



Deferral, Suspension and Cancellation of Enrolment Policy

Scope

This policy applies to all overseas students studying at the University of Adelaide College (hereby referred to as “the College”) operated by Kaplan Higher Education Pty Ltd under the terms of the Preferred Pathway Provider Agreement entered into with the University of Adelaide (hereby referred to as “the University”).

Purpose

This policy is in place to ensure correct and sufficient information is provided to students and staff regarding the grounds on which a student’s enrolment may be deferred, suspended or cancelled.

All students and staff involved in the recruitment, admission, academic delivery, management or administration of students must ensure that they have read and understand the processes involved.

Background

As a registered education provider, the College has obligations under the Education Services for Overseas Students Act 2000 (ESOS Act 2000), which regulates the delivery of education and training courses to overseas students who come to Australia on a student visa. One of the functions of the ESOS Act 2000 is to set up the National Code of Practice for Providers of Education and Training to Overseas Students (National Code 2018), which provides standards for all registered providers.

Standard 9 of the National Code 2018 provides that overseas students on student visas can apply to defer commencement of their course or temporarily suspend their enrolment once they have commenced studies in certain limited compassionate and compelling circumstances. The Standard also allows the provider to initiate deferrals, suspensions and cancellations of students’ enrolments in certain circumstances.

Definitions

ESOS Act means the Education Services for Overseas Students Act 2000 (Cth).

National Code 2018 means the National Code of Practice for Providers of Education and Training to Overseas Students 2018 established under the ESOS Act.

DoHA means the Department of Home Affairs.

PRISMS means the Provider Registration and International Students Management System.

Deferral means officially postponing the commencements of a course for a period of time.

Suspension means a period of time during which the student does not participate in their learning program, can be initiated by the student or the College.

Misbehaviour means any behaviour of a student which is in breach of the College Student Code of Conduct or as set out in the College Student Misconduct Policy.

Cancellation means the termination of a student's enrolment(s) with the College.

NAATI means the National Accreditation Authority for Translators and Interpreters.

Policy Statement

It is intended that each program delivered by the College will be undertaken continuously to completion. However, the College recognises that unforeseen circumstances may necessitate temporary interruption or termination of a student's study.

In the case where a deferral, suspension or withdrawal is required, the College will ensure its decisions are made in accordance with the assessment process outlined in this policy.

The College's Responsibilities

When processing requests for deferral, suspension or cancellation, staff must:

- ensure Overseas students, who are on a student visa, must be advised that any deferral, suspension or cancellation of their course may affect their student visa;
- ensure that the form has been completed in full;
- determine if the reasons for change, and the evidence submitted, are based on compassionate or compelling grounds, as set out in this policy;
- if a student is under the age of 18 years of age, follow additional process as set out in the Management and Monitoring of Under 18 Students Policy;
- notify the student, in writing, of the outcome of the request for change;
- notify the government sponsor of the outcome of request for change, if applicable; and
- notify the Department of Education via PRISMS of the change in the enrolment, if applicable.

Students Responsibilities

When submitting a request for a deferral, suspension or cancellation:

- overseas students, who are on a student visa, must be aware that any deferral, suspension or withdrawal of their course may affect their student visa;

- student wishing to defer, suspend or cancel their enrolment must complete the relevant application form;
- students must give reasons for their request and provide sufficient documentary evidence to support their application (examples include medical reports, a visa refusal letter or a visa cancellation notification);
- if a student is under the age of 18 years, evidence of a parent or legal guardian supporting the request must be provided, in accordance with the “Management and Monitoring of Under 18 Students Policy”; and
- if a student is sponsored by a government sponsor, evidence of the sponsor supporting the request must be provided.

Please note: All supporting documents must be written in English or translated into English by a NAATI accredited translator.

Students Deferring, Suspending or Withdrawing their Enrolment

Students wishing to defer or temporarily suspend their enrolment may only do so when there are compelling or compassionate circumstances. Compelling or compassionate circumstances are generally circumstances beyond the control of the student and which have an impact upon the student’s course progress or wellbeing. They could include, but are not limited to:

- serious illness or injury of a student, which must be evidenced by a medical certificate;
- bereavement of close family members such as parents or grandparents (where possible a copy of the death certificate should be provided) necessitating a return to the student’s home country;
- 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 could include:
 - o involvement in or witnessing of a serious accident; or
 - o witnessing or being the victim of a serious crime, and this has impacted on the overseas student (these cases should be supported by police or psychologists’ reports).
- where the College was unable to offer a course;
- inability to begin studying on the course commencement date due to delay in receiving a student visa; or
- the student’s visa being cancelled by the Department of Home Affairs due to reasons other than breaching student visa conditions.

Students submit a “Request for Deferral” form to the Student Services Team requesting to defer or temporarily suspend their studies, together with documentary evidence (in English) verifying their situation (for example, a medical report). The College will assess the application and make a decision within 10 working days. If an overseas student’s application for deferral or suspension is approved, the College will notify the student via email and the Department of Education and the Department of Home Affairs (DoHA) through the PRISMS reporting system.

Students wishing to terminate their enrolment(s) with the College will submit a “Withdrawal Request Form” in accordance with the College’s “Refunds and Fees Policy” which sets out how and when refunds are payable and how they are calculated.

Where a student is under the age of 18 years, they will need to obtain a parent’s or legal guardian’s approval for withdrawal, as set out in the “Management and Monitoring of under 18 Students Policy”.

Where a sponsored student is requesting a withdrawal, the approval from the sponsor is also required.

Suspension or Cancellation of Enrolment by the College

In accordance with the National Code 2018, the University of Adelaide College has the right to cancel or suspend a student’s enrolment in the following circumstances:

- misbehaviour by the student (which will include any behaviour of a student which is in breach of the College’s Student Code of Conduct or as set out in the Academic Misconduct Policy;
- if a student submits fraudulent documents to gain admission to the College;
- if a student does not maintain satisfactory course progress in accordance with the Course Progress Policy;
- if a student does not maintain satisfactory attendance in accordance with the Attendance Policy;
- if the student fails to meet the payment obligations outlined in the written agreement;
- breach of student visa conditions;
- if the student behaves in a way which could potentially bring the College into disrepute;
- *if a student is found to be engaging in or taking part in activities intended to deceive the College such as providing false or unauthorised documentation or making false or misleading statements or impersonating another;*
- if a student behaves in a way that is a threat to their own health and safety and/or a threat to the health and safety of another student or staff member;
- if the student has received two formal warnings from the College for breaching the Student Code of Conduct. A formal warning will be issued if a student:
 - o disobeys any College rules as set out in the Student Code of Conduct policy;
 - o knowingly engages in material plagiarism, cheating or academic misconduct;
 - o does not abide by the email and internet rules as stipulated by the College and the University of Adelaide;
 - o engages in any form of harassment (racial, sexual or verbal) or bullying towards another student or staff member;
 - o misuses or wilfully damages College facilities, equipment or property.

Appeals

Where deferral, suspension or cancellation is initiated by the College, the student will be entitled to access the College's complaints and appeals process, in accordance with the Complaints and Appeals Policy. If the student accesses the College's internal complaints and appeals process, suspension or withdrawal of the student's enrolment cannot take effect until the College complaints and appeals process is completed, unless the extenuating circumstances relating to the welfare of the student apply.

The extenuating circumstances include, but are not limited to the following, the student:

- refuses to maintain approved care arrangements (only for students under the age of 18 years);
- is missing;
- has medical concerns, severe depression or psychological issues which lead the provider to fear for the student's wellbeing;
- has engaged or threatens to engage in behaviour that is reasonable believed to endanger the student or others; or
- is at risk of committing a criminal offence.

If an overseas student's enrolment is suspended or cancelled, the College will notify the Department of Education and the Department of Home Affairs (DoHA) through the PRISMS reporting system.

Relevant Legislation and Policies

As a registered provider, the University of Adelaide College operates under strict laws and regulations. Policies and procedures are in place to ensure compliance with such laws.

Below, please find the most relevant legislations, policies and procedures which apply to the "Attendance Policy":

Tertiary Education Quality and Standards Agency Act 2011 (TEQSA Act)

<https://www.legislation.gov.au/Details/C2017C00271>

Higher Education Standards Framework (Threshold Standards) 2015

<https://www.legislation.gov.au/Details/F2015L01639>

Education Services for Overseas Students Act 2000 (ESOS Act 2000)

<https://www.legislation.gov.au/Details/C2017C00292>

Education Services for Overseas Students Regulations 2001

<https://www.legislation.gov.au/Details/F2016C00681>

National Code of Practice for Providers of Education and Training to Overseas Students 2018

<https://www.legislation.gov.au/Details/F2017L01182>

Standard 9 of the National Code 2018 Factsheet

<https://internationaleducation.gov.au/Regulatory-Information/Documents/National%20Code%202018%20Factsheets/Standard%209.pdf>

Other College policies associated with the “Deferral, Suspension and Cancellation Policy” (to be found at following link <https://college.adelaide.edu.au/about/policies-and-procedures/>)

- Complaints and Appeals Policy
- Attendance Policy
- Course Progress Monitoring Policy
- Compassionate or Compelling Circumstances Policy
- Management and Monitoring of Under 18 Students Policy
- Refunds and Fees Policy

Amendments

The College reserves the right to amend this policy at its discretion. All changes and amendments to our public policies are published on the College’s website at following link:

<https://college.adelaide.edu.au/about/policies-and-procedures/>

Questions

If you have any questions or comments about this policy, please contact Student Services or Reception. If you do not have any questions the College presumes that you understand and are aware of the rules and guidelines in this policy and you will adhere to them at all times.

Version Control and Accountable Officers

It is the joint responsibility of the Implementation Officer and Responsible Officers to ensure compliance with this policy.

Policy Category	Academic			
Responsible Officers	Vice President, Academic			
Implementation Officer	College Director, The University of Adelaide College			
Review Date	March 2024			
Approved by:				
Joint Academic Board				
Version	Authored by	Brief Description of the changes	Date Approved	Effective Date
5.0	Kaplan Australia Quality, Regulations and Standards Team.	<p>Reviewed and updated policy to meet criteria of ESOS framework and National Code 2018, ELICOS Standards 2018, National Standards for Foundation Programs.</p> <p>Added reference to legislation and relevant policies.</p> <p>Added the "Version Control" section to provide ongoing information on updates and reviews of the policy for continuous improvement purposes.</p>	March 2019	March 2019