

SC10-I: Deferral, Transfer, Suspension and Cancellation Policy & Procedure

International Students

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Purpose

The purpose of this policy is to outline the circumstances in which a student can defer, suspend or cancel their enrolment with Biba Academy and where Biba Academy can initiate the suspension or cancellation of the student’s enrolment.

This ensures compliance with Standard 13 of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018.

Definitions

CoE means Confirmation of Enrolment

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 (Where possible a death certificate should be provided)
- 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 or witnessing or being the victim of a serious crime. Such cases supported by police or psychologists’ reports
- where Biba Academy is unable to offer a pre-requisite unit
- inability to begin studying on the course commencement date due to delay in receiving a student visa

DET means Department of Education and Training

DIBP means Department of Immigration and Border Protection

Deferral means to postpone commencement of studies.

Suspension is a temporary postponement of studies.

PRISMS means Provider Registration and International Student Management System (PRISMS)

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Policy

1. Deferral and suspension of studies

- Deferral and suspension of studies will only be granted in compassionate or compelling circumstances as included in the definitions above. The circumstances listed are example of what may be considered compassionate or compelling circumstances and each case will be assessed on its individual merits.
- When determining whether compassionate or compelling circumstances exist, Biba Academy considers documentary evidence provided to support the claim, and stores copies of these documents in the student's file.
- A retrospective deferment or suspension may be justified if the student was unable to contact Biba Academy because of a circumstance such as being involved in a car accident.
- Where a student initiated deferral or suspension of enrolment is granted, Biba Academy will suspend an enrolment for an agreed period of time - to a maximum of 12 months. If the deferral is required for longer than 12 months, the student's application will be re-assessed. If the suspension period has expired and the student does not return, the student's enrolment will be cancelled.

2. Cancellation of studies

- Students may initiate cancellation of their studies at any time during their course. Students who wish to withdraw within six months of their course to transfer to another provider will be processed as per Biba Academy Course Transfer Policy and Procedure.
- Biba Academy may also initiate suspension or cancellation of a student's enrolment on the grounds of misbehaviour of the student or non-payment of fees. Information in the International Student Handbook describes the behavior expected by students, as well as information on plagiarism, collusion and cheating.
- Cancellation of the student's enrolment due to unsatisfactory course progress or attendance will be handled as per Biba Academy Course Progress and Attendance Monitoring Policy and Procedures.

3. Visa status

- Deferment, suspension or cancellation of a student's visa may affect the student's visa. When a student's enrolment is deferred, suspended or cancelled, Biba Academy will notify DET via PRISMS of the change in enrolment status.
- Where a student accesses the Complaints and Appeals process, Biba Academy will not notify DET via PRISMS until the internal appeals process is complete. Where the student chooses to access an external appeals process, DET will still be notified via PRISMS.
- Students are referred to the DIBP web site (<http://www.immi.gov.au/>) or Helpline (131 881) for information and their local DIBP office for advice on how the potential change to enrolment status may impact upon his or her visa.
- Once the DET has been notified of a suspension or cancellation of a student's enrolment, the student has 28 days in which to leave Australia or show the DIBP a new CoE or provide DIBP with evidence that he or she has accessed an external appeals process.
- Regardless of whether the suspension of enrolment is the result of a student request for suspension or a suspension imposed by Biba Academy, the period of suspension of enrolment (as entered in PRISMS) will not be included in attendance monitoring calculations.
- Where Biba Academy initiates the suspension or cancellation of a student's enrolment, the student will be notified of this intention and will be informed that they have 20 working days to access Biba Academy's *Complaints and Appeals Policy and Procedure*, unless extenuating circumstances relating to the welfare of the student apply. Such circumstances may include where the student refuses to maintain approved care

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arrangements (only for students under 18 years of age), is missing; has medical concerns, severe depression or psychological issues which lead the provider to fear for the student's wellbeing; has engaged or threatens to engage in behavior that is reasonably believed to endanger the student or others; or is at risk of committing a criminal offence.

- Students may choose to access an external appeals process as per Biba Academy's *Complaints and Appeals Policy and Procedure*. In the case of an external appeal, Biba Academy is not required to wait for the outcome of the external appeal before notifying DIBP of the change to the student's enrolment status.
- In relation to suspension, Biba Academy will continue to provide learning opportunities to students during the appeals process. However, where it is considered that a student should not attend classes during the appeals process, students will be provided with work that can be completed outside of the classroom environment.
- Biba Academy provides information about its Deferral, Suspension and Cancellation Policy and Procedure on the above in the International Student Handbook and at orientation.
- Student may access all relevant forms for deferral or suspension through Biba Academy web site or by direct request.
- Standards of behavior required are outlined in the International Student Handbook.
- Appropriate records of the assessment of the student's application for deferment, suspension or cancellation will be kept on the student's file. Where a student is suspended or their enrolment cancelled due to misbehaviour, documentary evidence of this decision will also be kept.

Procedure

1. Student initiated deferral of enrolment

Procedure	Responsibility
<p>A. Process application from student</p> <ul style="list-style-type: none"> • Provide <i>Application for Deferral Form</i> on request to students. • Assist students to complete form as required. 	Administration Team
<p>B. Assess request for deferral and respond to student</p> <ul style="list-style-type: none"> • Consider reasons for request for deferral and approve cases that fall within compassionate and compelling circumstances as defined in this policy. • Notify DET through PRISMS that the student will be deferring their enrolment. • Where the deferral is approved, the student and the end date of the CoE is affected, a new CoE is created through PRISMS and sent to the student along with a new written agreement to reflect the new commencement date. • Forward notification of decision within 10 working days of receipt of an application. • Student will be required to sign and return new written agreement. • Where the request for deferral is approved and does not affect the end date of the CoE (i.e. it is a short period of deferment), although a new CoE will not be required, a notice of deferral will be recorded in PRISMS. • Where the request for deferral is refused, the student will be informed of the decision including the reason for refusal, as well as their right to appeal the decision within 20 working days. The refusal of the request for deferral will be 	Operations Manager

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Procedure	Responsibility
<p>entered into PRISMS and the CoE cancelled. DIBP will contact the student regarding the status of their visa.</p> <ul style="list-style-type: none"> A refund of fees paid will be made as per Biba Academy <i>Fees, Refunds and Charges Policy</i>. 	

2. Student-initiated suspension of enrolment

Procedure	Responsibility
<p>C. Process student request for suspension of studies</p> <ul style="list-style-type: none"> Provide student the <i>Application for Leave of Absence Form</i> for request for suspension of studies. Provide assistance to students in completing an <i>Application for Leave of Absence Form</i> as required. Students wishing to suspend their enrolment must apply in writing to Biba Academy a minimum ten (10) working days prior to the requested suspension date. Note, however, that suspension may be granted retrospectively where the student was unable to contact the organisation to inform them of the suspension in their studies e.g. they were involved in a car accident. 	Administration Team
<p>D. Assess request for suspension of studies</p> <ul style="list-style-type: none"> Consider reasons for request for suspension. Approve cases that fall within compassionate and compelling circumstances as defined in this policy. Notify DET via PRISMS of suspension of enrolment. Where the suspension is approved and does not affect the end date of the CoE (i.e. it is a short period of suspension), although a new CoE will not be required, a notice of suspension will be recorded in PRISMS and sent onto to DIBP. Where the request for suspension is approved and affects the CoE, create a new CoE through PRISMS and send to the student, along with a new written agreement for signing to reflect the new CoE. If it is unclear when the student will return, wait until the student has advised of the intended date of return before creating a new CoE. If the student does not return after a break, it is considered that the student has 'inactively' advised Biba Academy that they will not be continuing their studies. DET is notified via PRISMS and student's enrolment status is recorded on PRISMS as cancelled. Inform student where the request for suspension is refused, including the reason for refusal and of their rights to access the Complaints and Appeals process. All decisions on suspension are to be advised to students within 10 working days of receipt of an application. 	Operations Manager Administration Team

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3. Student-initiated cancellation of enrolment (withdrawal)

Procedure	Responsibility
<p>E. Assess student request for suspension of studies</p> <ul style="list-style-type: none"> Provide student with the <i>Application for Withdrawal Form</i>. Application for Withdrawal forms can be accessed from through Biba Academy web site or by direct request. <ul style="list-style-type: none"> Provide assistance to students as required to complete an <i>Application for Withdrawal Form</i>. Organise meeting with student to discuss reasons for the withdrawal. Where the student is less than 18 years of age check form to ensure that the parent or legal guardian has supported the request. 	Administration Team
<p>F. Process application for withdrawal</p> <ul style="list-style-type: none"> Complete course variation report in PRISMS. This will result in the status of the CoE changing to cancelled. Include reason for cancellation of enrolment, date enrolment was cancelled and any other relevant information. Process applicable refunds in accordance with Biba Academy's <i>Fees and Refunds Policy and Procedure</i>. Ensure that student's financial records are adjusted to take account of the cancellation of enrolment as relevant. Inform all relevant personnel that the student's enrolment has been cancelled. Advise student in writing that their enrolment has been cancelled and that DIBP has been informed and they will be advised of their change in visa arrangements. Record cancellation of enrolment on VETtrak. Include all documentation in the student's file. 	Administration Team

4. Provider-initiated suspension or cancellation of enrolment

Procedure	Responsibility
<p>G. Suspend student</p> <ul style="list-style-type: none"> Inform student in writing that they are temporarily suspended because of misbehaviour and that that they will need to continue to attend classes except where behaviour is considered to be such that the student needs to complete work outside of the class. Notify DET within 14 days of the suspension via a course variation in PRISMS of the suspension as per the instructions in the PRISMS user guide. Investigate student misbehaviour that led to suspension decision. 	Operations Manager
<p>H. Decide on action and implement decision</p> <ul style="list-style-type: none"> Arrive at an appropriate decision e.g. issue a warning, charge for any damage caused, request a formal apology or suspend or cancel studies. 	Operations Manager

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Procedure	Responsibility
<ul style="list-style-type: none"> Where the decision is to cancel the student's enrolment, provide the student with a <i>Notice of Intention to Cancel Enrolment Letter</i> informing them of their right to access the <i>Complaints and Appeals Policy and Procedure</i>. Where the student accesses the Complaints and Appeals process and the decision following the internal appeals process is to cancel the student's enrolment, DET should be informed via PRISMS. 	

Document Control

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