



AUSTRALIAN INSTITUTE OF  
COMMERCE + TECHNOLOGY

Policies and  
Procedures

## Standard 13 - International Student Deferment, Suspension and Cancellation of Study Policy & Procedures

ESOS National Code Standard 13

Standard Related

### 1. Background

Under the requirements of the ESOS Acts and National Code 2007, if an International Student (for the purposes of this policy “a student”) has enrolled in a course with Australian Institute of Commerce and Technology (“AICT”) 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. If a student defers or suspends their studies on any other grounds, AICT must report the student to DIBP via PRISMS, as not complying with their visa conditions.

If a student is found to have engaged in academic or non-academic misconduct AICT 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.

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.

### 2. Student-initiated application for deferment or suspension of study

#### Overview

International Students may apply to defer their studies if they are unable to commence their course on the scheduled commencement date or for voluntary suspension of their studies if they are unable to attend the course

- 1 Refers to the Commonwealth Education Services for International Students Act 2000
- 2 Refers to the National Code of Practice for Registration Authorities and Providers of Education and Training to International Students 2007
- 3 Refers to the Commonwealth Department of Education, Employment and Workplace Relations
- 4 Refers to the Commonwealth Department of Immigration Border Protection for a specified period of time, in 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 wellbeing 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);

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- 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 on the student (these cases should be supported by police or psychologist’s reports);
- Where AICT 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.

International Students may also defer or suspend their studies with AICT for other reasons; however, 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 on the *Application for Deferment of Commencement, Suspension or Cancellation of Studies Form* that a successful application may affect their student visa. International Students are advised to contact 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 voluntary suspend their study.

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

## 2. Procedure

2.1 The following procedure applies to International Students applying for a deferment of commencement of study:

1. International Students who wish to defer the commencement date of their course must advise the International Admission Manager in writing on the Application for Deferment of Commencement, Suspension or Cancellation of Studies Form of their request accompanied by documentation clearly demonstrating the compassionate or compelling reasons why the deferment should be granted
2. In the event that the request for deferment of studies demonstrates compassionate and compelling circumstances (as outlined above) the International Admission Manager will approve the application and advise the student in writing of the decision within 5 working days.
3. The PRISMS Reporting Officer will access PRISMS to advise DIBP the period of deferment granted.
4. If the request for deferment of commencement of study does not meet the requirements for compassionate and compelling circumstances (as outlined above) the International Admission Manager will not approve the application and will advise the student in writing within 5 working days of the reason for the decision and that the student has 20 working days to appeal the decision through AICT’s complaint handling procedures (refer to Denied deferment of commencement or suspension of studies letter).
5. 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

2.2 The following procedure applies to International Students requesting a voluntary suspension of their study:

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1. International Students who wishes to suspend their studies will advise the International Admission Manager in writing on the Application for Deferral of Commencement, Suspension or Cancellation of Studies Form that they wish to apply for a voluntary suspension of their studies. The International Admission Manager will make an appointment to meet with the student to discuss their request. The International Admission Manager will also advise the student if there are any fees owing and discuss how payment will be settled. The International Admission Manager will also check to see if there are any learning resources or equipment on loan to the student and make arrangements for their return.
2. In the event that the request for suspension of studies demonstrates compassionate and compelling circumstances (as outlined above) the International Admission Manager will approve the application and will advise the student in writing of the decision within 5 working days.
3. The PRISMS Reporting Officer will access PRISMS to advise DIBP the period of suspension granted.
4. The International Admission Manager will ensure that the following tasks are undertaken:
  - a. the student's financial records are adjusted to take account of the period of suspension of studies;
  - b. e-mail the relevant personnel advising them that the student has suspended their study so that records can be updated and any necessary arrangements made;
  - c. make a diary entry to set a reminder for when the student is due back.
5. If the request for suspension of studies does not demonstrate compassionate and compelling circumstances (as outlined above) the International Admission Manager will not approve the request and will advise the student in writing within 5 working days of the reason for the decision and that the student has 20 working days to appeal the decision through AICT's complaint handling procedures (refer to Denied deferral of commencement or suspension of studies letter).
6. If the student chooses to access AICT's complaint, AICT will maintain the student's enrolment until the complaint process is completed and AICT will not notify DIBP of any change to the student's enrolment status through PRISMS.
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 file.

### 3. Institution-initiated suspension of study or cancellation of enrolment

#### Overview

All International Students are subject to the potential for Institution-initiated suspension of study or cancellation of enrolment for both academic and non-academic misconduct if they are in breach of the Student Charter. Note that suspension due to unsatisfactory academic performance is covered by the International Student Satisfactory Course Progression Policy and Procedure.

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. The Student Charter also forms part of the Student Handbook.

#### Procedure

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

1. The International Admission Manager will present to the CEO their intention to suspend a student's studies or cancel their enrolment for misconduct together with supporting evidence;
2. The CEO will consider the request to suspend the student's studies, and supporting evidence, and advise the International Admission Manager of their decision.
3. In the event that the CEO approves the request to suspend a student's studies or cancel their enrolment, the International Admission 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 DIBP 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 AICT's complaint handling procedure (refer to Denied deferment of commencement or suspension of studies letter).
4. A copy of the letter and supporting evidence along with the documented decision is placed on the student's file.
5. If the student chooses to access AICT's complaint procedure, AICT will maintain the student's enrolment until the internal complaint 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 AICT 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.

6. The National Code does not require AICT 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, AICT 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 AICT 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.
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 the PRISMS Reporting Officer will access PRISMS to advise DIBP of the change in the student's enrolment. Note that AICT does not have to wait for the outcome of an external appeal before notifying DIBP of the change to the student's study status.
8. The International Admission Manager will ensure that the following tasks are undertaken:

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- 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 and any necessary arrangements made;
- make a diary entry to set a reminder for when the student is due back, if applicable.

Note: If AICT 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 AICT 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. Student-initiated cancellation of study

##### Overview

An International Student may voluntarily withdraw from a course at any time. In this case the student's enrolment will be cancelled and the following procedure will apply.

##### Procedure

1. The following procedure relates to processing a student-initiated cancellation of enrolment:
2. The student will advise the International Admission Manager in writing on the Application for Deferment of Commencement, Suspension or Cancellation of Studies Form of their intention to withdraw from their studies;
3. A copy of the request and any supporting documentation along with any comments from the International Admission Manager is placed on the student's file;
4. The cancellation of the student's enrolment will be formally processed and the PRISMS Reporting Officer will access PRISMS to advise DIBP of the change in the student's enrolment status.
5. The International Admission Manager will ensure that the following tasks are undertaken:
  - the student's financial records are adjusted to take account of the cancellation of enrolment, if applicable;
  - e-mail relevant personnel advising them that the student's enrolment has been cancelled so that records can be updated and any necessary arrangements are made.

#### Publication

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International Students are advised of this policy prior to enrolment through publication on AICT's website ([www.aict.wa.edu.au](http://www.aict.wa.edu.au)).

## Related documentation

- Application for deferment of commencement, suspension or cancellation of studies
- Denied deferment of commencement or suspension of studies letter
- Studies suspended or cancelled by AICT letter

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