

# International Deferment, Suspension and Cancellation of Enrolment Policy and Procedure

## 1. Purpose and Scope

This policy outlines how and why international learners may have their enrolment deferred, suspended or cancelled.

This policy applies to all international learners, and AIE’s Administration Department.

## 2. Policy

AIE will defer, suspend or cancel international learner enrolments under compassionate or compelling circumstances.

Deferments, suspensions or cancellations can be initiated by the international learner. If AIE initiates a deferment, suspension or cancellation, AIE notifies the international learner of its intent to do so and advises them of their right to appeal through AIE’s internal appeals process.

Suspensions or cancellations cannot take effect until the internal appeals process has been completed, if the international learner appeals AIE’s intent to suspend or cancel their enrolment.

International learners must seek advice from the Department of Home Affairs if they have their enrolment deferred, suspended or cancelled. AIE must report the deferment, suspension or cancellation to PRISMS.

## 3. Implementation

The following positions, departments and/or groups are responsible for implementing this policy:

Party	Responsibility
<b>Board of Directors:</b>	Approval of policy.
<b>Executive Management Committee (AMC):</b>	Drafting and review of policy and related documents.
<b>Administration Department:</b>	Actioning deferments, suspensions and cancellations.
<b>Intranet Content Coordinator:</b>	Uploading new version to the AIE intranet.
<b>Senior Web Developer:</b>	Uploading new version to the AIE website.

## 4. Procedure(s)

### 4.1. Compassionate or Compelling Circumstances

International learners or AIE may initiate a deferment, suspension or cancellation of enrolment based on (but not limited to):

- a. Misbehaviour by the international learner, as outlined in the *Learner Handbook*
- b. The international learner's failure to pay tuition fees
- c. A breach of course progress or attendance requirements, as noted in *Learner Progress Policy and Procedure*
- d. Serious illness or injury, where a medical certificate states that the international learner was unable to attend classes
- e. Bereavement of close family members such as parents or grandparents (where possible, a death certificate should be provided)
- f. Major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the international learner's studies
- g. A traumatic experience
- h. 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.

Documentary evidence must be provided and recorded for all deferments, suspensions and cancellations.

### 4.2. Deferments Initiated by International Learners

Step	Process
1	The learner submits a completed <i>Deferment of Studies Application Form</i> , attaching supporting documentation, to campus Administration.
2	Campus Administration process the application in accordance with this policy.
3	If the application satisfies the requirements of compassionate and compelling circumstances, approval given in writing within 5 working days of the decision. The letter advises the learner that deferral may affect their student visa. When granting a pre-course deferral for longer than 2 weeks from the commencement date of the course, the CEO is consulted to confirm the likely impact of the deferral period upon the student's course progress.
4	If approved, the Department of Education/Home Affairs is notified via PRISMS.
5	If refused, the learner is advised of the decision in writing within 5 working days, outlining the reason for the decision. The learner is also advised of their right to lodge an appeal within 20 working days. See AIE's <i>International Student Complaints and Appeals Policy and Procedure</i> .
6	The Head of School is notified via email.

### 4.3. Suspensions Initiated by International Learners

Step	Process
1	The learner submits a completed <i>Deferment of Studies Application Form</i> , attaching supporting documentation, to Head of School. <b>Forms should be submitted at least 7 days before the date which the suspension is required.</b>
2	The Head of School advises the learner in writing that any change to their study program may affect their enrolment, course progress and or student visa. The student is also advised to contact the Department of Home Affairs for further assistance or advice.
3	The application and documentation are sent to campus Administration.
4	Campus Administration process the application in accordance with this policy.
5	If the application satisfies the requirements of compassionate and compelling circumstances, the learner is notified in writing within 5 working days of the approval.
6	Campus Administration notifies the Department of Education/Home Affairs via PRISMS.
7	If the application is refused, the learner is advised of the decision in writing within 5 working days, outlining the reason for the decision. The student is also advised of their right to lodge an appeal within 20 working days. See AIE's <i>International Student Complaints and Appeals Policy and Procedure</i> .
8	The application and documentation are stored in the learner's SMS profile. Learners <b>MUST</b> be reminded that <b>the Department of Home Affairs may expect students to return home where AIE approves an application for a period of more than 28 days.</b>
9	Extended leave of absence or deferral beyond a semester for any reason will result in the cancellation of the student visa.

### 4.4. Exclusions and Suspensions Initiated by AIE

Step	Process
1	The Head of School is notified about the learner's specific misbehaviour.
2	If the Head of School deems that the reported misbehaviour could result in exclusion from class or suspension of their enrolment, the learner is notified in writing of AIE's intention to exclude the from class or suspend their enrolment. The learner is invited to attend a counselling session to discuss the alleged misbehaviour.
3a	If the intention of the counselling session is that the learner is to be excluded from class for a period of time, the learner is given a copy of the counselling report identifying the agreed action. This option is only available once. If there is a period of exclusion, the learner's attendance records indicate the exclusion from class and this period will not count in their attendance calculations.
3b	If the intention of the counselling session is that the learner's enrolment should be suspended and this is confirmed at the counselling session, the learner is informed in writing, including a notification that temporary suspension could affect their student visa.
4	Learners are advised of their right to appeal within 20 working days in accordance with AIE's <i>International Student Complaints and Appeals Policy and Procedure</i> . AIE will not suspend a learner's enrolment until the outcome of the internal complaints and appeals process, unless there are extenuating circumstances relating to the welfare of learners. <b>Where the student is under 18, AIE will immediately contact the parent/s or guardian.</b>

## 4.5. Cancellations Initiated by International Students

Step	Process
1	The learner submits a <i>Withdrawal Form</i> to campus Administration.
2	Campus Administration process request by: <ul style="list-style-type: none"> <li>• Adding any necessary comments to the learner's SMS file</li> <li>• Advising the Accounts Department of any adjustments to be made to the learner's account, if applicable</li> <li>• Advising all relevant staff of the learner's withdrawal from studies and effective date</li> </ul>
3	The learner is informed in writing that AIE will notify the Department of Education via PRISMS that the learner's enrolment has been cancelled and on what date that the notification will occur.
4	The learner is also advised that they have 28 days from the cancellation date in which to enrol with another provider; otherwise, they will be required to leave the country as per <a href="#">student visa condition 8202</a> .

## 4.6. Cancellations Initiated by AIE

Step	Process
1	The Head of School is notified about the learner's specific misbehaviour that is grounds for cancellation.
2	The learner is informed in writing of the intention of AIE to cancel their enrolment and is also informed that they have 20 days in which to access AIE's internal complaints and appeals process in line with <i>International Student Complaints and Appeals Policy and Procedure</i> .
3	AIE will not cancel a learner's enrolment until the outcome of the internal complaints and appeals process, unless there are extenuating circumstances relating to the welfare of learners.
4	Where the learner's internal appeal is not successful, learners may access the external complaints and appeals process. <b>However, AIE will cancel the learner's enrolment.</b>
5	If the learner's enrolment is cancelled, the learner is also advised that they have 28 days in which to enrol with another provider; otherwise, they will be required to leave the country as per <a href="#">student visa condition 8202</a> .
6	The Head of School notifies campus Administration of the period of suspension or intention to cancel the learner's enrolment. Documentation is retained in the SMS.
7	Campus Administration notifies the Department of Education via PRISMS of the suspension or cancellation of the learner's enrolment.
8	The Head of School is notified once the action is complete.

## 5. Appeals

For any deferment, suspension or cancellation of enrolment initiated by AIE, the international learner must be given a notice of intention to report and 20 working days to access AIE’s internal complaints and appeals process (see *International Student Complaints and Appeals Policy and Procedure*). This applies even if an international learner’s misbehaviour is grounds for immediate expulsion, **UNLESS** the international learner’s health or wellbeing, or the wellbeing of others, is likely to be at risk (as outlined below).

AIE may proceed with the deferment, suspension, or cancellation after the internal complaints handling and appeals process has been completed. However, AIE must wait for both the internal **AND** external complaints handling and appeals processes to be completed during cases of unsatisfactory course progress and/or attendance breaches.

The international learner does not have to be given the opportunity to appeal an AIE-initiated deferment, suspension or cancellation of enrolment when the international learner’s health or wellbeing, or the wellbeing of others, is likely to be at risk. AIE must keep evidence to support this. Such situations may include, but is not limited to when the international learner:

- a. Refuses to maintain approved care arrangements if they are under 18 years of age
- b. Is missing
- c. Has medical concerns, severe depression or psychological issues which leads AIE to fear for the international learner’s wellbeing
- d. Has engaged or threatens to engage in behaviour that is reasonably believed to endanger themselves or others
- e. Is at risk of committing a criminal offence.

## 6. Definitions

The following definitions apply to this policy:

Term	Definition
<b>Cancellation</b>	The ending of a learner’s enrolment, either initiated by the learner or by AIE.
<b>Compassionate or Compelling Circumstances</b>	Those beyond the control of the overseas student and which have an impact upon the overseas student’s course progress or wellbeing.
<b>Deferment</b>	Postponing commencement of a course to a later date.
<b>International Learner</b>	An individual who is a resident or citizen of any country other than Australia, or holds temporary resident (visa status) of Australia, or permanent resident (visa status) of New Zealand, and who intends to study in Australia.
<b>Provider Registration and International Student Management System (PRISMS)</b>	An Australian government system in which education providers must complete reports.
<b>Suspension</b>	An approved pause in active engagement in a course.

## 7. Related Documents

**The following internal documents are related to this policy:**

- a. International Student Complaints and Appeals Policy and Procedure
- b. Learner Handbook
- c. Learner Progress Policy and Procedure
- d. Learner Withdrawal Policy and Procedure.

**The following legislation and standards are related to this policy:**

- e. Education Services for Overseas Students (ESOS) Act 2000 (Cth), Section 19
- f. Migration Act 1958 (Cth), Section 116(1)(fa)(i)
- g. National Code of Practice for Providers of Education and Training to Overseas Students (National Code 2018), Standards 8, 9 and 10
- h. Visa Condition 8202 – Meet Course Requirements.

## 8. Review

This document will be reviewed annually by the Academic Management Committee (AMC).

## 9. Revision History

This policy has undergone the following revisions:

Version No.	Version Description	Contributor(s)	Approval Authority	Date Revised/ Approved
1.0	Document created, approved and published.	<b>Linda Burrows</b> (National Compliance Officer) <b>Alexandra Mannell</b> (Deputy Head of School, Sydney)	BOD	1 July 2020
2.0	Updated to better reflect <i>National Code 2018</i> requirements.	<b>Linda Burrows</b> (Compliance Consultant) <b>Adam Walsh</b> (National Administration Coordinator) <b>Nick Markesinis</b> (Intranet Content Coordinator)	AMC	3 November 2023