

Deferment, Suspension & Cancellation of Study Policy

Purpose

ELC Policy & Procedure for International Student Deferment, Suspension and Cancellation of Study, outlines the conditions under which students may defer or temporarily suspend their studies, including granting a leave of absence during the course through formal agreement in certain limited circumstances.

Under the requirements of the National Code of Practice for Providers of Education and Training to Overseas Students 2018, standard 9, international students enrolled in a vocational course at ELC Career College are not permitted to defer the commencement of their studies or suspend their studies, except:

- on the grounds of illness evidenced by a doctor's certificate, stating that the student is unable to attend classes
- exceptional compassionate or compelling circumstances beyond the control of the student
- student misconduct or misbehaviour

Deferment, suspension and cancellation may affect a student's visa and ELC must report by maintaining updated information in the Provider Registration and International Student Management System (PRISMS) database. If a student defers or suspends their studies on any other grounds, ELC must report the student via PRISMS, as not complying with visa conditions.

This policy and procedure is designed to provide a procedure for assessing, approving and recording deferment of the commencement of study, suspension of study or cancellation of study for international students.

Student -Initiated Application for Deferment or Suspension of Study

International students may apply to defer their studies if they are unable to commence their course on the scheduled commencement date or default start date for voluntary suspension of their studies if they are unable to attend the course for a specified period of time under specified compassionate or compelling circumstances.

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 well-being and could include, but are not limited to:

- serious illness or injury, where a medical certificate states that the student will be unable to attend classes
- death or illness of close family members, such as parents or grandparents (where possible, a doctor's or death certificate should be 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 crimeIf this has impacted on the student (these cases should be supported by police or psychologist's report)
- where ELC Career College was unable to offer a pre-requisite unit
- inability to begin studying on the course commencement date, due to delay in receiving a student visa.

If an international student defers or suspends their studies at ELC for other reasons, the student will be required to provide compelling documentary evidence to support their request.

International students are advised of the circumstances and consequences regarding deferment or suspension of study, prior to enrolment and during the student orientation process.

International students applying to defer or suspend their studies will be reminded that a successful application may affect their student visa. International students are advised to contact DHA 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.

The maximum time allowed for a deferment or voluntary suspension of study is one study period (9 weeks not including holidays).

Procedure

1. The following procedure applies to international students applying for a deferment of commencement of study:

1.1 International students who wish to defer the commencement date of their course must advise ELC Admissions Officer, in writing of their request, accompanied by documentation clearly demonstrating the compassionate or compelling reasons why the deferment should be granted. The application will be approved or rejected, based on the evidence as per National Code of Practice Standard 9.

1.2 In the event that the request for deferment of studies demonstrates compassionate and compelling circumstances (as outlined above) ELC Career College will approve the application and the Admissions Officer will advise the student in writing of the decision within 10 working days.

1.3 Admissions Officer accesses PRISMS and advises DHA of the period of deferment granted through PRISMS reporting by issuing a Student Course Variation

1.4 If the request for deferment of commencement of study does not meet the requirements for compassionate and compelling circumstances (as outlined above) ELC Career College will not approve the application and the Admissions Officer will advise the student has 20 working days to appeal the decision through ELC's grievance and resolution procedures.

1.5 If the student chooses to access ELC Career College's grievance process, the student's enrolment will be maintained until the grievance process is completed and ELC will not notify DHA through PRISMS, reporting of any change to the student's enrolment status.

1.6 The request for deferment or commencement of the 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 and notes on the student database.

2. The following procedure applies to international students requesting a voluntary suspension of their study:

2.1 International students who wish to suspend their studies will advise ELC in writing that they wish to apply for a voluntary suspension of their studies. The Admissions officer will meet with the student to discuss their request. The Admissions officer will also advise the student if there are any fees owing and discuss how payment will be settled.

2.2 In the event that the request for suspension of studies demonstrates compassionate and compelling circumstances (as outlined above), the Admissions Officer will approve the application and will advise the student in writing of the decision within 10 working days. Serious family matters that require the student to return to their home country will be addressed immediately under serious circumstances such as illness or death of a family member.

2.3 The Admissions Officer will access PRISMS to advise DHA of the period of suspension granted if it impacts on the expected duration to complete their studies. This will be in the form of the issuance of a Student Course Variation (SCV)

2.4 The Admissions Officer will ensure that the following tasks are undertaken:

- inform the accounts department if the student's financial records are adjusted to take account of the period of suspension of studies
- advise the relevant personnel advising them that the student has suspended their study so that records can be updated, the student's eLearning access and student portal account are suspended until the student recommences their studies
- Ensure that appropriate documentary evidence is placed on the student file with the request
- make notes on the student information database, to set a reminder for when the student is due back

2.5 If the request for suspension of studies does not demonstrate compassionate and compelling circumstances (as outlined above) the Admissions Officer will not approve the request and will advise the student in writing within 10 working days, of the reason for the decision and that the student has 20 working days to appeal the decision through ELC Career College's appeal procedures.

2.6 If the student chooses to access ELC Career College's complaints and appeals process, ELC will maintain the student's enrolment until the complaints and appeals process is completed and ELC will not notify DHA of any change to the student's enrolment status through PRISMS

2.7 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 profile and recorded on student database.

Institute-Initiated Suspension of Study or Cancellation of Enrolment

International students are subject to the potential for Institution-Initiated suspension of study or cancellation of enrolment, for either academic and/or non-academic misconduct or failure to comply with the conditions of the student visa. Note that suspension due to unsatisfactory academic performance is covered by the ELC Career College Policy for Course Progress. International 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.

New students commencing studies will be given a formal start date and a default start date on their letter of offer and CoE. If a student does not commence by the default date, they will be automatically reported on PRISMS for non-commencement, as per TPS reporting requirements.

ELC Career College informs current students of an institutional intention to suspend or cancel the student enrolment, where it is institutionally initiated by the issuance of an intention to report letter signed by the Administration or the RTO Manager. The student is provided with 20 working days to access the ELC Career College complaints and appeals process as per Standard 10 of the National Code 2018, from the date the letter has been issued. If the student accesses the complaints and appeals process, the suspension or cancellation of the student's enrolment cannot be reported on PRISMS until the internal complaints and appeals process is completed, unless extenuating circumstances relating to the welfare of the student applies.

Procedure

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

1. The Administration Manager may consider suspending a student's studies or canceling their enrolment for misconduct or failure to comply with conditions of the student visa together with supporting evidence
2. The Administration Manager will collect supporting evidence such as non-academic progress, poor attendance from the student information database, academic or non-academic misconduct as per evidence provided to make the decision.
3. In the event that the Administration Manager approves the request to suspend a student's studies or cancel their enrolment, ELC 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 DHA through PRISMS 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 ELC Career College's appeals procedure from the date of the letter.
4. A copy of the letter and supporting evidence along with the Administration Manager documented decision is placed on the student's file and recorded notes on the student database.
5. If the student chooses to access ELC Career College's grievance & appeals process, ELC will maintain the student's enrolment until the internal grievance process is completed and will not notify DHA through PRISMS reporting, 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 ELC 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 offense

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

6. The National Code does not require ELC Career College to continue providing learning opportunities throughout the 20 working days allowed to appeal the decision and during the internal complaints and appeals process. Based on the nature of the misconduct, ELC 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 ELC will consider whether denying the student learning opportunities throughout the 20-day appeal period and during the internal complaints and appeals process may disadvantage the student in their subsequent studies, should the appeals process find in their behaviour.

7. If the student chooses not to appeal 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 Registrar will access PRISMS to advise DHA of the change in the student's enrolment. Note that ELC does not have to wait for the outcome of an external appeal before notifying DHA of the change to the student's study status.

8. The Administration Manager 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
- inform 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 eLearning access and student portal account is suspended until the student recommences their studies or cancelled, as applicable.
- make notes on the student database to set a reminder for when the student is due back, if applicable.

Note: If ELC Career College notifies DHA 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 ELC determines the studying status of the student, it is DHA who decides whether the student may remain in Australia or must return home. DHA'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).

Extension of Duration of Studies

Some students who have been suspended or deferred their studies may require an extension to the duration, to complete their course if they cannot complete the course requirements as specified on the Confirmation of Enrolment as a result of:

- compassionate or compelling circumstances (such as illness where medical certificates state that the student was unable to attend classes or where the registered provider was unable to offer a pre-requisite unit)
- ELC implementing its intervention strategy for students where not able to meet satisfactory course progress
- an approved deferment or suspension of study has been granted under National Code 2018, Standard 9.

Where the suspension or deferment has resulted in a variation in the student's enrolment load, which may affect the student's expected duration of study in accordance with National Code Standard 9, ELC Career College is to record this variation and the reasons for it on the student file. ELC will report the student via PRISMS and/or issue a new CoE, when the student can only account for the variation by extending his/her expected duration of study.

Except in the circumstances are specified above, the expected duration of study specified in the student's CoE must not exceed the CRICOS registered course duration.