



POLICY AND PROCEDURE

DEFERRING, SUSPENDING OR CANCELLING A STUDENT'S ENROLMENT

1. Policy

This policy/procedure supports Standard 9 - Deferring, suspending or cancelling the overseas student's enrolment' of the 'National Code of Practice for Providers of Education & Training to Overseas Students 2018' which states:

'A registered provider may defer or suspend the enrolment of a student if it believes there are compassionate or compelling circumstances.'

The following policy and procedures are published in The Institute's International Student Information Booklet and on the ANGAD Australian Institute of Technology's website to ensure staff and students are aware of the circumstances which allow a student to defer or suspend their studies, and the circumstances under which the

Institute will suspend or cancel a student's enrolment.

Student initiated deferral or suspension of studies

Students are able to defer or suspend their studies only in certain limited circumstances. These include:

(1) Compassionate or compelling circumstances. For example:

- (a) Serious illness or injury, where a medical certificate states that the student was / is unable to attend classes;
- (b) Bereavement of close family members such as parents or grandparents (Where possible a death certificate should be provided);
- (c) Major political upheaval or natural disaster in the home country requiring

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emergency travel and this has impacted on the student's studies; or

(d) Involvement in a traumatic experience which could include involvement in or witnessing a serious accident or 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).

(2) Where the Institute is unable to offer a pre-requisite unit.

(3) Inability to begin studying on the course commencement date due to delay in receiving a student visa.

Please Note: The above are only some of examples of what may be considered compassionate or compelling circumstances. The CEO will use its professional judgment to assess each case on its individual merit.

If at all possible, students are required to apply in writing to defer or suspend their studies, before discontinuing their studies.

The Institute will assess the application and advise the student in writing of the outcome within 10 working days. 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.

ANGAD Australian Institute of Technology initiated suspension and/or cancellation of enrolment

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

(1) Misbehavior by the student

(2) The student's failure to pay an amount he or she was required to pay the registered provider to undertake or continue the course as stated in the written agreement.

(3) A breach of course progress or attendance requirements by the overseas student, which must occur in accordance with Standard 8 (Overseas student visa requirements).

(4) Failure to commence studies within 28 working days of the commencement of each term.

The Institute has the ability to suspend a student's enrolment on the grounds of misbehaviour and severe misbehaviour. Severe misbehaviour is defined but not limited to any actions resulting in a police report, for example actions causing grief or harm to another person or police prosecution. Other misbehaviour may include but is not limited to acts of discrimination, sexual harassment, and vilification or bullying as well as acts of cheating or plagiarism. Such acts of misbehaviour will be classified into one of two categories.

Academic Misconduct

The following gives an indication to the types of behaviour that constitute 'Academic Misconduct' within the Institute:

Summative Assessments

- a. Students must not help or receive assistance from other students during the completion of a summative assessment
- b. Students must not request the loan of or lend materials or devices to other students
- c. Students must not bring any materials into the assessment room

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other than those specified for that assessment

- d. Students must not use computer software or other devices during a summative assessment other than those specified.

A student may be excluded from a final assessment in a unit for any of the following reasons:

- Unauthorised absence from class
- Failure to meet unit requirements in accordance with The Institute's Monitoring Course Progress policy; for example non-submission of assignments or failure to complete other tests in that unit of competency
- General misbehaviour (see below)

Other assessment tasks (cheating or plagiarism)

- Students must not copy or paraphrase any document, audio visual material, computer-based material or artistic piece from another person, source, except in accordance with the conventions of the field of study
- Students must not use another person's concepts, results or conclusions and pass them off as their own
- In cases where the assessment task is intended to be individual work not group work, students must not prepare an assignment collaboratively and then submit work that is substantially the same as another student's assessment.
- Students must not ask another person to produce an assessable item for them.

Intervention strategies

- Not attending an intervention meeting is a serious academic breach as it adversely

affects the student's ability to attain satisfactory course progress.

-Failing to comply with the intervention strategy can lead to cancellation of the student's enrolment

General Misconduct

General misconduct is where a student: acts dishonestly; harasses other students or staff; interferes with students or staff; prevents or disrupts learning; disobeys/fails to comply with contractual or legal requirements; misuses, damages or steals The Institute's property or the property of others; alters/defaces The Institute documents or records; prejudices the good name of The Institute, or otherwise acts in an improper manner.

The following examples indicate the kinds of behavior which constitute student misconduct. They are for illustrative purposes and are not intended to be exhaustive. Student misconduct occurs when a student:

- a) contravenes any rules or acts;
- b) prejudices the good name or reputation of the Institute;
- c) prejudices the good order and governance of the Institute or interferes with the freedom of other people to pursue their studies, carry out their functions or participate in the life of the Institute;
- d) fails to comply with conditions agreed in the contract;
- e) willfully disobeys or disregards any lawful order or direction from The Institute personnel;
- f) refuses to identify him or herself when lawfully asked to do so by an officer of the Institute;
- g) fails to comply with any penalty imposed for breach of discipline;
- h) misbehaves in a class, meeting or other activity under the control or supervision of

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the The Institute, or on The Institute premises or other premises to which the student has access as a student of the Institute;

- i) obstructs any member of staff in the performance of their duties;
- j) acts dishonestly in relation to admission to the Institute;
- k) knowingly makes any false or misleading representation about things that concern the student as a student of the Institute or breaches any of the Institute rules;
- l) alters any documents or records;
- m)harasses or intimidates 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 a college student, because of race, ethnic or national origin, sex, marital status, sexual preference, disability, age, political conviction, religious belief or for any other reason;
- n) breaches any confidence of the Institute;
- o) Misuses 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;
- p) steals, destroys or damages a facility or property of the Institute or for which the Institute is responsible; or
- q) Is guilty of any improper conduct.
- r) fails to reconcile tuition fees (non-payment of fees)
- s) Engages in cheating or plagiarism

The Institute will issue the student with a written warning before taking any actions.

The Institute will notify the student in writing of its intention to suspend and/or cancel the student's enrolment. This notification will include advice that deferring, suspending or

cancelling a student's enrolment may affect their student visa.

Students have the right to appeal a decision made by The Institute to defer, suspend or cancel their studies and have 20 working days to access The Institute's complaints and appeals process prior to The Institute taking action to suspend or cancel the student's enrolment. If a student accesses The Institute's internal complaints and appeals processes, the proposed Suspension or cancellation of the overseas student's enrolment cannot take effect until the internal appeals process is completed, unless the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk.

2. Procedure

2.1 Student Initiated Deferral, Suspension or Cancellation of Enrolment

Student initiated deferral

(1)A student wishing to defer an enrolment must do so prior to the commencement of the course.

(2)Students must complete an 'Application to defer, suspend or cancel enrolment' and submit to the Student Administrations Department.

(3)Applications are assessed by the Admissions Manager.

(4)A decision will be made within 10 working days.

(5)Students are advised of the decision in writing.

(6)If approved, a student course variation is reported in PRISMS.

(7)All relevant documentation will be kept on the student's file.

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Student initiated suspension

1. Students who wish to suspend their studies must first speak to a staff member in the Administration Department to gain an application form and to ensure they understand the reasons that suspension may be granted.
2. The application form must be completed and submitted to the Student Administration Department together with evidence of the compassionate or compelling circumstances in their application (i.e. a medical certificate or police report, etc.).
3. Applications are assessed and approved by the Admissions Manager.
4. Where a suspension of enrolment is granted, The Institute will suspend the student's enrolment for an agreed period of time - to a maximum of 12 months. If the suspension is required for longer than 12 months the student shall have to re-apply once the initial suspension period has expired.
5. Students will be informed in writing of the outcome of their application for suspension and advised that it may affect their student visa.
6. A student course variation is recorded in PRISMS.
7. All relevant documentation for the suspension will be kept on the student's file.

Student initiated cancellation

- Students wishing to cancel their enrolment should advise The Institute as soon as possible and complete wherever possible an 'Application to defer, suspend or cancel enrolment' and submit to the Administration Department.
- Students wishing to cancel their enrolment prior to completing 6 months of study in their 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 gained from the 'Transfer between Providers Policy / Procedure'.

- Upon receipt of an application to cancel, a student course variation is noted in PRISMS without delay.
- All relevant documentation for the cancellation will be kept on the students file.

2.2 Provider Initiated Deferral, Suspension or Cancellation of Enrolment

Provider Deferral

- The Institute may defer an enrolment where the course is not being offered at the proposed date, site, or any other reason the Institute deems necessary.
- In this unlikely event, the refund provisions for provider default apply.

Provider Suspension

1. Where a student has been identified as having breached The Institute's code of conduct, the CEO shall be informed as soon as practicable.
2. All of the facts and evidence associated with the alleged misdemeanor or misbehavior must be presented to the CEO for due consideration.
3. The CEO is responsible for deciding whether there has been a breach on the basis of the evidence presented and for deciding the ensuing penalty (i.e. suspension or cancellation of enrolment). The CEO may take into account the type of misconduct that has occurred and the level of misconduct that occurred when deciding penalties.
4. Where a student has been identified with Academic or General misconduct the Institute shall ensure the following:
 - Students must be treated fairly, with dignity and with due regard to their privacy

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- Students are to be regarded as innocent of the alleged misconduct until they have either admitted to it or been found by proper inquiry by the CEO to have so behaved.
- Past misconduct is not evidence that a student has behaved in the same manner again.
- Each case is dealt with on its own merits and according to its own circumstances with the provision that the first instance of misconduct will be penalised more leniently than subsequent instances of misconduct.
- Other compelling evidence such as a police report.
- In regards to all the above mentioned situations, this policy must be read in conjunction with The Institute's Academic monitoring policy.

The penalties the CEO can impose are:

- Academic Misconduct could include a warning, deemed NYC in the unit, or suspension of enrolment
- A charge for any costs that the general misconduct may have caused
- Temporary exclusion from the Institute in the form of suspending enrolment for a period of time.

Students must be advised in writing of the decision. The letter should also advise students that before the decision to suspend enrolment is implemented, they have 20 working days to access The Institute's Complaints and Appeals procedure if they feel that the decision is unfair or they have other grounds to appeal the decision.

A student course variation must be notified in PRISMS.

All relevant documentation must be retained securely and confidentially on the student's file.

Provider Cancellation

In some cases where the student's misconduct is severe (as defined in the policy above), The Institute has the right to cancel the student's enrolment.

Where the CEO has decided the misconduct is severe enough for cancellation the following must occur:

- The student must be informed in person (where possible), and in writing of the decision of the Institute to cancel the student's enrolment
- They must be informed of the fact they have the right to appeal the decision by accessing the relevant procedures and completing this appeal within 20 working days of the written notification
- No action will be taken until the internal appeals process has been finalised or if the student has failed to initiate an appeal within 20 working days.
- Students must also be informed that if The Institute notifies DHA of the cancellation, their student visa may be affected.

Once the appeals processes is finalised and the decision to cancel is upheld, The Institute must inform DHA through PRISMS of the intention to cancel the student's enrolment.

All copies of relevant documentation must be retained securely on the student's file.

Note: When there is any deferral, suspension or cancellation action taken, The Institute will inform the overseas student of the need to seek advice from Immigration (DHA) on the potential impact on his or her student visa.

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The Institute will notify the Department (via PRISMS) of a range of specified events relating to student enrolments, including name, course, course location, start date and expected duration of the course, termination of studies, changes in identity or duration of a course, and any other prescribed matter relating to accepted students(Section 19 of the ESOS Act).

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