



DEFERMENT, SUSPENSION & CANCELLATION PROCEDURE

PURPOSE

This procedure is to ensure that fair and equitable processes are utilised when deferring, suspending or cancelling a student's enrolment, whether initiated as a result of a student request or by The Academy of International Education (Australia).

SCOPE

This procedure covers:

1. DEFERMENT OF COMMENCEMENT (Requested by Student)

The Academy of International Education (Australia) will only grant a deferment of commencement of studies for compassionate and compelling circumstances.

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

- serious illness or injury, where a medical certificate states that the student was unable to attend classes;
- bereavement of close family members such as parents or grandparents;
- major political upheaval or natural disaster in the home country requiring emergency travel when this has impacted on the student's studies; or
- a traumatic experience which could include:
 - involvement in, or witnessing of a serious accident;
 - witnessing or being the victim of a serious crime when this has impacted on the student.(these cases should be supported by police or psychologists' reports)
- where the registered provider was 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.

When determining whether compassionate or compelling circumstances exist, the college consider documentary evidence provided to support the claim, and to keep copies of these documents in the student's file.

The final decision for assessing and granting a deferment of commencement of studies is the responsibility of the Principal Executive Officer.

2. DEFERMENT OF COMMENCEMENT (Initiated by TAIE)

The Academy of International Education (Australia) may initiate a course deferment on the grounds that it is not able to offer a suitable class for a student at the time of the student's initial commencement date.

Under these circumstances, the student is entitled to a refund in accordance with TAIE's Refund Policy and Procedure.

Course deferments will be recorded on PRISMS.

3. SUSPENSION (Requested by Student)

Once the student has commenced study, The Academy of International Education (Australia), will only grant a suspension of study for compassionate and compelling circumstances.

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

- serious illness or injury, where a medical certificate states that the student was unable to attend classes;
- bereavement of close family members such as parents or grandparents;
- major political upheaval or natural disaster in the home country requiring emergency travel when this has impacted on the student's studies; or
- a traumatic experience which could include:
 - involvement in, or witnessing of a serious accident;
 - witnessing or being the victim of a serious crime when this has impacted on the student.(these cases should be supported by police or psychologists' reports)
- where the registered provider was unable to offer a pre-requisite unit;
or

The period of suspension will not be included in attendance calculations.

The final decision for assessing and granting a suspension of studies lies with the Principal Executive Officer.

4. SUSPENSION (Initiated by TAIE)

The Academy of International Education (Australia) may initiate a suspension of studies on the grounds of misbehaviour of a student, in accordance with TAIE's



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Student Code of Conduct, Sexual Harassment, Workplace Bullying and Disciplinary Procedures.

Students who have been suspended for more than 28 days will be advised, in writing, that they are required by DIAC to return to their home country, unless extenuating circumstances prevent them from so doing.

Attendance will not be recorded during the period of suspension.

Course suspensions will be recorded on PRISMS.

5. CANCELLATION

The Academy of International Education (Australia) may initiate the cancellation of a student's enrolment on the following grounds:

1. A repeated or severe breach of TAIE's Student Code of Conduct and/or Sexual Harassment, Workplace Bullying and Disciplinary Procedures
2. The student no longer holds a Student Visa
3. The student's failure to pay required course fees
4. The approval of a student's Request for Cancellation by the Principal Executive Officer

The final decision for assessing and granting a cancellation of studies is the responsibility of the Principal Executive Officer.

Course cancellations will be recorded on PRISMS.

RESPONSIBILITIES

The Principal Executive Officer has sole responsibility for:

- Authorising any student's request for deferment, suspension or cancellation
- Authorising any deferments, suspensions or cancellations initiated by The Academy of International Education (Australia)



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PROCEDURES

STUDENT INITIATED REQUESTS

Student requesting for deferment/suspension/Cancellation of study must submit to Administration the following:

1. Completed the Deferment/Suspension/Cancellation of Study Application form,
2. Written and valid supporting documents

On receipt of a request from a student, in writing, for deferment, suspension or cancellation of studies, the receiving staff member of TAIE will:

1. Immediately place a copy on the student's administrative file.
2. Forward the original request to the Principal Executive Officer for action.

On receipt of the request, the Principal Executive Officer will:

1. Consider the reasons behind the application for deferment, suspension or cancellation of studies.
2. Decide if the application is warranted.
3. Advise the student within 10 working days, in writing, whether their request has been approved or rejected.
4. Advise the student that the requested change may affect their visa status, and that they should view the DIAC web site, contact the Help Line or contact the local DIAC office for advice.
5. Advise the Administration Manager to place a copy of the decision and letter of notification on the Student's Administrative File.
6. Notify DIAC by recording the decision on the PRISMS database.

TAIE INITIATED ACTIONS

Deferment

The Principal Executive Officer may, at his discretion, decide that TAIE is not in a position to deliver a proposed course. Should this occur, the Principal Executive Officer will:

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1. Immediately notify all students enrolled in the proposed course, in writing, that TAIE will be deferring commencement of the proposed course, advising the new commencement date.
2. Offer students affected by the decision an alternative commencement date, if available, or refund of all fees paid.
3. Allow the students to transfer their enrolment into another course available that meets their requirements.
4. The resulting correspondence will be given to the Administration Manager to place on each respective student's Administrative file.

Suspension

The Principal Executive may, at his discretion, suspend a student from studies as per Point 4 of this procedure. Should a student's actions be found by the Principal Executive Officer to warrant suspension, the PEO will:

1. Notify the student, in writing, advising:
 - The grounds for the suspension
 - The length of the suspension
 - Whether they are permitted to attend class during the suspension or whether they will be given activities to do under supervision
 - They are required by DIAC to return to their home country, unless extenuating circumstances prevent them from so doing, if the suspension is in excess of 28 days
 - They have 28 days in which to lodge an appeal against the decision
 - If the appeal and any subsequent external appeal process are unsuccessful, TAIE will notify DIAC of the suspension.
2. Give a copy to the Administration Manager to place on the student's Administrative file.
3. Following the expiration of the student's timeframe for appealing the decision (28 days), and any external appeals process, to notify DIAC immediately by recording the decision on the PRISMS database.

Cancellation

The Principal Executive may, at his discretion, cancel a student's enrolment as per Point 5 of this procedure. Should a student's actions be found by the Principal Executive Officer to warrant cancellation of enrolment, the PEO will:

1. Notify the student, in writing, advising:
 - The grounds for the cancellation
 - They have 28 days in which to lodge an appeal against the decision
 - They are/are not permitted to attend class (dependent upon the circumstances of the cancellation) until the expiration of the appeals process
 - They are required to contact DIAC within 28 days of the notification as their student visa could be cancelled
2. Give a copy to the Administration Manager to place on the student's Administrative file.
3. Following the expiration of the student's timeframe for appealing the decision (28 days), and any external appeals process, to notify DIAC immediately by recording the decision on the PRISMS database.

COMPLAINTS & APPEALS

Students may access TAIE's Complaints & Appeals if their application for deferment, suspension or cancellation of CoE is not approved.

TAIE initiated suspension or cancellation, where the suspension/cancellation is to be recorded in PRISMS, are subject to TAIE's Complaints & Appeals Policy and Procedure.

The student is required to maintain enrolment and attendance at all classes as normal for the duration of the appeals process, unless deemed unsuitable by the Principal Executive Officer. The Principal Executive Officer will determine if participation in studies will be in class or under a supervised arrangement outside of classes.

If a student accesses TAIE's complaints and appeals process following a TAIE initiated suspension or cancellation, where the suspension/cancellation is to be recorded in PRISMS, the suspension or cancellation will not be reported in PRISMS until the complaints and appeals process is finalised (28 days following notification to student), and the external appeals process, unless extenuating circumstances relating to the welfare of the student apply. Extenuating circumstances include:



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1. The student is missing
2. The student has medical concerns or severe depression or psychological issues which lead TAIE to fear for the student's wellbeing
3. The student has engaged or threatened to engage in behaviour that is reasonably believed to endanger the student or others
4. The student is at risk of committing a criminal offence
5. The student is the subject of investigation relating to criminal matters.

The use of extenuating circumstances by The Academy of International Education (Australia) to suspend or cancel a student's enrolment prior to the completion of any complaints and appeals process will be supported by appropriate evidence.

The final decision for evaluating extenuating circumstances lies with the Principal Executive Officer.

STUDENT ADVICE

Deferment, suspension and cancellation of enrolment can have an effect on a student's visa as a result of changes to enrolment status, and as such, students will be informed, in writing, to contact the Department of Immigration for advice.

REFERENCES

- National Code - 13 (2.16, 5, 8)
- ESOS Act Section - 19
- ESOS Regulations - 3.02, 3.03
- Student Visa Conditions - 8202
- Migration Act 1958