

DEFERMENT, SUSPENSION AND CANCELLATION POLICY

Purpose

The purpose of this policy is to outline the circumstances an overseas student's enrolment can be deferred, suspended or cancelled. This may be initiated by either the overseas student for compassionate and compelling circumstances, or AETA for an overseas student's breach of visa conditions, failure to pay fees, misbehaviour, or other condition listed within the policy.

Scope

The policy applies to all current and approved enrolments.

Definitions

Suspension refers to temporarily cease studies **during** the enrolment period with the clear intention that the student will recommence at an agreed date.

Deferment refers to postponing studies **prior** to the commencement date

Cancellation refers to the cessation of enrolment

Student Initiated Deferment, Suspension, Cancellation

1.0 A student may request a temporary deferment or suspension to an agreed period of time up to a maximum of 8 weeks

1.1 A student may request a temporary deferment or suspension to enrolment on the grounds of compassionate or compelling circumstances.

1.2 Compassionate or compelling circumstances are those beyond the control of the student and which have an impact upon the student's course progress or wellbeing such as:

- serious illness or injury, where a medical certificate states that the student was unable to attend classes;
- death 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 which has impacted on the student's studies; or
- 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 AETA is 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.

Please Note: The above are only some examples of what may be considered compassionate or compelling circumstances. The Student Support /Compliance Officer will use their professional judgment to assess each case on its individual merits. When determining whether compassionate or compelling circumstances exist, AETA will consider documentary evidence provided to support the claim,

- 1.3 Students will be required to complete a Deferment, Suspension or Cancellation form and provide evidence of the compassionate or compelling circumstances to support the deferment or suspension
- 1.4 Students will be advised to speak to the Student Support Officer and documentation will be kept in the student administration file
- 1.5 AETA will always use its professional judgement to assess each student's case on its individual merits when determining whether compassionate or compelling circumstances exist.
- 1.6 Students will be notified of the outcome within 10 working days from the date of receipt of application.
- 1.7 Students wanting to cancel their enrolment prior to completing 6 months of their principle course must refer to the Student Transfer Policy.
- 1.8 Fees must be up to date prior to making an application for suspension or cancellation
- 1.9 Course progress must be up to date prior to making an application for suspension.
- 1.10 A fee of \$200.00 will be charged for students wishing to cancel or make a change to their CoE

Records

2.0 When there is any deferral, suspension or cancellation action taken under standard 9 of the National Code 2018, AETA will:

- i. Provide a letter of outcome informing the overseas student of the need to seek advice from Immigration on the potential impact on his or her student visa
- ii. report the change to the overseas student's enrolment under section 19 of the ESOS Act.
- iii. Maintain documentation related to the application in the student file

College Initiated Deferment, Suspension or Cancellation

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

- Misbehavior/misconduct by the student as outlined in the Student code of Conduct
- a student has supplied incorrect, incomplete, falsified or fraudulent information at the time of application, enrolment or during their enrolment.
- the student's failure to pay an amount he or she was required to pay AETA to undertake or continue the course as stated in the written agreement/payment plan
- a breach of course progress or attendance requirements by the overseas student, which must occur in accordance with Standard 8 (Overseas student visa requirements).
- Non-payment of outstanding fees
- Failure to return to study after a scheduled term break
- Failure to recommence at the agreed date of an approved deferment or suspension
- Where the student does not commence studies in a course when they are due to commence and they have not notified AETA in writing within 14 days of the course commencement, and then student enrolment will be cancelled on the basis of Non Commencement of studies.

3.1 If AETA initiates a suspension or cancellation of the overseas student's enrolment, before imposing a suspension or cancellation AETA will:

- inform the overseas student of that intention and the reasons for doing so, in writing
- advise the overseas student of their right to appeal through the provider's internal complaints and appeals process, in accordance with Standard 10 (Complaints and appeals), within 20 working days.

3.2 AETA will not provide opportunity to appeal a provider-initiated deferral, suspension or cancellation of enrolment when the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk. AETA will keep evidence to support this.

This may include, but is not limited to when the overseas student:

- is missing;
- has medical concerns, severe depression or psychological issues which lead the provider to fear for the overseas student's wellbeing;
- has engaged or threatens to engage in behaviour that is reasonably believed to endanger the overseas student or others; or
- is at risk of committing a criminal offence.
- has breached AETA code of conduct

3.3 AETA may defer, suspend or cancel an enrolment where the course is not being offered at the proposed date, location, or any other reason the CEO deems necessary. Please see 'Provider Default' within the Refund Policy and Procedure.

b. Informing Students

4.1 AETA provides all students with clear information on the circumstances, in which they may defer, suspend or cancel their enrolment and the circumstances in which AETA can suspend or cancel the student's enrolment. and that any application to defer or suspend or cancel their course may affect their student visa

4.2 AETA provides information on deferment, suspension and cancellation in the Student Handbook and/or Prospectus which are provided to students prior to or upon commencement of a course. These are also available on AETA's website at www.aeta.vic.edu.au

4.3 Standards of behaviour required are stated in the Student Code of Conduct included in the Student Handbook and International Student Prospectus. These standards will indicate to students what acceptable and unacceptable behaviour is and inform them of the circumstances in which AETA may suspend or cancel their enrolment.

4.4 Students will also be reminded of this Policy and the criteria for deferral, suspension and cancellation at their orientation.

4.5 Appropriate records of the assessment of the student's application for deferment, suspension or cancellation will be kept on the student's file.

4.6 Where a student is suspended or their enrolment cancelled due to items 3.0 and 3.2 documentary evidence of this decision will also be kept.