



KEYSTONE COLLEGE
OF BUSINESS & TECHNOLOGY

Student Deferment, Suspension and Cancellation Policy

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Purpose:

This policy and related procedure in accordance with the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code) relates to Deferring, Suspending or Cancelling a Student's Enrolment (**Standard 9 – Part D**)

Scope

Deferment is the postponement of commencement date of the course and can only be initiated by a student. A student may only apply to defer their enrolment in compassionate and compelling circumstances.

Under the requirements of the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code), if an International Student (for the purposes of this policy “a student”) has enrolled in a course with Keystone College of Business and Technology (KCBT) they are not permitted to defer commencement of their studies or suspend their studies, except on the grounds of illness evidenced by a doctor's certificate, or other exceptional compassionate circumstances beyond the control of the student.

KCBT can only enable students to defer or temporarily suspend their studies, including granting a leave of absence, through formal agreement in certain limited circumstances:

- unavailability of a course;
- delay in the processing of a visa application, or;
- compassionate or compelling circumstances.

Students can only apply for suspension or deferral of enrolment based on the conditions above and supporting written evidence **MUST** be attached to the request.

If a student is found to have engaged in academic or non-academic misconduct KCBT may suspend or cancel the student's studies. A student may also withdraw from a course and thereby cancel their study for their own reasons.

If a student defers or suspends their studies on any other grounds, KCBT must report the student to DoHA via PRISMS, as not complying with their visa conditions.

Procedure

Students wishing to apply for deferral, withdrawal or release of enrolment must complete the **Course Variation Form**. Students must submit the form at KCBT reception or via an email to reception (the form must have student signature or e-signature).

- Applications must be received prior to the study period start date.
- Students need to be aware that any deferral or suspension of enrolment for any length of time may impact their student visa duration or finish date for their enrolled course. The students are encouraged to meet with the Student Support Manager / Administration Manager as part of the application process for deferral/withdrawal and release.
- The Administration Manager assesses the application and sends it to the enrolment team to process the application and notify the student of the outcome of his/her application within 10 working days.
- KCBT informs the Secretary of the DoE via PRISMS for all successful deferrals and the suspension or cancellation of students under the ESOS Act.
- If the request is denied for deferral/withdrawal or release, then the student may appeal the outcome in accordance with the KCBT Complaints and Appeals Policy.

Student Initiated Deferral, Suspension or Cancellation

Compassionate or compelling circumstances are generally those beyond the control of the student and which are likely to have an impact upon the student's course progress or wellbeing and could include, but are not limited to:

- Serious illness or injury, where a medical certificate states that the student is unable to attend classes;
- Death or illness of close family members such as parents or grandparents (where possible, a doctor's or death certificate is provided);
- Major political upheaval or natural disaster in the International Student's home country requiring emergency travel and this has impacted, or will impact, on the student's studies;
- 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 the student (these cases should be supported by police or psychologist's reports);
- where KCBT is unable to offer a pre-requisite unit; or

- Inability to begin studying on the course commencement date due to delay in receiving a student visa.

Deferral and suspension of studies:

- Deferral and suspension of studies will only be granted in compassionate or compelling circumstances as included in the definitions above. The circumstances listed are example of what may be considered compassionate or compelling circumstances and each case will be assessed on its individual merits.
- When determining whether compassionate or compelling circumstances exist, KCBT considers documentary evidence provided to support the claim, and stores copies of these documents in the student's file/ wisenet.
- A retrospective deferment or suspension may be justified if the student was unable to contact KCBT because of a circumstance such as being involved in a car accident.
- Where a student-initiated deferral or suspension of enrolment is granted, KCBT will suspend an enrolment for an agreed period of time - to a maximum of 6 months. If the deferral is required for longer than 6 months, the student's application will be re-assessed. If the suspension period has expired and the student does not return, the student's enrolment will be cancelled.
- Deferral approvals do not lead to changes in payment plans. Student must pay their tuition fee instalments as per the payment plan.

Visa status

- Deferral, suspension or cancellation of a student's visa may affect the student's visa. When a student's enrolment is deferred, suspended or cancelled, KCBT will notify the Department of Education and Training (DET) via PRISMS of the change in enrolment status. The Student's files will be reviewed to ensure final reporting to the Department of Home Affairs (DoHA) has been finalised after the 20 working day period has passed.
- Where a student accesses the Complaints and Appeals process, KCBT will not notify the Department of Education and Training (DET) via PRISMS until the internal appeals process is complete. Note that KCBT does not have to wait for the outcome of an external appeal before notifying DoHA of the change to the student's study status
- Students are referred to the Department of Home Affairs (DoHA) website (<https://www.homeaffairs.gov.au/>) or ESOS-visa enquiry helpline 131 881(within Australia) for information and their local Department of Home Affairs (DoHA) office for advice on how the potential change to enrolment status may impact student visa.

- Once the Department of Education and Training (DET) has been notified of a suspension or cancellation of a student's enrolment, the student has 28 days in which to leave Australia or show the Department of Home Affairs (DoHA) a new CoE or provide Department of Home Affairs (DoHA) with evidence that student has accessed an external appeals process.
- Regardless of whether the suspension of enrolment is the result of a student request for suspension or a suspension imposed by KCBT, the period of suspension of enrolment (as entered in PRISMS) will not be included in attendance monitoring calculations.

Leave of Absence

Student Support Manager in collaboration with the Course Coordinator may consider granting the student special leave on compassionate or compelling circumstances for approval of up to two weeks only. Students wishing to apply for a leave of absence must complete a "**Course Variation Form**" with all supporting documentation attached. The student will receive notification in writing of the result of the request.

KCBT Initiated Deferral, Suspension or Cancellation.

KCBT may defer commencement of a course when a course is not offered.

KCBT may suspend a student enrolment for:

- misconduct – where behaviour of a student:
 - has been in serious breach of KCBT rule
 - is in breach of enrolment conditions
 - is considered to provide a threat to the well-being of other students or staff

KCBT may cancel a student enrolment for:

- a serious breach of KCBT rules of enrolment
- 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

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

- The Student Support Manager or Course Coordinator present to the CEO their intention to suspend a student's studies or cancel their enrolment for misconduct together with supporting evidence;
- The CEO will consider the request to suspend the student's studies, and supporting evidence, and advise the Student Support Manager or Course Coordinator of their decision.
- In the event that the CEO approves the request to suspend a student's studies or cancel their enrolment, the Student Support Manager will write to the student informing them of their intention to suspend or cancel the student's enrolment, the reasons for the decision, the intention to notify DoHA of the change in enrolment status, and advice to the student that if they wish to appeal the decision they have 20 working days to access KCBT's complaint and appeals procedure.
- A copy of the letter and supporting evidence along with the documented decision is placed on the student's file.
- If the student chooses to access KCBT's complaint procedure, KCBT will maintain the student's enrolment until the internal complaint process is completed and will not notify DoHA 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 that lead KCBT to fear for the student's well-being;
 - 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.
- The National Code does not require KCBT to continue providing learning opportunities throughout the 20 working days allowed to appeal the decision and during the internal complaint process. Based on the nature of the misconduct, KCBT will decide, on a case-by-case basis, whether to allow the student to continue to attend class, make alternative study arrangements for the student, or deny the student access to study opportunities. In making such a decision KCBT will consider whether denying the student learning opportunities throughout the 20-day appeal period and during the internal complaint

process may disadvantage the student in their subsequent studies should the complaint process find in their favour.

- 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 the Administration Manager will access PRISMS to advise DoHA of the change in the student's enrolment. Note that KCBT does not have to wait for the outcome of an external appeal before notifying DoHA of the change to the student's study status.
- Students are informed that deferring, suspending or cancelling enrolment may affect student visa.