

Deferral, Suspension and Cancellation of an International student's Enrolment - Policy and Procedure

1. PURPOSE

Policy #4.04.3

The purpose of this policy and procedure is to outline details of circumstances and AFTT's approach to course and/or study period cancellation, deferrals, or suspension of an international student's enrolment in a course.

2. SCOPE

This policy applies to all AFTT international students whose enrolment is deemed to be:

- Deferred upon an international student's request or upon AFTT's initiative;
- Suspended upon an international student's request or upon AFTT's initiative;
- Cancelled upon an international student's request (withdrawal) or upon AFTT's (termination).

3. DEFINITIONS

3.1 Deferral

Deferral of an enrolment means temporary postponement of the commencement of a course. Deferral may be initiated by an international student or AFTT.

3.2 Suspension

Suspension of an enrolment means placing an international student's enrolment temporarily on hold. Suspension may be initiated by AFTT or by the international student.

3.3 Cancellation

Cancellation of an international student's enrolment is a permanent cessation of the international student's enrolment that may occur upon the student's request (withdrawal) or may be initiated by AFTT (termination).

An international student whose enrolment has been cancelled is no longer an AFTT student and therefore cannot attend classes, submit assessment tasks or attend AFTT events as an AFTT student. An international student who has had their enrolment cancelled will receive a Statement of Attainment and a statement of results of all units completed up to the date of cancellation. In the event of a period of study undertaken without payment of fees and subsequent AFTT initiated cancellation due to non-payment of fees, AFTT will withhold results and any relevant statement of attainment until fees are suitably paid.

3.4 DoHA

Department of Home Affairs

4. POLICY

4.1 DEFERRAL

International students may apply for deferral of a course for a maximum of one (1) semester. International students may defer commencement of a course only in the following limited circumstances:

- On the grounds of compassionate or compelling circumstances (at the discretion of AFTT),
- Student visa delay.

International students must provide sufficient evidence to demonstrate that, due to circumstances beyond their control, they are unable to commence their study at this point. In the first instance above, international students must provide sufficient evidence to demonstrate that due to circumstances beyond their control they are unable to commence study at this point. Compassionate or compelling circumstances will be considered if they are deemed out of the student's control, they can be supported with documentary evidence, and it is clear that it will impact on the student's ability to study.

Although this is not an exhaustive list, and other circumstances may be considered at AFTT's discretion, the following are common examples of compelling and compassionate circumstances:

- Serious illness or injury of the student or a family member, evidenced by a medical certificate from a registered health professional that verifies the condition,

- Permanent or temporary disability, evidenced by documentation issued by a registered health professional,
- Bereavement of close family members such as parents, grandparents, siblings, spouse or child, evidenced by a certified death certificate,
- Major political upheaval or natural disaster in their home country, evidenced, for example, by credible media reports,
- A traumatic experience which could include involvement in or witnessing of a serious accident; witnessing or being the victim of a crime, which could be evidenced by police or psychologist's reports.

As international students apply for deferral on a special circumstances basis, neither academic nor financial penalties apply, if granted. Fees already paid for the deferred study period will be credited to next study period upon student's return.

An Application to Defer-Cancel Studies is to be determined by the responsible Course Director, Campus Manager and Director of International Services who will approve or reject the application typically within two - three (2-3) business days from the application submission date.

International students must be aware that a deferral of the enrolment may impact their student visa status.

AFTT reserves the right to defer commencement of a course when a course is not offered at the given study period.

4.2 SUSPENSION

International students are required to maintain their full-time enrolment each study period and are required to complete their course within the period specified in their signed Confirmation of Enrolment (CoE) document. This document is electronic and no signature applies.

International students may apply for temporary suspension of their studies for a maximum period of one (1) semester using Application to Defer-Cancel Studies Form and submitting it to Campus Administration. In cases when student requests to suspend their studies for longer than one (1) semester they will be advised to withdraw from their course entirely and re-apply upon their return.

International students may apply to suspend their course only in the following limited circumstances:

- On the grounds of compassionate or compelling circumstances (at the discretion of AFTT),

International students must provide sufficient evidence to demonstrate that, due to circumstances beyond their control, they are temporarily unable to continue with their course.

If a female student applies for a suspension of studies on the basis of pregnancy, AFTT will follow normal processes for assessing a suspension of studies. However as a general rule, the suspension will commence no earlier than six (6) weeks prior to the expected birth (unless otherwise supported by medical evidence) with the return date of the student being calculated as being at the beginning of the next teaching period that is at least eight (8) weeks after the birth.

If the requested suspension is longer than twelve (12) months, then the student will be required to withdraw from the course and reapply when they are ready to return.

As international students apply for suspension on a special circumstances basis, neither academic nor financial penalties apply, if granted. Fees already paid for the suspended study period will be credited to next study period upon student's return.

AFTT may suspend a student's enrolment if the student has been involved in serious academic or non-academic misconduct. The student's enrolment, in such circumstances, is placed on hold pending the conclusion of an investigation or/and formal complaint/appeal process.

The final outcome of this process will result in either restoring full enrolment, with or without conditions applied or permanent cancellation of an enrolment.

If an international student's enrolment is suspended for more than six (6) months, the student's visa may be cancelled by Department of Home Affairs (DoHA).

International students must be aware that a suspension of the enrolment may impact their student visa status.

4.3 CANCELLATION

Cancellation of student's enrolment may occur upon student's request (withdrawal) or upon AFTT's initiative (termination).

Students applying for withdrawal from unit of study/course based on special circumstances may be eligible for tuition fee refund/re-credit, if granted.

AFTT may decide to terminate student's enrolment in the following instances:

- Failure to return to study after a scheduled student break period. AFTT considers this to be a cancellation of an enrolment initiated by the student. Reasonable steps will be taken by the AFTT to locate/ contact the student to confirm reasons for failure to return.
- When a student is proven to demonstrate serious and significant academic and/or non-academic misconduct,
- When the student is making unsatisfactory academic progression (UAP) and AFTT has implemented and followed diligent support and intervention strategy process,
- Ongoing non-payment of outstanding fees,
- When a student is not participating in any course work required (cancellation may also occur on the unit level).

Cancellation of enrolment occurring:

- less than ten (10) weeks before the start of the study period date will incur financial liabilities unless special circumstances are presented and approved by AFTT,
- after week eight (8) of any study period will also result in academic penalty, unless special circumstances are present and approved by AFTT.

An international student who wishes to transfer to another education provider must have completed at least six (6) months study in the principal course at AFTT. Director of International Services may, in limited circumstances, approve the release of an international student prior to completing six (6) months of study in their principal course in order to transfer to another institution.

International students must be aware that a cancellation of the enrolment may impact their student visa status.

4.4 RE-ADMISSION

4.4.1 Re-admission after termination/exclusion

Any international student who has been excluded from a course may apply for re-admission to that course or any other course offered by AFTT after the period of one (1) year.

The international student's case will be reviewed and determined by the respective Course Director in consultation with Campus Manager.

4.4.2 Re-admission after withdrawal

Any student may apply for re-admission after formally withdrawing from a course at any time

4.4.3 Student Permission

No student will be re-admitted or re-enrolled without a formal written, signed application from the student.

4.5 COMPLIANCE EVIDENCE

- Policy or/and procedure for assessing, approving and recording deferment, suspension and/or cancellation of international student's enrolment;
- Documentary evidence on international student's files of the assessment of applications for deferment, suspension and/or cancellation of international student's enrolment;
- Evidence of the information given to international students prior to enrolment which states the grounds for deferment, suspension and/or cancellation of international student's enrolment;

- Policy or/and procedure on entering formal complaint/appeal process containing information among other, on appealing decisions regarding deferment, suspension and/or cancellation of international student's enrolment;
- Evidence that AFTT has provided international students with information on deferment, suspension and/or cancellation of international student's enrolment will affect international student's:
 - Academic liability;
 - Financial liability.
- Formal written signed application for re-admittance after a period of cancellation

4.6 REFUNDS

Any refunds arising from deferrals, suspensions or cancellations will be in accordance with the International Student Fee Refunds Policy.

5. PROCEDURE

5.1 STUDENT INITIATED DEFERRAL

International students may apply for deferral of a course for a maximum of one (1) semester using *Application to Defer-Cancel Studies Form* and submitting it directly to International Services Administration or Campus Administration. Application for deferral must be submitted before course commencement date.

International students may defer commencement of a course only in the following limited circumstances:

- On the grounds of compassionate or compelling circumstances (at the discretion of AFTT),
- Student visa delay.

The *Application to Defer-Cancel Studies* is to be determined by the Director of International Services with consultation with Course Director and Campus Manager, who will approve or reject the application typically within two – three (2-3) business days from the application submission date.

In considering an application for deferral the International Services Division will take into account a number of factors including:

- The impact on the student's duration of study and whether intervention or other strategies are needed to ensure that the student completes the course on time or whether an extension of duration is needed,
- The purpose and period of the deferral,
- The reliability of the evidence presented with the application,
- The frequency that the student has previously sought deferral,
- The timing of the request and whether it coincides with proposed reporting for breach of visa conditions.

If the deferral is approved and it affects the end date on the Confirmation of Enrolment (CoE) document, student will receive a new Confirmation of Enrolment (CoE) letter and have a new agreement written to reflect the applicable changes.

International students whose request for deferral was not approved will be required to attend their scheduled classes and complete their assessment tasks. Student will be notified accordingly and may enter an appeal process within twenty (20) working days from the receipt of the notification letter.

5.2 STUDENT INITIATED SUSPENSION

International students may apply for temporary suspension of their studies for a maximum period of one (1) semester using the *Application to Defer-Cancel Studies Form* and submitting it directly to International Services Administration or Campus Administration.

International students may apply to suspend their course only in the following limited circumstances:

- On the grounds of compassionate or compelling circumstances (at the discretion of AFTT),

International students must provide sufficient evidence to demonstrate that, due to circumstances beyond their control, they are temporarily unable to continue with their course.

The Application for *Application to Defer-Cancel Studies* is to be determined by the Director of International Services with consultation with Course Director and Campus Manager, who will approve or reject the application typically within two – three (2-3) business days from the application submission date.

In considering an application for temporary suspension of the course, the International Services Division will take into account a number of factors including:

- The impact on the student's duration of study and whether intervention or other strategies are needed to ensure that the student completes the course on time or whether an extension of duration is needed,
- The purpose and period of the suspension,
- The reliability of the evidence presented with the application,
- The frequency that the student has previously sought previous suspensions,
- The timing of the request and whether it coincides with proposed reporting for breach of visa conditions.

If the temporary suspension of the course is approved and it affects the end date on the Confirmation of Enrolment (CoE) document, student will receive a new Confirmation of Enrolment (CoE) letter and have a new agreement written to reflect the applicable changes.

International students whose request for suspension was not approved will be required to attend their scheduled classes and complete their assessment tasks. Student will be notified accordingly and may enter an appeal within twenty (20) working days from the receipt of the notification letter.

5.3 STUDENT INITIATED CANCELLATION

International students who wish to cancel enrolment in their course may do so at any time. International students must complete an *Application to Defer-Cancel Studies Form* and submit it directly to International Services Administration or Campus Administration.

Where there is a request for a refund of fees the request will then be passed on to Administration for consideration and final approval according to the AFTT Refund Policy.

Once the cancellation is processed the student will receive a letter from the International Services Division confirming the cancellation.

An international student who wishes to transfer to another education provider must have completed at least six (6) months study in the principal course at AFTT. Director of International Services may, in limited circumstances, approve the release of an international student prior to completing six (6) months of study in their principal course in order to transfer to another institution.

5.4 AFTT INITIATED DEFERRAL

Where AFTT initiates the **deferral** of an international student's enrolment due to course cancellation, it will:

- Immediately advise the international student of course cancellation;
- Advise international student of next course intake, and if the international student agrees to the deferral and wishes to continue their studies at AFTT;
- Amend any Confirmation of Enrolment documents.

5.5 AFTT INITIATED SUSPENSION

Where AFTT initiates the suspension of an international student due to student's (academic or non-academic) misconduct:

- The Director of International Services, or their delegate, meets with the student regarding their behaviour and informs the student of their suspension from the course. (Note: it is the student's obligation to attend this meeting),
- The student is also advised of any potential impact on their visa due to the suspension, their prospects for success in their studies, and opportunities for appeal,

- The Director of International Services, or their delegate, informs the student of the length of their suspension and the remediation opportunities available,
- A formal letter is posted to the student confirming the conditions of the suspension.

Where AFTT initiates the suspension of an international student due to non-payment of fees:

- The Director of International Services, or their delegate, meets with the student regarding non-payment of fees and informs the student of their suspension from the course. (Note: it is the student's obligation to attend this meeting),
- The student is also advised of any potential impact on their visa due to the suspension, their prospects for success in their studies, and opportunities for appeal,
- The Director of International Services, or their delegate, informs the student of the length of their suspension and the remediation opportunities available,
- A formal letter is posted to the student confirming the conditions of the suspension.

In the event of an AFTT initiated cancellation due to non-payment of fees, AFTT will not issue any award or statement of attainment until all agreed fees have been paid.

The Director of International Services may initiate a student suspension as part of the management of a critical incident involving the student, particularly in the cases of serious illness or accidents where the student is unable or incapable of reasonably communicating with the Academy.

5.6 AFTT INITIATED CANCELLATION

Where AFTT initiates the **cancellation** of an international student's enrolment due to serious misconduct and/or unsatisfactory course progress and/or non-payment of outstanding fees and/or failure to return to study after a scheduled student break:

- The Director of International Services, or their delegate, meets with the student and informs the student of their cancellation from the course. (Note: it is the student's obligation to attend this meeting),
- The student is also advised of any potential impact on their visa due to the enrolment cancellation, their prospects for success in their studies, and opportunities for appeal,
- A formal intention to report the enrolment letter is posted to the student outlining the reasons of cancellation and possible avenues to appeal.

Where the cancellation of a student's enrolment is due to unsatisfactory course progress, AFTT will ensure that all applicable processes have run their course prior to sending the formal intention to report the enrolment letter.

5.7 NOTIFICATIONS

AFTT will always advise an international student in writing on the outcome of their application, and when their enrolment status has been changed by either AFTT's initiative or upon the international student's request.

AFTT is required to notify the Department of Education and Department of Home Affairs (DoHA), through Provider Registration and International Student Management System (PRISMS) of the deferment, suspension or/and cancellation of international student's enrolment.

AFTT will report an international student's enrolment status change to Department of Education and Department of Home Affairs (DoHA), only when all possible internal and external appeal processes have been exhausted.

Once the Department of Education and Department of Home Affairs (DoHA), is notified of the cancellation of the student's enrolment, the student will have twenty eight (28) days to enrol in an alternative course or to return to their home country.

6. COMPLAINTS and APPEALS

As indicated in the above policy and procedure sections, an international student may lodge an appeal within twenty-eight (28) days of receipt of AFTT's written intention to:

- Terminate the enrolment;
- Suspend their enrolment.

The appeal must be submitted in writing to the Campus Administration using the Application to lodge an Appeal Form. Appeals submitted after that date will not be considered unless consideration under special circumstances has been approved by AFTT.

It is at the discretion of AFTT to admit late appeals applications.

Where a student does not initiate an appeal process, and the period of time to do so has passed, the decision of the termination or suspension of the student's enrolment will be reinforced and implemented.

In a situation where a student is not satisfied with the outcome of the internal appeal process, they have the right to access external appeal process/mediation within ten (10) working days from the date they receive the written notification of the internal appeal decision.

The student's enrolment is not cancelled until the appeals process (internal and external) has been completed.

International students have the right to appeal any decision of cancellation of an enrolment with exception of the situation when a student failed to return from the scheduled break and remained uncontactable, unless consideration under special circumstances has been approved by AFTT. AFTT considers this as cancellation of an enrolment initiated by the student.

POSITIONS RESPONSIBLE FOR IMPLEMENTING POLICY:

- Administration
- AFTT Academic Team Members
- Course Directors
- Campus Manager
- Director of International Services

RELATED LEGISLATION

This Policy supports AFTT's compliance with the following legislation:

Standards for Registered Training Organisation (RTOs) 2015

Education Services for Overseas Students (ESOS) Act 2000 (Cth),
National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018; ESOS National Code 2018, Part B, Standard 9