

DEFERRING, SUSPENDING OR CANCELLING A STUDENT'S ENROLMENT PROCEDURE

Approving authority	Executive Management Team
Purpose	This procedure outlines the obligations of the Institute to refuse enrolment, defer, suspend or cancel enrolment under specified conditions.
Responsible Officer	Head of Student Services and Administration
Next scheduled review	June 2021
Document Location	http://www.ozford.edu.au/higher-education/policies-and-procedures/
Associated documents	Academic Progress Policy and Procedure Academic Integrity Policy and Procedure Student Code of Conduct and Procedure Completion within Expected Duration of Study Policy and Procedure Student Grievances & Appeals Policy and Procedure Student Services & Support and Procedure

1. PRINCIPLES

Oxford Institute of Higher Education (hereafter referred to as “the Institute”) acknowledges that students are able to initiate deferral, suspension or cancellation of their studies in certain limited circumstances as described in the procedure. Students may also have their enrolment suspended or cancelled by the Institute due to misconduct, breach of student visa conditions, failure to pay fees or unsatisfactory academic performance. Matters relating to academic performance are addressed in the *Academic Progress Policy* and the related appeals policies.

2. SCOPE

The procedure applies to both **domestic** and **international students** but is based on the requirements that must be met with respect to international students. External notifications and references to Confirmation of Enrolment apply to international students only, except where indicated to the contrary.

For international students, this procedure supports Standard 9 of the ESOS National Code 2018 – Deferring, Suspending or Cancelling overseas student’s enrolment.

3. DEFINITIONS

Compassionate or 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 and this has impacted on the student’s studies;
- a traumatic experience that has impacted on the student which could include involvement in, or witnessing of a serious accident; and witnessing or being the victim of a serious crime, supported by police or psychologist’s reports; or
- where the Institute was unable to offer a pre-requisite unit.

ESOS National Code

The ESOS National Code refers to the National Code of Practice for Providers of Education and Training to Overseas Students 2018 established under the Education Services for Overseas Students Act 2000.

PRISMS

The Provider Registration and International Students Management System (PRISMS) provides Australian education providers with the Confirmation-of-Enrolment (CoE) facilities required for compliance with the Education Services for Overseas Students (ESOS) Legislation.

4. PROCEDURES

4.1 *Student Initiated Deferral*

- A student wishing to defer an enrolment must do so prior to the commencement of the course. Students must complete an 'Application of Deferral of Study Form' and submit to the Student Admissions Department. Enrolment may be deferred in compassionate and compelling circumstances, including the inability to begin studying on the course commencement date due to a delay in receiving a student visa.
- The student will be advised that they should contact the Department of Home Affairs, where relevant, for advice on how any deferral will affect the student's visa.
- All applications for deferral documentation will be kept in the students file and Department of Education & Training / Department of Home Affairs shall be notified via PRISMS, of the decision to defer the enrolment as a result of the student's request.
- Where necessary, a new CoE will be issued.

4.2 *Student Initiated Suspension*

- Once a student has started his or her course at the Institute, the student is only able to temporarily suspend his or her enrolment on the grounds of compassionate or compelling circumstances.
- Students who wish to suspend their studies must first complete an application form with supporting documentary evidence. Applications with no supporting documentary evidence will not be processed.
- The Head of Student Services & Administration ('HOSSA') will use his/her professional judgment to assess each case on its individual merits. When determining whether compassionate or compelling circumstances exist, the Institute will consider documentary evidence provided to support the claim, and will keep copies of these documents in the student's file.
- If a female student applies for a suspension of studies on the basis of pregnancy, the Institute will follow normal processes for assessing a suspension of studies. However as a general rule, the suspension will commence no earlier than six weeks prior to the expected birth (unless otherwise supported by medical evidence) with the return date of the student being calculated as being at the beginning of the next teaching period that is at least 8 weeks after the birth.
- If the requested suspension is longer than 12 months, then the student will be required to withdraw from the course and reapply when they are ready to return.
- Where a suspension of enrolment is granted, the Institute will suspend an enrolment for an agreed period of time - to a maximum of 12 months. For students on student visas, the HOSSA will inform students to seek advice on the potential impacts on their student visas. The HOSSA will report the change of the students' enrolments on PRISMS.
- Where a suspension of enrolment is not granted, the Institute will inform students accordingly and students will be advised of their rights to seek internal appeals.
- All application documentation for the suspension will be kept in the students' file and if relevant, the Department of Education/ Department of Home Affairs shall be notified via PRISMS of the decision to suspend the enrolment as a result of the student's request.

4.3 *Student Initiated Cancellation*

- Students who wish to cancel their enrolments must complete the Application for Course Withdrawal Form and submit to the Student Services Department. If relevant, the students will be advised that they should contact the Department of Home Affairs for advice on how this will affect their visas.
- An international student who wishes to cancel his or her enrolment prior to completing the first six months of his or her principal course must provide a letter of offer from an alternative provider. This is required under Standard 7 of the National Code and further information can be obtained from the *Transfer between Registered Providers Policy and Procedures*.
- All application documentation for the cancellation will be kept in the students file and if relevant, the Department of Education/ the Department of Home Affairs shall be notified via PRISMS of the decision to cancel the enrolment as a result of the student's request.

4.4 *Provider Initiated Deferral, Suspension or Cancellation*

4.4.1 The Institute may initiate a suspension or cancellation of students' enrolment in the following circumstances, including, but not limited to:-

- misbehaviour by the student;
- A breach of course progress;
- The student's failure to pay an amount he or she was required to pay the Institute to undertake or continue the course as stated in the Acceptance Agreement or

4.4.2 Matters relating to academic misconduct by the student are addressed in the Academic Integrity Policy and Procedures and Student Code of Conduct.

4.4.3 Matters relating to a breach of course progress are addressed in the Course Progress Policy and Procedures.

4.4.4 In some cases where the student's misconduct is severe, the Institute's Executive Management Team has the right to cancel the student's enrolment. Severe misconducts include but not limited to:

- acting dishonestly in relation to admission to the Institute;
- knowingly making any false or misleading representation about things that concern the student as a student of the Institute or breaching any of the Institute's rules;
- altering any documents or records;
- harassing or intimidating another student, a member of staff, a visitor to the Institute, or any other person while the student is engaged in study or other activity as an Institute student, because of race, ethnic or national origin, sex, marital status, sexual preference, disability, age, political conviction, religious belief or for any other reason;
- breaching any confidence of the Institute;
- Misusing any facility in a manner which is illegal or which is or will be detrimental to the rights or property of others. This includes the misuse, in any way, of any computing or communications equipment or capacity to which the student has access at or away from the Institute premises while acting as an the Institute student, in a manner which is illegal or which is or will be detrimental to the rights or property of others;
- stealing, destroying or damaging a facility or property of the Institute or for which the Institute is responsible

4.4.5 If the Institute initiates a suspension or cancellation of the student's enrolment, before imposing a suspension or cancellation, the Institute will inform the students of that intention and the reasons for doing so, in writing.

- 4.4.6 The students will be advised of their right to appeal through the Institute's internal Students Grievances and Appeals process.
- 4.4.7 The cancellation of an overseas student's enrolment may take effect before the internal appeals process is completed if the health and wellbeing of the student and/or others are likely to be at risk.
- 4.4.8 Students who feel that the decision is unfair or that they have other grounds to appeal may appeal the decisions using the Institute's Student Grievances and appeals processes. No changes on the students' enrolments will be made during the appeal process.
- 4.4.9 Where the outcome of an internal appeal finds that a suspension of enrolment can be imposed -, the student will be informed in writing and the HOSSA will advise the student to contact the Department of Home Affairs to seek advice on the potential impact on his or her student visa. The HOSSA will report the change of the student's enrolment on PRISMS.
- 4.4.10 Where the outcome of an internal appeal finds that a cancellation of enrolment can be imposed -, the student will be informed in writing and the HOSSA will advise the students to contact the Department of Home Affairs to seek advice on the potential impact on his or her student visa. The HOSSA will report the change of the student's enrolment on PRISMS.
- 4.4.11 An international student who ceases attending a course or does not return from leave for the commencement of a new trimester, and is not contactable by the Institute, has "inactively" advised the Institute of his/her failure to continue studying. Under Section 19(1) of the ESOS Act, the Institute must notify the Department of Education & Training/Department of Home Affairs via PRISMS of the termination of an accepted student's studies, within 14 days of the event occurring. This process does not require the Institute to give the student access to the appeals process.

4.5 Appeals

- 4.5.1 If an applicant is not satisfied with the outcome of the appeal to the Academic Dean, he/she may appeal in accordance with the provisions of the Complaints and Appeals Policy. The grounds for the appeal are limited to the following:
- 4.5.2 If a student is still not satisfied with the outcome of the appeals process with the Academic Dean, the student can lodge an appeal to the Commonwealth Ombudsman. The contact details are provided in the Academic Appeals Policy.

4.6 Recording and reporting deferrals, suspension or cancellation of enrolments

- 4.6.1 All applications and outcomes will be kept in the student's file.
- 4.6.2 All reports of incidents, decisions and actions taken in relation to misbehaviour, and other related documentation must be kept on file.
- 4.6.3 Any decisions to initiate deferral, suspension or cancellation of an enrolment will be reported to the Department of Education & Training / the Department of Home Affairs via PRISMS, if relevant.
- 4.6.4 Students will be kept informed of any decisions or outcomes that relate to a deferral, suspension, or cancellation of enrolments.

5. QUALITY ASSURANCE

To ensure that this procedure is fit for purpose and meet the requirements of the HES Threshold Standards the procedure will be:

- 5.1 internally approved by the Executive Management Team on development or review
- 5.2 externally reviewed as part of any independent review of the HES Threshold Standards approved by the Governing Board;
- 5.3 internally reviewed by the Responsible Officer every three years from the date of approval (if not earlier).
- 5.4 referenced to the applicable HES threshold Standard and/or other legislation/regulation.

6. FEEDBACK

Feedback or comments on this procedure is welcomed by the listed Responsible officers of the Institute.

7. VERSION CONTROL

Version	Date approved	Description	Approved by
2.0	June 2018	Initial issue	EMT
Related legislation/ regulation/standard	HES Threshold Standards 2015 ESOS National Code 2018 Standard 9		