



International Student Deferment, Suspension and Cancellation of Study Procedure

Policy supported	International Student Deferment, Suspension and Cancellation of Study Policy
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Related Documents	ESOS Act 2000 National Code 2007 Student Handbook Student Progression and Exclusion Policy Student Progression and Exclusion Procedure Student Complaint and Appeal Policy Student Complaint and Appeal Procedure Refund Policy for International and Domestic Students Refund Procedure for International and Domestic Students Student Course Deferment or Suspension Form (continuing student) Student Course Deferment Request Form (new student) Student Code of Conduct Academic Misconduct Policy Academic Misconduct Procedure

1. Purpose

The purpose of this Procedure is to support the ***International Student Deferment, Suspension and Cancellation Policy***. This Policy seeks to provide a framework for assessing, approving and recording deferment of the commencement of study, suspension of study, or cancellation of study for international students at the Australian Institute of Higher Education Pty Ltd ('the Institute') in line with the requirements of the ESOS Act and National Code.

2. Scope

This Procedure applies to all international students enrolled at the Institute, Executive Management, the Registrar, Admissions, Student Services and the Accounts office.

3. Definitions

See the ***AIH Glossary of Terms*** for definitions.

4. Actions and Responsibilities

All requests for deferrals, suspensions and terminations have to be approved by the Institute's senior management.

International students are advised to contact the Department of Immigration and Border Protection (DIBP) regarding the effect any deferment or suspension of studies may have on their student visa prior to formally lodging an application to defer or voluntarily suspend their study.

4.1 Fees

4.1.1 Suspension of enrolment

Once a semester has commenced, students requesting suspensions will be required to pay any remaining tuition balance for the semester they are currently enrolled in. Students will also have to pay an extra 2 subjects, at the time of the suspension request, which will be credited towards the following semester.

4.1.2 Termination of enrolment

Continuing students who wish to terminate must submit their application before the semester has commenced. Continuing students who apply to terminate their course after the semester has commenced is liable for the whole semester's fee.

4.2 Maximum time

The maximum time allowed for a deferment or voluntary suspension of study is one semester.

4.3 Procedure for international students applying for deferment of commencement of study

4.3.1 International students who wish to defer the commencement date of their course must advise the Institute in writing by completing the ***Student Course Deferment Request Form (new student)***. The request form is to be accompanied by documentation clearly demonstrating the compassionate or compelling reasons why the deferment should be granted.

4.3.2 In the event that the request for deferment of studies demonstrates compassionate and compelling circumstances (as outlined in the accompanying Policy) the Institute will approve the application and advise the student in writing of the decision within five (5) working days.

4.3.3 The Admissions office will access PRISMS to advise DIBP the period of deferment granted.

4.3.4 If the request for deferment of commencement of study does not meet the requirements for compassionate and compelling circumstances (as outlined above) the Institute will not approve the application and will advise the student in writing within five (5) working days of the reason for the decision. If the student does not agree with the decision and believes there are compassionate and compelling circumstances, the student has twenty (20) working days to submit a complaint against the decision in accordance with the ***Student Complaint and Appeal Policy*** and associated Procedure.

4.3.5 If the student chooses to access the Institute's complaint process, the student's enrolment will be maintained until the complaint and appeal process is completed and the Institute will not notify DIBP of any change to the student's enrolment status.

4.3.6 The request for deferment of commencement of study, any accompanying evidence and a copy of the written advice to the student of the decision will be placed on the student's file.

4.4 Procedure for international students applying for suspension of study

4.4.1 International students who wish to suspend their studies will advise Student Services or Admissions in writing and fill in the **Student Course Deferment or Suspension Form (continuing student)** that they wish to apply for a voluntary suspension of their studies. All relevant documentation supporting this request should also be submitted. This should be done before the semester commences.

4.4.2 Accounts will then check to see if the student is financial. If the student is not financial, the request will not be processed. If the student is financial, and the semester has not commenced, the student will be asked to pay for 2 units of fees, which will be credited to the following semester.

4.4.3 In the event that the request for suspension of studies demonstrates compassionate and compelling circumstances (as outlined in the accompanying Policy) and the student has paid the relevant fees, the Executive Dean or delegated nominee will approve the application and the student will be advised in writing by Student Services or Admissions of the decision within five (5) working days.

4.4.4 Admissions will access PRISMS to advise DIBP the period of suspension granted.

4.4.5 Admissions will ensure that the following tasks are undertaken:

- the student's financial records are adjusted to take account of the period of suspension of studies;
- e-mail the relevant personnel advising them that the student has suspended their study so that records can be updated, the student's computer access and e-mail account and library borrowing rights are suspended until the student recommences their studies;
- make a diary entry to set a reminder for when the student is due back.

4.4.6 If the request for suspension of studies does not demonstrate compassionate and compelling circumstances (as outlined in the accompanying Policy), the Executive Dean or delegated nominee will decline the request and will advise the student in writing within five (5) working days of the reason for the decision and that the student has twenty (20) working days to appeal the decision through the Institute's grievance handling procedures as set out in the **Student Complaint and Appeal Policy** and associated Procedure.

4.4.7 If the student chooses to access the Institute's complaint process, the Institute will maintain the student's enrolment until the complaint process is completed and will not notify DIBP of any change to the student's enrolment status through PRISMS.

4.4.8 The request for voluntary suspension of study, any accompanying evidence and a copy of the written advice to the student of the decision will be placed on the student's file.

4.5 Institution-initiated Suspension of Study or Cancellation of Enrolment

All students are subject to the potential for Institution-initiated suspension of study or cancellation of enrolment for both academic and non-academic misconduct (refer to the *Student Handbook*) or for non-payment of fees. Note that suspension due to unsatisfactory academic performance is covered by the ***Student Progression and Exclusion Policy*** and associated Procedure.

Students will have been made aware of the circumstances in which their studies may be suspended for misconduct prior to enrolment and during student orientation.

The following procedure relates to processing an Institution-initiated suspension or cancellation of enrolment:

- 4.5.1** The Course Coordinator, Registrar, Accounts or delegated nominee will present to the Executive Dean their intention to suspend a student's studies or cancel their enrolment for misconduct or non-payment of fees together with supporting evidence. Further information can be found in the Student Code of Conduct or the Academic Misconduct Policy and associated procedure.
- 4.5.2** The Executive Dean will consider the request to suspend the student's studies, and supporting evidence, and advise the relevant staff members of their decision.
- 4.5.3** In the event that the Executive Dean approves the request to suspend a student's studies or cancel their enrolment, the Executive Dean or delegated nominee will write to the student informing them of their intention, the reasons for the decision, the intention to notify DIBP of the change in enrolment status, and advise the student that if they wish to appeal the decision, they have twenty (20) working days to access the Institute's complaint and appeal procedures as set out in the ***Student Complaint and Appeal Policy*** and associated Procedure.
- 4.5.4** A copy of the letter and supporting evidence along with the documented decision is placed on the student's file.
- 4.5.5** If the student chooses to access the Institute's complaint and appeal procedure, the Institute will maintain the student's enrolment until the internal complaint and appeal process is completed and will not notify DIBP of any change to the student's enrolment status through PRISMS, except in extenuating circumstances relating to the welfare of the student.

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 AIH 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.

Any claim of extenuating circumstances will need to be supported by appropriate evidence.

- 4.5.6** The National Code does not require the Institute to continue providing learning opportunities throughout the twenty (20) working days allowed to appeal the decision and during the internal complaint and appeal process. Based on the nature of the misconduct, the Institute

will decide, on a case by case basis, whether to allow the student to continue to attend class, or make alternative study arrangements for the student, or to deny the student access to study opportunities. In making such a decision the Institute will consider whether denying the student learning opportunities throughout the twenty (20) day appeal period and during the internal complaint and appeal process may disadvantage the student in their subsequent studies should the complaint and appeal process find in their favour.

- 4.5.7** If the student chooses not to challenge the suspension of study or cancellation of their enrolment, or has unsuccessfully exhausted all internal appeal processes the suspension of study or cancellation of enrolment will be formally processed and Admissions will access PRISMS to advise DIBP of the change in the student's enrolment. Note that the Institute does not have to wait for the outcome of an external appeal before notifying DIBP of the change to the student's study status.
- 4.5.8** Admissions will ensure that the following tasks are undertaken:
- the student's financial records are adjusted to take account of the period of suspension or cancellation of enrolment, if applicable;
 - e-mail the relevant personnel advising them that the student's studies have been suspended or their enrolment has been cancelled so that records can be updated, the student's computer access and e-mail
 - account and library borrowing rights are suspended until the student recommences their studies or cancelled, as applicable;
 - make a diary entry to set a reminder for when the student is due back, if applicable.

Note: If the Institute notifies DIBP through PRISMS that a student's studies have been suspended for a significant period, the student must return to their home country unless special circumstances exist (for example, the student is medically unfit to travel). While the Institute determines the studying status of the student, it is DIBP who decides whether the student may remain in Australia or must return home. DIBP's policy is that if a student's studies are suspended for a period of 28 days or longer, the student must return home (unless special circumstances exist).

4.6 Not Meeting Conditional Offer Requirements

When a prospective international student receives an Institute Conditional Offer based on providing evidence of educational and/or English entry requirements and has been unable to provide evidence by the scheduled intake date, the following will occur:

1. The prospective international student's original course intake date may be deferred to the next semester's intake date provided that the required evidence of educational entry requirements are submitted prior to that semester's intake date. In this instance, all prepaid student fees for the Institute course will be transferred to the new intake start date and students will be required to extend their student visa to accommodate the revised end date of their studies.
2. If after one semester of deferment, the prospective student has still not achieved the required educational entry requirements, the Institute may withdraw the Conditional Offer and provide students with a refund of all fees except the enrolment fee (please refer to 4.1). This will allow the student to find alternative study arrangements with the conditions of the Institute's ***Refund Policy for International and Domestic Students*** implemented. The Institute may also defer the student for another semester with a prepayment of 4 units of tuition fees which will be fully credited to the semester when the student commences.

5. Version Control

This Procedure has been endorsed by the Australia Institute of Higher Education Chief Executive Officer as at March 2017 and is reviewed every 3 years. The Procedure is published and available on the Australian Institute of Higher Education website <http://www.aih.nsw.edu.au/> under 'Policies and Procedures'.

Change and Version Control				
Version	Authored by	Brief Description of the changes	Date Approved:	Effective Date:
2016-2	Registrar	Updated template	6 July 2016	6 August 2016
2017-1	Ms. McCoy	Restructured document; added box to beginning Revised/edited content	1 March 2017	6 March 2017