



# International Student Deferment, Suspension and Cancellation of Enrolment Policy and Procedure

## Purpose

This document outlines the framework, principles and procedures that guide the assessment, approval and record keeping of deferment, suspension and cancellation of enrolment for international students at Victorian School of Commerce (VSC), ensuring compliance with ESOS requirements and the National Code.

## Scope

This policy and procedure apply to all international student enrolments in units or courses offered by VSC in its Higher Education Courses.

## Policy

VSC is committed to a consistent and transparent process for the variation of enrolment. VSC adheres to the principle of equal access to educational opportunities by students of all backgrounds, experiences and abilities.

## Variations to Enrolment

A student may add or withdraw from units up to the time established by VSC for enrolment in the relevant study period, provided these changes comply with:

- The program structure
- The published course requisites
- Any other requirements published by VSC for the enrolment process

Students are responsible for ascertaining the impact of the change on their enrolment (e.g. study load, fees or student visa) when they make variations to their enrolments.

## Enrolments for International Students

International students need to maintain a full-time study load to meet the conditions of the student visa and enrol in at least four units per semester. International students may be permitted to enrol in less than four units of study due to compassionate or compelling circumstances, to support academic progression (intervention strategy) or program completion, or unit availability.

Compassionate or compelling circumstances are generally those beyond the control of the student and which are likely to have an impact on the student's course progress or wellbeing. They could include, but are not limited to:

- serious illness or injury, where a medical certificate states that the student will be unable to attend classes
- death or illness 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 international student's home country requiring emergency travel and this has impacted or will impact on the student's studies
- a traumatic experience which has impacted on the student, which may include:
  - involvement in or witnessing of a serious accident or
  - witnessing or being the victim of a serious crime.

These cases should be supported by police or psychologist's reports

- where VSC was unable to offer a pre-requisite unit
- and inability to begin studying on the course commencement date due to delay in receiving a student visa.

International students may also defer or suspend their studies for other reasons. However, the student will be required to provide compelling documentary evidence to support their request.

In accordance with the *Education Services for Overseas Students (ESOS) Act* and framework, the rights of international students studying in Australia are protected by ensuring:

- They receive current and accurate information about courses, fees, and modes of study
- They sign a written agreement with VSC before paying any fees and receive information regarding any refunds of fees or course money.
- They are informed of the *Tuition Protection Service (TPS)*, which is activated in the event that VSC is unable to teach the course in which they enrolled.

International students are advised of the circumstances and consequences regarding deferment or suspension of study prior to enrolment and during the student orientation process. International students applying to defer or suspend their studies will be reminded that a successful application may affect their student visa.

- In the event that the deferment of study for a commencing international student has been approved, the Student Administration will notify the student in writing of:
  - the decision and
  - remind them that a successful application may affect their student visa.
- In the event that the suspension of study for a continuing international student has been approved, the Student Administration team will notify the student in writing of:
  - the decision and
  - remind them that a successful application may affect their visa.

### **VSC Initiated Suspension of Study or Cancellation of Enrolment**

- All students are subject to the potential for provider-initiated suspension of study or cancellation of enrolment for both academic and non-academic misconduct, in accordance with VSC's *Academic Integrity Policy*, associated *Procedure* and *Code of Conduct*, respectively, as well as for non-payment of fees (a student's failure to pay the required amount to VSC to undertake or continue their course in accordance with their Letter of Offer).
- Students may also be subject to suspension due to unsatisfactory academic performance in accordance with VSC's *Academic Progression and At Risk Policy* and the associated *Procedure*.
- VSC must inform international students of the circumstances in which their studies may be suspended for misconduct prior to enrolment and during student orientation.



## Procedure

The Dean is responsible for the approvals of all deferral, suspension and termination requests. International students must contact the Department of Home Affairs concerning the effect any change of enrolment may have on their visa before formally lodging an application to change their enrolment status.

Students will not be allowed to defer or voluntarily suspend enrolment for more than one semester.

### Student-initiated deferrals, suspensions or cancellations of enrolment

- Students intending to suspend, defer or cancel their enrolment must inform Student Administration in writing.
- All supporting documentation must also be submitted before the semester commences.
- The Dean will assess the requests on a case-by-case basis.
- Under compassionate and compelling circumstances (as outlined in this document earlier), the Dean will approve the request within five (5) business days of receiving it.
- Student Administration will inform the student in writing of:
  - the decision and
  - to seek advice from the Department of Home Affairs regarding the potential impact of the suspension on their visa.
- The Finance Officer will check for any outstanding tuition fees. If applicable, refund will be made in accordance with VSC's *Student Refund Policy* and the associated *Procedure*.
- If the Dean approves deferment or suspension for compassionate or compelling reasons, the Student Administration will ensure the international student has a valid CoE in PRISMS with a start date that reflects the student's intended date of return to studies.
- Student Administration will access PRISMS to advise the Department of Home Affairs of the period of suspension granted.
- Where the Dean declines the request within five (5) business days of receiving it, Student Administration will inform the student in writing of
  - the decision and
  - the reason for the decision.
- Student Administration will also notify the student that they have 20 business days to access VSC's complaints and appeals process in accordance with the *Student Complaints and Appeals Policy* and associated *Procedure*.
- Student Administration will place the request for suspension, deferment and cancellation, all accompanying evidence and a copy of the written notification to the student of the decision and records of any appeal, including the outcome on the student's file in accordance with the *Records and Information Management Policy*.

VSC will only grant a withdrawal from a program to international students based on compelling or compassionate circumstances. If the withdrawal is granted, VSC will notify the Department of Education and Training of the change in the student's enrolment through PRISMS. The student must also seek advice from the Department of Home Affairs on any potential impacts on his or her student visa.



## VSC Initiated Suspension of Study or Cancellation of Enrolment

- The Dean will present to the CEO the intention to suspend a student's studies or cancel the enrolment on the basis of, but not limited to:
  - misbehaviour by the international student
  - failure to pay the required fees to undertake or continue the course as stated in the written agreement or
  - a breach of academic progress or attendance requirements by the international student.
- The CEO will consider the request to suspend the student's studies or cancel the student's enrolment with the supporting evidence and advise the relevant staff members of their decision.
- In the event that the CEO approves the request to suspend a student's studies or cancel their enrolment, the CEO will write to the student informing them of:
  - the notice of intention to report
  - the reasons for the decision
  - the intention to notify the Department of Home Affairs of the change in enrolment status and
  - advise the student that if they wish to appeal the decision, they have twenty (20) business days to access VSC's complaint and appeal process in accordance with the *Student Complaint and Appeal Policy* and associated *Procedure*.

This applies even if an international student's misbehaviour is grounds for immediate expulsion, unless the international student's wellbeing or health, or the wellbeing of others, is likely to be at risk.

- A copy of the letter and supporting evidence, along with the documented decision, is placed on the student's file.
- If the student chooses to access VSC's complaint and appeal process, subject to the extenuating circumstances set out below, VSC will:
  - maintain the student's enrolment until the complaint and appeal process is completed and
  - not notify the Department of Home Affairs of any change to the student's enrolment status through PRISMS unless the outcome of the appeal process results in the suspension or cancellation proceeding.
- Extenuating circumstances are those in which the student's health or wellbeing, or the wellbeing of others, is likely to be at risk. These may include but are not limited to where the student:
  - is missing
  - has medical concerns, severe depression or psychological issues, which leads VSC to fear for the student's wellbeing
  - has engaged or threatens to engage in behaviour that is reasonably believed to endanger the student or others or
  - is at risk of committing a criminal offence.

Any claim of extenuating circumstances will need to be supported by appropriate evidence.



- The National Code does not require VSC to continue providing learning opportunities throughout the twenty (20) business days allowed to appeal the decision and during the internal complaint and appeal process.
- Based on the nature of the misconduct, VSC will decide on a case-by-case basis, whether to:
  - allow the student to continue to attend class
  - make alternative study arrangements for the student or
  - deny the student access to study opportunities.

In making such a decision, VSC will consider whether denying the student learning opportunities throughout the twenty (20) business day appeal period and the internal complaint and appeal process may disadvantage the student in their subsequent studies, should that process find in their favour.

- If the student:
  - chooses not to appeal the suspension of study or cancellation of their enrolment in accordance with the *Student Complaint and Appeal Policy* and associated *Procedure* within twenty (20) business days of receiving VSC's decision to suspend the student's study or cancel the student's enrolment or
  - has unsuccessfully exhausted the internal appeal process under the *Student Complaint and Appeal Policy* and associated *Procedure*,

the suspension of study or cancellation of enrolment will be formally processed, and Student Administration will access PRISMS to advise the Department of Home Affairs of the change in the student's enrolment in accordance with section 19 of the ESOS Act. VSC will not wait for the outcome of an external appeal before notifying the Department of Home Affairs of the change to the student's study status.

- Student Administration will ensure that the following tasks are undertaken:
  - the student's financial records are adjusted to take account of the period of suspension or cancellation of enrolment if applicable
  - e-mail the relevant personnel advising them that the student's studies have been suspended or their enrolment has been cancelled so that records can be updated, the student's computer access and e-mail
  - account and library borrowing rights are suspended (until the student recommences their studies) or cancelled as applicable

This policy needs to be read in conjunction with the *Enrolment Policy* and *Enrolment Procedure*.

## Related policy instruments

*Academic Documentation and Graduation Policy*

*Academic Progression and At-Risk Policy*

*Academic Progression and At-Risk Procedure*

*Admissions Policy*

*Admissions Procedure*

*Code of Conduct*



*Credit and Recognition of Prior Learning Policy*

*Credit and Recognition of Prior Learning Procedure*

*Enrolment Policy*

*Enrolment Procedure*

*Equity and Diversity Policy*

*Assessment and Moderation Policy*

*Assessment and Moderation Procedure*

*Student Complaints and Appeals Policy*

*Student Complaints and Appeals Procedure*

*Student Orientation Policy*

*Student Orientation Procedure*

*Student Refund Policy*

*Student Refund Procedure*

## **Related documents and legislation**

*Higher Education Standards Framework (Threshold Standards) 2021: 7.2*

*Education for Overseas Students (ESOS) Act 2020*

*National Code of Practice for Providers of education and Training to Overseas Students 2018 (Federal Legislation).*

*Student Identifiers Amendment (Higher education) Act 2020*

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## **Administration**

### **Revision History**

Version	Approval date	Approval body	Review date
1.0	26/06/2022 26/06/2022	Board of Directors Academic Board	30/06/2024