

ABCI Deferment, suspension, withdrawal and cancellation policy and procedure

Purpose

The purpose of this policy is to establish the procedure for assessing, approving and recording the deferment, suspension, withdrawal or cancellation of an international student's enrolment with ABCI.

Scope

This policy applies to international students enrolled in courses offered by ABCI.

Responsibility

The Student Services Officer and RTO Manager are responsible for the implementation and monitoring of the policy and procedure and will ensure that staff and students are aware of its application and procedures.

Student Initiated Deferment or Suspension

Students may be able to temporarily defer the commencement of their studies or temporarily suspend their enrolment after commencement, where they have a good reason to do so. ABCI may defer or suspend the enrolment of the student on the grounds of compassionate or compelling circumstances.

These circumstances may include, but are not limited to:

- serious illness or injury, supported by the medical certificate states the student's inability 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, which may include:
 - involvement in, or witnessing of a serious accident
 - witnessing or being the victim of a serious crime, and this has impacted on the student (these cases should be supported by police or psychologists' reports)
 - inability to begin studying on the course commencement date due to a delay in receiving a student visa.

Please Note: This is not an exhaustive list and are only some of the examples of what may be considered compassionate or compelling circumstances.

Student Services will use their professional judgement to assess each case on its merits and may refer it to the RTO Manager for final discretion and decision. When determining whether compassionate or compelling circumstances exist, ABCI will consider documentary evidence provided to support the claim and will keep copies of these documents in the student's file.

A student applying to defer or suspend must do so by completing the 'Deferment/Suspension request Form' and submit it to Student Services. This application must include in detail the 'compassionate or compelling circumstances' to support their application to temporarily defer of the commencement of their studies or temporarily suspend their enrolment after commencement.

Student Services will:

- Receive the application and confirm whether it has been submitted in full, with the required supporting documentation. If it has not, the student will be advised of the need to provide further supporting documentation for their application to be considered. If it has, the student's application will be processed for review. If supplementary documentation evidence provided is deemed to be questionable, Student Services may take necessary precautions, such as contact the respective source, to validate the documentation.
- Review all applications for deferral or suspension and determine if the application for deferral or suspension is to be granted or rejected, within 10 working days.
- Ensure the student is informed in writing of the outcome of their application for deferral or suspension.
- In the case of a student application being rejected, in the written notification to the student, they will also be informed of their ability to access the 'Complaints and Appeals Policy and Procedure' if they wish to appeal the decision.
- Maintain all documentation related to the deferral or suspension application in the student's file.
- Notify the Department of Home Affairs via PRISMS of the decision regarding granting deferment or suspending an international student's enrolment - it is mandatory to notify the Department of Home Affairs if the deferment/suspension duration is more than 14 days. This includes reporting the change to the overseas student enrolment under section 19 of ESOS act.
- Inform the student in writing to seek advice from the Department of Home Affairs on the potential impact on his/her student visa.

It is the student's responsibility to collect the revised Confirmation of Enrolment (COE) from ABCI for any deferral/suspension granted. The student can also use the COE to inform the Department of Home Affairs of the revised end date of the course where their visa requires extension.

Requests for deferment/suspension may be denied for students who are in arrears with the fees payments or in breach of the 'Student Code of Behavior and Discipline Policy and Procedure'.

Student Initiated Cancellation/Withdrawal

A student may cancel/withdraw their enrolment where they have decided to discontinue studying with ABCI. Student must not have any outstanding tuition fees prior to applying for a cancellation/withdrawal of their enrolment. If the course has commenced, the student will have to make the payment of the tuition fees for that particular study period. The Release Letter will not be issued if there are any outstanding tuition fees to be paid to ABCI. Please refer to the 'Fees Payment and Refund Policy (International Students)' for more details about the tuition fees.

Students wishing to cancel/withdraw their enrolment must complete the 'Refund Application Form' and submit it to Student Services. This application must include all supporting documentation as required by their application (i.e. letter of offer if transferring to another institute) for it to be

considered. The withdrawal will only take effect once the decision of acceptance has been made, this day will be recognized as the student's 'last day of study'.

Student Services will:

- Receive the application and confirm whether it has been submitted in full, with the required supporting documentation. If it has not, the student will be advised of the need to provide further supporting documentation for their application to be considered. If it has, the student's application will be processed for review. If supplementary documentation evidence provided is deemed to be questionable, Student Services may take necessary precautions, such as contact the respective source, to validate the documentation.
- Review the application for cancellation/withdrawal and determine if the application is to be granted or rejected, within 10 working days.
- Ensure the student is informed in writing of the outcome of their application for cancellation/withdrawal.
- In the case of a student application being rejected, in the written notification to the student, they will also be informed of their ability to access the 'Complaints and Appeals Policy and Procedure' if they wish to appeal the decision.
- Maintain all application documentation for the cancellation/withdrawal of enrolment in the student's file.
- Notify the Department of Home Affairs via PRISMS of the decision to cancel/withdraw the enrolment as a result of the student's request – it is mandatory to notify the Department of Home Affairs of the change within 31 days of the last day of study, in accordance with the PRISMS guidelines.
- Inform the student in writing that the cancellation/withdrawal may affect their student visa and therefore advise them to contact the Department of Home Affairs in relation to the status of their student visa.

Requests for cancellation/withdrawal may be denied for students who are in arrears with the fees payments or in breach of the 'Student Code of Behaviour and Discipline Policy and Procedure'.

Where a student is seeking a withdrawal from future term(s), they must ensure payment of any pending tuition fee(s). Where payment of tuition fees has not been made for future term(s), against future invoice(s), students must pay the net difference after the adjustment of amount(s) entitled for their refund, for a cancellation/withdrawal to take effect.

After a decision of acceptance has been made and the student's cancellation/withdrawal takes effect, a refund application can then be processed. Students will be advised to refer to their 'Student Agreement' and the 'Fees Payment and Refund Policy (International Students)' for details about the refund arrangements in place where an enrolment is cancelled/withdrawn.

Provider Initiated Deferral

ABCI may defer a student's enrolment where the course is not being offered at the proposed date, site, or any other reason ABCI deems necessary to cancel the course. In such cases, a refund shall be processed as required or alternative course(s) offered. Please refer to the 'Fees Payment and Refund Policy (International Students)' for further details.

The Department of Home Affairs will be notified via PRISMS of a decision regarding deferment or

suspending of an international student's enrolment if the deferment/suspension duration is more than 14 days and/or where there are changes to the proposed date, site, course, or any other reason deemed necessary.

Provider Initiated Suspension or Cancellation

ABCI may suspend or cancel a student's enrolment on the basis of, including but not limited to:

- misbehavior by the student or any other reason as stipulated in the 'Student Code of Behavior and Discipline Policy and Procedure';
- the student's failure to pay an tuition /non tuition fees amount he or she was required to pay to ABCI to undertake or continue the course as stated in their 'Student Agreement'; or
- breach of course progress or attendance requirements by the international student, which must occur in accordance of National Code 2018 Standard 8.

Where ABCI decides to suspend or cancel the international student's enrolment, the Student Services Officer, before imposing suspension or cancellation, will inform the student in writing:

- The intention to suspend or cancel the student's enrolment and the reason(s) for doing so.
- The student will have 20 working days to appeal the decision, as per ABCI's 'Complaints and Appeals Policy and Procedure', and in accordance with National Code Standard 10. And if the student is not successful in ABCI's internal complaints handling and appeals process, the student will have the right to access an external complaints handling and appeals process. The student's enrolment will not be cancelled or suspended until after this appeal period has passed.
- Where the student enrolment is to be suspended, the length of the suspension must be included.
- Where the enrolment is to be cancelled, the effective date of the cancellation (at least 20 working days from the date of the letter).
- That ABCI is required to inform the Department of Home Affairs via PRISMS after the 20 working days period of the suspension or cancellation and that this may affect their student visa.
- Advice to contact the Department of Home Affairs in relation to the status of their student visa.

Student Services will:

- Maintain all application documentation for the suspension or cancellation of an enrolment on the student's file.
- Where an international student decides to access the 'Complaints and Appeals Policy and Procedure', the student will not be reported until the completion of the internal and external complaints handling and appeals process, and the decision or recommendation supports ABCI's decision (as applicable).
- Notify the Department of Home Affairs via PRISMS of the decision to suspend or cancel the enrolment as a result of the international student's request only after the appeal period has passed.

Complaints and Appeals

If the applicant chooses to enact the complaints and appeals process:

- This must be lodged within 20 working days from the date of issue of outcome.
- If the student opts for the appeals process, the suspension or cancellation of the student's enrolment will not take effect until after the process is completed, unless there are extenuating circumstances relating the student's welfare.
- Until after the process is completed, students who are already enrolled will thus continue to be enrolled and their course progress will continue to be monitored.
- If the appeal is not upheld or the student withdraws from the appeal process, then ABCI must report the student to the Department of Home Affairs via PRISMS.

Revision history

| Revision | Date | Description of modifications |
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| 1.0 | Oct 2018 | Original |
| 2.0 | Nov 2020 | Header and footer updated, National code standards update, some changes made as per the current operations |
| 2.1 | Oct 2023 | Overall review, formatting update |
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