

Deferral, Suspension & Cancellation Policy

Policy Owner	Director Quality & Student Services
Contact Officer:	Student & Academic Services Coordinator
Policy Number:	QTDPO010
Approved by:	Senior Management Group
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Related Policies:	Appeals Policy Code of Conduct Policy Complaints Policy Credit for Prior Learning Policy Enrolment Policy Progress and Intervention Policy Refund Policy Transfer between Registered Provider Policy
Related Documents	Conditions of Enrolment (Brochure) Leave of Absence Form Program Withdrawal Form Program Deferral Form Letter of Offer including Terms and Conditions

1. Overview

- 1.1. This policy has been developed in line with requirements of the ESOS Act (2000) and Regulations, National Code of Practice for Providers of Education and Training to Overseas Students (2018) and the Higher Education Support Act (2003).
- 1.2. A student may request to defer, suspend or withdraw from their program of study at any time during a study period. Each request must be in writing by completing the appropriate form. Please refer to the relevant sections below for further details. Decisions on such requests will take into account information provided, circumstances leading to a request as well as regulatory requirements.
- 1.3. Depending on the time the request is submitted an academic and financial penalty may apply.

2. Organisational Scope

- 2.1. This policy applies to all students, including those who have accepted but not yet commenced studies and those who are currently enrolled in units of study offered by Curtin College or Partner providers.
- 2.2. This policy covers processes related to:
 - Deferral or Suspension of Enrolment in a program
 - Cancellation (withdrawal) from a program
 - Student initiated requests to defer studies
 - Circumstances in which the College may defer, suspend, or cancel a student's enrolment.

3. Definitions

- 3.1. **Cancellation:** to cease enrolment permanently, this can be initiated by the student or the College
- 3.2. **CoE:** Confirmation of Enrolment is a document registered with DIBP to confirm a student's acceptance into a particular course for a specified duration.
- 3.3. **Deferral:** To delay commencement or continuation of course studies normally to the start of the next study period.
- 3.4. **Enrolment in a Program:** Occurs at the point the Letter of Acceptance has been signed

- 3.5. **ESOS:** The Education Services of Overseas Students Act 2007. This Act regulates the delivery of education services to international students.
- 3.6. **Immigration:** Refers to the Department of Home Affairs, which is the Australian government agency responsible for multicultural affairs, immigration and border-related functions and agencies. The Department of Home Affairs is responsible for issuing and monitoring Student visas.
- 3.7. **International Student:** For the purpose of this policy, an International student is defined as one who is not an Australian or New Zealand citizen or the holder of a permanent residency or humanitarian visa. For the purposes of this policy, students who are in Australia, as a result of their parents/legal guardians being on a temporary business visa are regarded as local students but are required to pay international tuition fees.
- 3.8. **Letter of Offer:** A Formal offer of place at Curtin College in your nominated course.
- 3.9. **National Code:** The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students (amendment effective January 2018).
- 3.10. **Packaged Offer:** An offer made to a student to enrol at Curtin English, Curtin College or Curtin University or any combination of the three.
- 3.11. **PRISMS:** The Provider Registration and International Student Management System is the database system that is owned and maintained by the Department of Education for the purpose of administering the 'ESOS Act'.
- 3.12. **Principal Course:** In regard to packaged offers, the principal course is the degree course entered following the completion of bridging or qualifying course(s).
- 3.13. **Program:** A formal program of education and/or training made up of study components known as units
- 3.14. **Provider:** Any Registered Training Organisation (RTO) or Higher Education Provider within Australia.
- 3.15. **Stand Alone Offer:** An offer to a student to enrol at Curtin College only.
- 3.16. **Student Default:** Where an international student does not start a course, cancellation from a course, fails to pay tuition fees, and breaches a condition of their student visa or misbehavior by student.
- 3.17. **Study Period:** A discrete period of study within a course, namely a semester or trimester, in which a student undertakes and completes units of study.
- 3.18. **Suspension:** to temporarily place a student's studies on hold (adjourn, delay, postpone), due to misconduct/misbehavior.
- 3.19. **The College:** Curtin College and its partner providers that deliver courses that are registered on The Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS).
- 3.20. **Tuition Protection Services:** Is an initiative of the Australian Government to assist international students whose education providers are unable to fully deliver their course of study.
- 3.21. **Unit:** A study component of a program.

4. Policy Principles

- 4.1. A student may request to defer or cancel their enrolment in a program at any time during a study period or the College may defer or cancel the enrolment of a student on the grounds outlined below
 - 4.1.1. Student applications for deferment or leave of absence will be considered on the following grounds:
 - delay in visa grant or
 - due to compassionate and compelling circumstances.
 - 4.1.2. Compassionate and compelling circumstances are circumstances that were/are:
 - a. beyond the student's control, which a reasonable person would consider not due to the student's action or inaction, either direct or indirect, and for which the student was not responsible. The circumstances must be unusual, uncommon, or abnormal; and

- b. not making their full impact on the student until on, or after their offer was accepted or studies commenced; and
- c. such that it is impracticable for the student to commence or complete their studies; and
- d. having an impact upon the student’s course progress or wellbeing.

4.1.3. Compassionate and compelling circumstances must be supported by documentary evidence and include but are not limited to:

- a. serious illness or injury;
- b. the student has an accident, falls seriously ill or contracts a serious medical condition;
- c. unexpected death of a family member;
- d. involvement of custody proceedings for their child, the student, or accompanying family member has an acute medical condition requiring treatment;
- e. the student has been involved in legal proceedings where the timing is beyond the student’s control;
- f. the student is pregnant;
- g. ineligibility to enrol in any College unit in the following study period;
- h. major political upheaval or natural disaster requiring emergency travel or immediate action; or
- i. a traumatic experience, such as involvement in or witnessing a serious accident, or witnessing or being the victim of a serious crime.

4.2. The grounds the College can use to suspend or cancel a student’s enrolment in a course include, but are not restricted to the following:

4.2.1. Academic Progress (refer to the Progress & Intervention Policy)

4.2.2. Student Misconduct

4.2.3. Extenuating circumstances relating to the student’s wellbeing. This includes but is not restricted to the following:

- Is missing classes and failed to respond to communication from the College
- Refuses to maintain approved care arrangements (under 18 years of age)
- Has physical and/or mental health concerns which lead the College to have concern for the student’s wellbeing and/or that of others
- Has financial concerns

All claims of extenuating circumstances must be supported by appropriate evidence.

4.3. The College has the right to suspend or cancel a student’s enrolment or re-enrolment in a course in response to serious misbehavior or misconduct in accordance with the Student Misconduct Policy

4.4. **Emergency Suspension:** The College Director and Principal, or Nominee, may, at any time and without a hearing, suspend a student from the College on such terms as are reasonably necessary to protect person(s), property, and/or to prevent serious disruption of College activities.

Version	Last changes:
V2.2 May 2018	<ul style="list-style-type: none"> • Definitions – reviewed and updated. • Changed DIBP to Department of Home Affairs • Section 4 Reviewed and updated in line with National Code 2018
V2.1	<ul style="list-style-type: none"> • Separated policy principles from implementation • Reviewed and updated policy principles.

5. Policy Implementation

- 5.1. The following information outlines the procedure for assessing, approving and recording a deferment or cancellation (withdrawal) from study and applies to all students studying at the College.
- 5.2. The College will inform international students via the College's website, Student Handbook and Course Guide that deferment or cancellation of enrolment in a course may affect their student visa, and that they should refer to the Australian Government Department of Home Affairs website (<https://www.homeaffairs.gov.au>) or helpline (131 881) for further information.
- 5.3. The College will notify Immigration via PRISMS of any deferment or cancellation of an international student's enrolment.
- 5.4. The College must give particulars of a breach by an accepted international student of a prescribed condition of a student visa even if the student has ceased to be an accepted student of the provider eg. an international student cannot avoid being reported to Immigration for non-payment of fees, failure to progress through their course, non-attendance (not genuine) by canceling their Confirmation of Enrolment with the College.
- 5.5. Students under 18 must provide the College with written evidence that the proposed deferral of studies or cancellation of enrolment from the College has the support of a parent or legal guardian.
- 5.6. Students who are sponsored must provide the College with written evidence that the proposed deferral of studies or withdrawal from the College has the support of their Sponsor.
- 5.7. Academic and/or financial penalties may apply as a result of the proposed deferment or cancellation from studies at the College. Students should ensure they are familiar with the Refund Policy, located under '[Policies and Procedures](#)' for details of financial penalties.

6. Deferral of Enrolment in a program

- 6.1. Current Curtin College students wishing to defer their studies must make an appointment with a Student & Academic Services Officer to complete a Deferral form. All applications for deferment must be accompanied by evidence, which substantiates the claim. Deferrals will only be granted if there are compassionate or compelling circumstances.
- 6.2. The College will retain all fees, which will be used towards the following study period charges, if applicable. If a refund is requested rather than transferring the funds to the next study period or the student subsequently withdraws, the Refund Policy applies.
- 6.3. Domestic students wishing to defer studies can complete a Leave of Absence form and submit it to Reception or make an appointment with a Student & Academic Services Officer.
- 6.4. An International student's request to defer the commencement of their studies will only be granted if there are compassionate or compelling circumstances. Any requests must be requested in writing to the Director of Marketing and Admissions via admissions@curtincollege.edu.au.
- 6.5. Where a deferment of study is granted, the student is expected to commence studies at the next available intake.
- 6.6. Sponsored students and under-aged students (minors) will require written permission from their sponsors or parents/guardians to defer their studies.
- 6.7. Students who are enrolled in Health Science/Engineering/ Built Environment/ Information Technology will be informed by the College where there is a gap in their studies due to:
 - the failure of a pre-requisite unit and therefore no relevant units available for which the student is eligible to enrol; or
 - there being no relevant units available in the next study period.

In these circumstances, the College will initiate the deferral of studies for one study period.

- 6.8. As soon as practicably possible after the approval of a deferment, the necessary reporting will be carried out via PRISMS under Section 9 of the ESOS Act. A new letter of offer and, in the case of international students, new CoEs will be issued. The new letter of offer will reflect the tuition fees applicable for the new commencement study period.

7. Cancellation from Program prior to program commencement

- 7.1. Students wishing to cancel their enrolment prior to program commencement must notify the Director of Marketing and Admissions or Nominee in writing. Wherever practicable students are encouraged to speak directly with the Director of Marketing and Admissions or Nominee. Refunds will be calculated and processed in line with the current Refund Policy.
- 7.2. Once confirmation is received the College will cancel the student's enrolment. In respect to International students, the College will cancel the CoE(s) pertaining to the offer provided to the student (i.e. Packaged or standalone offer) via PRISMS.

8. Cancellation of enrolment in a course by student

- 8.1. A student may request to withdraw from their study at any time during the study period. They should discuss the matter with a Student & Academic Services Officer, so that they are provided information on the ramifications of withdrawing, allowing the student to make an informed decision.
- 8.2. Withdrawing from the College does not constitute an automatic Release. Students wishing to apply for a Release must refer to the College's Transfer between Registered Providers Policy located under '[Policies and Procedures](#)' for details.
- 8.3. Sponsored students and under-aged students (minors) will require written permission from sponsors or parents/guardians to cancel or withdraw their enrolment.

Once the cancellation form is processed, the College will cancel the student's enrolment at the College. In respect to international students, the College will cancel the CoE(s) pertaining to the student's Offer Letter provided to the student (i.e. Packaged or stand-alone offer) via PRISMS.

9. Suspension and cancellation of enrolment in a program by Curtin College

- 9.1. The College Director and Principal, or Nominee, may, at any time and without a hearing, suspend a student from the College on such terms as are reasonably necessary to protect person(s), property, and/or to prevent serious disruption of College activities (refer to Principles).

Within three working days of such Suspension, either the College Director and Principal, or Nominee must send the student written notice of the terms of the Suspension, the reasons for it, and a copy of this Policy.

The Suspension will continue until either:

- a. its terms have been met;
 - b. it is revoked by the College Director and Principal or Nominee; or
 - c. the matter has been referred for formal investigation for General Misconduct and the process has concluded that the student be re-admitted to the College.
- 9.2. Where the student is under 18 the student's guardian and/or parents will be informed of the situation and invited to provide assistance.
- 9.3. Where the student is sponsored, the sponsor will be informed of the situation and invited to provide assistance.
- 9.4. In accordance with the procedures set out in the College's Appeals Policy, any decision to suspend or cancel the enrolment of a student requires the College to notify the student of its decision and to inform the student of their right to appeal the decision within 10 working days.
- 9.5. Whilst the Appeals process is being conducted the student's enrolment will be maintained and the student will be permitted to select units and attend classes, so that they are not disadvantaged by the process.

- 9.6. Where the student has chosen to appeal the College’s decision to suspend or cancel the enrolment in a course within the 10 working day period and the process results in a decision supporting the student, the enrolment in a course will continue for the study period and the College will provide learning opportunities for the student to catch up on missed work.
- 9.7. Where the student has chosen not to appeal, the College’s decision to suspend or cancel the enrolment in a course will stand, and the student will be withdrawn from the College, and in the case of international students, Immigration will be notified via PRISMS.
- 9.8. International students who have had their enrolment in a program cancelled by the College will not be Released, once all government reporting has been completed.

10. Administrative procedures

- 10.1. Academic notes via the Student Management System to be updated with any changes made to the student’s enrolment in a course.
- 10.2. This policy will be made available to the public via the ‘Policies and Procedures’ on the Curtin College website at: www.curtincollege.edu.au
- 10.3. Completed forms and documentary evidence relating to the deferment or cancellation of enrolment in a course will be placed on the student’s file.

Version	Last changes:
V2.2 (May 2018)	<ul style="list-style-type: none"> • Removed 10.4 re Letter of Release as Releases are now completed in PRISMS and is referred to in the ‘Transfer between Registered Provider’ policy
V2.1 (Nov 2017)	<ul style="list-style-type: none"> • Separated policy principles from implementation • Reviewed and updated policy principles.
V2.0 (Dec 2016)	<ul style="list-style-type: none"> • Policy name change From ‘Deferral & Withdrawal Policy’ to ‘Deferral, Suspension & Cancellation (Withdrawal) Policy’ • Updated Position titles • 4.3 Updated • 4.9 Removed reference to academic penalties about withdrawing from units (in Enrolment policy) • 5.3 - Added reference to sponsored and underage students • Section 7 – reviewed and updated • Section 9 – reviewed and updated • 10.4 Added – Letter of Release