI initiated

In accordance with the National Code 2018, Peach Institute can defer or temporarily suspend a student's enrolment on the grounds (but not limited to) of:

- Compassionate or compelling circumstances, or
- Misbehaviour by the student
- failure to pay an amount he or she was required to pay PI 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 must occur in accordance with Standard 8 (Overseas student visa requirements)

Suspension/Cancellation- PI Initiated

Peach Institute may suspend or cancel a student's enrolment including, but not limited to, on the basis of:

- misbehaviour by the student
- the student's failure to pay an amount he or she was required to pay PI 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 must occur in accordance with Standard 8 (Overseas student visa requirements) of National Code 2018.

Guidelines

If PI initiates a suspension or cancellation of the overseas student's enrolment, before imposing a suspension or cancellation PI will:

- inform the overseas student of that intention and the reasons for doing so, in writing
- 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) of National Code 2018, within 20 working days.

When there is any deferral, suspension or cancellation action taken under this standard, PI will:

- inform the overseas student of the need to seek advice from Immigration/DHA on the potential impact on his or her student visa
- report the change to the overseas student's enrolment under section 19 of the ESOS Act.

The suspension or cancellation of the overseas student's enrolment under Standard 9.3 (of National Code 2018) 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.

Procedure

- a. Peach Institute staff member completes and submits a Deferment, Suspension or Cancellation Form with any supporting evidence to Peach Institute Student administration Staff.
- b. Student Administration Staff record the Deferment, Suspension or Cancellation application and then forward it to the authorised person/CEO.

- c. Authorised person / CEO will then assess the request and evaluate any supporting evidence.
- d. If Authorised person / CEO initiates a suspension or cancellation of the overseas student's enrolment, before imposing a suspension or cancellation the PI must:
 - i. inform the overseas student of that intention and the reasons for doing so, in writing
 - ii. advise the overseas student of their right to appeal through the PI's internal complaints and appeals process, in accordance with Standard 10 (Complaints and appeals) of National Code 2018, within 20 working days.
- e. 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', or student does not access the PI's internal complaints and appeals process within 20 Working days, then Peach Institute will inform the Secretary of DET via PRISMS.
- f. If there is any deferral, suspension or cancellation action taken, PI must:
 - i. inform the overseas student of the need to seek advice from Immigration on the potential impact on his or her student visa
 - ii. report the change to the overseas student's enrolment under section 19 of the ESOS Act.

STUDENT INITIATED- DEFERRAL, TEMPORARY SUSPENSION OR CANCELLATION

Deferral or Temporary Suspension or cancellation– Student Initiated

There may be a circumstance where a student may initiate defer commencement, temporarily suspend their studies during the course or be granted a leave of absence. This may only occur on the grounds (but not limited to) of:

- Compassionate or compelling circumstances, or
- Student VISA delay

Deferral

Applications for deferral of the commencement of the course must be made by completing a Deferment, Suspension or Cancellation Form with any additional evidence and submitting it to Peach Institute's Student Administration Staff.

- The Deferment, Suspension or Cancellation Form can be submitted via Email, Mail or in Person.
- PI will make its best effort to finalize the applications within 10 Working days.
- Once Peach Institute has processed the deferral request, the student will receive a correspondence of the outcome.
- An updated Confirmation of Enrolment will be provided to reflect the changes.
- PI will inform the student that deferring, suspending or cancelling his or her enrolment may affect his or her student visa, and will inform the Secretary of DET via PRISMS.
- PI will record the outcome of the assessment of the application.

- If the request is denied, then the student may appeal the outcome in accordance with PI's Complaints and Appeals Policy.

Suspension

Applications for Suspension of enrolment must be made by completing a Deferment, Suspension or Cancellation Form with any additional evidence and submitting it to Peach Institute's Student administration Staff.

- The Deferment, Suspension or Cancellation Form can be submitted via Email, Mail or in Person.
- Applications must be submitted as soon as practical, prior to the requested Suspension date.
- PI will make its best effort to finalize the applications within 10 Working days.
- Applications received less than 10 working days prior to the requested Suspension date, PI may not finalise the outcome before the requested suspension date.
- In the event of an emergency situation requiring Suspension, the submission timeline of 10 working days may be waived by Peach Institute.
- Once Peach Institute has processed the Suspension request, the student will receive a correspondence of the outcome.
- PI will inform the student that deferring, suspending or cancelling his or her enrolment may affect his or her student visa, and will inform the Secretary of DET via PRISMS.
- PI will record the outcome of the assessment of the application.
- If the request is denied, then the student may appeal the outcome in accordance with PI's Complaints and Appeals Policy.

Cancellation

Applications for Cancellation of enrolment must be made by completing a Deferment, Suspension or Cancellation Form with any additional evidence and submitting it to Peach Institute's student administration Staff.

- The Deferment, Suspension or Cancellation Form can be submitted via Email, Mail or in Person.
- PI will make its best effort to finalize the applications within 10 Working days.
- Once Peach Institute has processed the Cancellation request, the student will receive a correspondence of the outcome.
- PI will inform the student that deferring, suspending or cancelling his or her enrolment may affect his or her student visa, and will inform the Secretary of DET via PRISMS.
- PI will record the outcome of the assessment of the application.
- If the request is denied, then the student may appeal the outcome in accordance with the Complaints and Appeals Policy.