



RTO 41228 | CRICOS Provider No. 03640K

## **Deferring Suspending and Cancelling enrolment Policy and Procedure**

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### Version control

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23 May 2019	V1.1	Updated policy and procedures in line with the National Code 2018	Compliance Officer
Feb 2022	V1.2	Policy reviewed against the practices	Compliance Officer
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## Contents

<b>1. Purpose .....</b>	<b>3</b>
<b>2. Scope .....</b>	<b>3</b>
<b>3. Responsibility .....</b>	<b>3</b>
<b>4. Compliance/legislations .....</b>	<b>3</b>
<b>5. Definition .....</b>	<b>4</b>
<b>6. Policy .....</b>	<b>5</b>
<b>7. Procedure .....</b>	<b>7</b>
<b>8. Recording and Reporting .....</b>	<b>11</b>
<b>9. Complaints and Appeals .....</b>	<b>11</b>
<b>10. Associated documents and guides .....</b>	<b>11</b>

## 1. Purpose

This policy establishes the requirements for Axis institute and overseas students to defer, suspend and cancel the course under eligible circumstances in accordance with the standard 9 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

## 2. Scope

This policy applies to all overseas students enrolled with Axis institute's courses of study and outlines the process for assessing and documenting requests for deferral, suspension or cancellation of studies, in line with obligations under Standard 9 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

## 3. Responsibility

Student Administration Manager will be responsible for the implementation of this policy.

## 4. Compliance/legislations

Clause/standard	Requirement
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Standard 9 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018cs	Deferring, suspending or cancelling the overseas student's enrolment
Section 19(1A) of the ESOS Act	requires a registered provider to advise of any change to an accepted student's enrolment within 31 days after the event occurs, or 14 days if the accepted student is less than 18 years old, via PRISMS

## 5. Definition

Cancellation	Cessation of enrolment in course.
Deferral	Postponement of commencement of course by prospective students who have been offered a place in courses offered by the Institute and have not yet commenced studies.
Compassionate and Compelling circumstances	Circumstances beyond the control of the student and which have an impact on the student's course progress or wellbeing.
Extenuating circumstances	<p>Circumstances relating to the welfare of the student apply, such as (but is not limited to):</p> <ul style="list-style-type: none"> <li>• The student is at risk of committing a criminal offence or is the subject of an investigation relating to criminal matters</li> <li>• The student's actual or threatened behavior poses a threat to other students</li> <li>• The student has medical or psychological problems that may affect their well-being</li> <li>• The student cannot be located</li> </ul>
Suspension	A temporary interruption to the study program of the student and can be initiated by either institute or student.
Student Misbehaviour/misconduct	Cheating or plagiarism, swearing, fighting, displays of aggressive behaviour, abusive language, engaging in discriminatory or threatening behaviour

Student Visa	Non-immigrant visa that any student from another country must obtain to study in the country
PRISMS	Provider Registration and International Student Management System
VEVO	Visa Entitlement Verification Online

## 6. Policy

6.1 Axis institute ensures the process for assessing, approving and recording a deferment, suspension or cancellation of study is accessible to the students via its website, student handbook and pre-enrolment information given to the overseas student including via its authorised education agents.

6.2 Axis institute allows international students to initiate deferral, suspension or cancellation of their studies only in certain limited circumstances below:

- Student has a reasonable compassionate ground supported with evidence,
- there has been serious misbehaviour and breaches of institute rules including General and Academic misconduct by the student,

6.3 Axis institute may suspend or cancels students' enrolment under defined conditions described in the procedure by notifying the overseas student in writing of the intentions to do so in following circumstances:

- 6.3.1 a student fails to pay the agreed fees as clearly indicated in the Written Agreement signed by the student
- 6.3.2 a student fails to make course progress in accordance with the Course Progress Policy & Procedure
- 6.3.3 a student fails to meet the required attendance requirements of the course as described in the Course Progress Policy & Procedure

6.4 Axis institute assesses the overseas student's request for deferral of the commencement and suspension of the enrolment/study in accordance with this policy and procedure in following compelling and compassionate grounds:

- 6.4.1 serious illness or injury, where a medical certificate states that the overseas student was unable to attend classes;
- 6.4.2 bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided);
- 6.4.3 major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the overseas student's studies;
- 6.4.4 a traumatic experience, which could include:
  - 6.4.4.1 involvement in, or witnessing of a serious accident; or
  - 6.4.4.2 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)
- 6.4.5 where Axis institute is unable to offer a pre-requisite unit, or the overseas student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol

- 6.4.6 inability to commence course due to non-issue of visa
- 6.5 Axis institute verifies all the documents submitted by student sit support their claims before making a decision on the request.
- 6.6 Axis institute ensures the student visa holder has a valid CoE in PRISMS with a start date that reflects the student's intended date of return to studies if the deferral or suspension is because of compassionate and compelling reason.
- 6.7 Axis institute can initiate the deferrals, suspensions or cancellations of enrolment on the basis of, but not limited to:
  - 6.7.1 the overseas student's misbehaviour or misconduct;
  - 6.7.2 the overseas student failing to pay the required fees as outlined in their letter of offer and student agreement; or
  - 6.7.3 the overseas student not meeting the course progress or attendance requirements by the overseas student.
- 6.8 Axis institute can defer, suspend, or cancel the student enrolment, which may result in visa cancellation, for:
  - 6.8.1 Student misconduct or misbehavior
  - 6.8.2 Reason other than compassionate and compelling circumstances
  - 6.8.3 The compassionate or compelling circumstances which warranted the deferral or suspension of studies cease to exist
  - 6.8.4 Fraudulent evidence or document provided to Axis institute at the time of student application
- 6.9 Institute holds its discretion to cancel the enrolment of a student in case of non-payment of tuition fees. Institute does not have to wait to cancel the enrolment after the internal appeal has been conducted (negative outcome) or the time period for internal appeal has been expired.
- 6.10 Institute will ensure that the process for assessing, approving/rejecting and recording of the deferment, suspension and cancellation of students' enrolment is documented the evidence of the any such decisions will be recorded in the student profile in Student Management System.
- 6.11 Axis institute notifies of the decision outcome to the Department of Education and Training through PRISMS.
- 6.12 The change in enrolment status will not be reported to Department of Education until the internal appeals process is completed unless extenuating circumstances relating to the welfare of the student apply.
- 6.13 Axis institute informs the overseas student to seek advice from the Department of Home Affairs on the potential impact on their visa if the enrolment has been deferred, suspended, or cancelled.
- 6.14 Axis institute ensures that its Access and Equity Policy plays a key role in its operation and decision-making process that everyone is treated fairly and without prejudice.
- 6.15 Axis institute honours students right to appeal a decision that Institute will not let a suspension or cancellation take effect and notify DHA of a change to the enrolment

status until the internal complaints and appeals process is completed, unless their health and wellbeing, or the wellbeing of others, is likely to be at risk.

6.16 The situations where an overseas student's health and wellbeing, or the wellbeing of others, is likely to be at risk could be what the student:

- 6.16.1 refuses to maintain approved care arrangements, if they are under 18 years of age;
- 6.16.2 is missing;
- 6.16.3 has medical concerns, severe depression or psychological issues which lead the provider to fear for the overseas student's wellbeing;
- 6.16.4 has engaged or threatens to engage in behaviour that is reasonably believed to endanger the overseas student or others; or
- 6.16.5 is at risk of committing a criminal offence.

6.17 Axis institute will not include the period of suspension of enrolment due to deferral or suspension in attendance monitoring.

## 7. Procedure

Information relating to the deferral suspension and cancellation including the effect of these changes in variation are communicated to the student pre-enrolment via various channels such as the published material and website.

### 7.1 Student's Initiated Deferral, Suspension or Cancellation

- 7.1.1 Students wishing to defer, cancel, suspend (i.e., take a leave of absence or withdraw) from their studies, submits a [Enrolment Variation Form here](#) along with supporting evidence to substantiate the compelling and compassionate reasons as specified in section 6.4 of this document by including evidence such as:
  - 7.1.1.1 medical certificate or supporting documentation from a registered psychologist / medical practitioner (including their provider number) where it indicates the student is suffering from a serious illness or injury and is unable to attend class including the period of non-attendance.
  - 7.1.1.2 death certificate of close family members such as parents or grandparents
  - 7.1.1.3 police or psychologist's report
  - 7.1.1.4 other documentation supporting compassionate or compelling circumstances (Medical Certificates and Reports from overseas about an immediate family member being sick)
  - 7.1.1.5 Travel arrangement and visa refusal evidence

The Student Services Manager/department assesses the application, supporting evidence, the timing of a request and academic progress (if submitted during a period of study) according to this document and other relevant policies if applicable.
- 7.1.2 Student Services department responds to the student about the outcome in writing. In the event of rejection of the application, Student Services team advises the student about their rights to appeal the decision within 20 working days from receiving the notification of outcome.
- 7.1.3 If the application is approved, the student will be informed (in writing) of the outcome as follows:
  - 7.1.3.1 Deferral:

- (i) Student Admin Department sends a copy of revised Letter of Offer and Written Agreement.
- (ii) Student accepts and signs off a new agreement copy. Institute will also advise the student in writing that changes to their course duration will be recorded on PRISMS and that this may have implications for their student visa.
- (iii) If the deferral affects the end date of the CoE, the original CoE is cancelled and new CoE is created with a more appropriate date and know when the student is returning.
- (iv) If the end date of the CoE is not affected, new CoE is not created but the notice of deferment or suspension is recorded in PRISMS.

#### 7.1.3.2 Cancellation:

- (i) For a successful cancellation application, Institute will notify the student in writing and cancel the CoE and subsequently report the cancellation on PRISMS within 31 days.
- (ii) If the students advise Institute that they no longer wish to remain enrolled in the course or trigger a cancellation of their enrolment through their conduct, Institute will advise the DHA via PRISMS, and their CoE will be cancelled. However, Institute will provide students an opportunity to appeal the decision before finalising on the PRISMS.
- (iii) Institute will retain copies of all written material related to deferrals, suspensions or cancellations in the student's file as per its record management policy.

7.1.3.3 A copy of the students updated CoE (in case of deferment or suspension) will be emailed to the student, along with the Enrolment Variation Letter, which indicates the student should seek advice from Department of Home Affairs about the potential implications it may have on his or her student visa, in case of the change of the course end date 6.

7.1.3.4 In case of cancellation, only the Enrolment Variation Letter will be emailed to the student, which indicates the student should seek advice from Department of Home Affairs about the potential implications it may have on his or her student visa.

7.1.3.5 Student enrolment status within Galaxy 360 is changed to cancelled and if applicable, statement of attainment is issued.

## 7. 2 Institute initiated Deferral, Suspension or Cancellation

7.2.1 Whether Institute determines there is a substantial ground to defer/cancel/suspend the student's enrolment in accordance with this policy, the Admissions and Student Services Manager notifies the student in writing of its intention to suspend or cancel the student's enrolment.

7.2.2 Axis institute can suspend or cancel the enrolment because of:

- a. Student misconduct
- b. Failure to pay the student fees as specified in the student agreement
- c. Student non-compliance with course progress and attendance
- d. Student non-commencement

7.2.3 The notification includes a clear explanation of the reasons for the intended cancellation and outline the appeals process available to the student.

7.2.4 The student is required to respond to the notification within 5 working days.



- 7.2.5 Based on the student's response, The Admissions and Student Services Manager decides whether or not to proceed ahead with the process or reconsider the intention to cancel the student's enrolment.
- 7.2.6 If Axis institute considers and makes the decision that the suspension or cancellation should proceed, the student is given 20 working days to access the internal appeal process. This applies even if an overseas student's misbehaviour is grounds for immediate expulsion, unless the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk
- 7.2.7 Once the internal appeal is completed, Axis institute proceeds with the deferral, suspension or cancellation in cases of student misconduct and non-payment of the tuition fees as outlined in the student agreement.
- 7.2.8 If the student does not appeal within the 20 days, the process is completed by reporting the enrolment status to the PRISMS.
- 7.2.9 Axis institute waits for student to access external complaints handling and appeal process in case of the suspension or cancellation because of student's unsatisfactory course progress and non-attendance.
- 7.2.10 Students is not given an opportunity to appeal the suspension, deferral or cancellation decision if the student's health or wellbeing, or the wellbeing of others, is likely to be at risk. The evidence used to support the decision is recorded in the student management system in the respective student profile. The evidence could be:
  - 7.2.10.1 Student refusing to maintain the approved care arrangement in case of student under the age of 18
  - 7.2.10.2 Student missing for prolonged period for reason other than compelling and compassionate reasons
  - 7.2.10.3 Student having medical concerns, severe depression or psychological issues which may put student wellbeing at risk.
  - 7.2.10.4 Student engaging or threatening to engage in behaviour that is believed to endanger the student or the others
  - 7.2.10.5 Student being at risk of committing a criminal offence
- 7.2.11 Deferral, suspension, or cancellation is completed/reported after the internal complaints handling and appeal process has been completed in case of misbehaviour and non-payments.
  - 7.2.11.1 Overseas student will be advised via email within 10 working days of the completion of the internal complaints handling and appeal process and student will be provided 10 working days to access the external review options from the day of completing the internal review or student receiving a decision of the internal review.
  - 7.2.11.2 If the student intends to access the external review, they need to provide evidence of the same such as the lodgement acknowledgement or an email from the external body within 10 working days from the day of completing the internal review or receiving a decision of the internal review by sending email to [info@axisinstitute.edu.au](mailto:info@axisinstitute.edu.au) (Brisbane Campus), [nsw@axisinstitute.edu.au](mailto:nsw@axisinstitute.edu.au) (Paramatta Campus).
- 7.2.12 Once the external process is completed, Axis institute implements the decisions or recommendations and/or take the preventive or corrective action required by the outcomes of the external complaints handling or appeal process and notify overseas student of the outcome.

- 7.2.13 A copy of the students updated CoE (in case of deferment or suspension) will be emailed to the student, along with the Enrolment Variation Letter, which indicates the student should seek advice from Department of Home Affairs about the potential implications it may have on his or her student visa, in case of the change of the course end date.
- 7.2.14 In case of cancellation, only the Enrolment Variation Letter will be emailed to the student, which indicates the student should seek advice from Department of Home Affairs about the potential implications it may have on his or her student visa.
- 7.2.15 Student enrolment status within Galaxy 360 is changed to cancelled and if applicable, statement of attainment is issued.

### **7.3 Additional guidelines for overseas students**

If an international student's enrolment is cancelled and the student does not secure alternative enrolment with a CRICOS provider within 28 days of the CoE cancellation, their visa may be cancelled, and the student must return to their home.

- 7.3.1 The student will be required to prove that they are returning home, such as by providing their airline ticket along with their Enrolment variation request if they want to cancel the enrolment because they are returning to their home country.
- 7.3.2 International students can suspend enrolment for a maximum period of 12 months. In case of exceptional circumstances (supported by documented evidence), longer suspensions may be granted at the discretion of Institute management.
- 7.3.3 Deferral, temporary suspension or cancellation of enrolment may affect the student's visa.
- 7.3.4 If an international student's enrolment is suspended for more than six months, the student's visa may be cancelled by the DHA.
- 7.3.5 In case of student under the age of 18, the cancellation of their CoE does not cancel their Confirmation of Appropriate Accommodation and Welfare and Axis institute will still be responsible for their welfare arrangement until one of the below conditions are met:
  - 7.3.5.1 the overseas student has alternative welfare arrangements approved by another registered provider; or
  - 7.3.5.2 the overseas student has a nominated guardian approved by the Department of Home Affairs; or
  - 7.3.5.3 the overseas student leaves Australia; or
  - 7.3.5.4 the registered provider has notified the Department of Home Affairs through PRISMS that it is no longer able to approve the overseas student's welfare arrangements; or
  - 7.3.5.5 the registered provider has taken the required action under Standard 5.5 after not being able to contact the overseas student; or
  - 7.3.5.6 the overseas student turns 18

## 8. Recording and Reporting

The process of reporting, communicating to the student and updating the student management system is carried out as per the “*Enrolment Variations Manual*” and “*DHA Student Course Variation Report Options Reference Guide*”.

Axis institute notifies the Department of Education and Training through PRISMS for each of the possible outcome of the deferral suspension and cancellations as per:

- 8.1 if the deferral or suspension is for a period which does not affect the end date of the CoE. There is no change made to the CoE on PRISMS, the status will still be listed as “Studying”, just the notice of the variation is recorded in the PRISMS
- 8.2 if the deferral or suspension is for a period that affects the end date of the CoE. The original CoE is cancelled and new CoE is created with a more appropriate end date. In case of uncertainty of the student coming back, new CoE is not created until the student notifies their intended date of return.
- 8.3 If the decision is made for the cancellation and all the appeals, both internal and external if applicable, have been completed withholding the original decision. The CoE is cancelled and listed as “cancelled” and reported.
- 8.4 The changes to student enrolment are reported via PRISMS within 31 days after the event occurs, or within 14 days if the student is less than 18 years old.

## 9. Complaints and Appeals

Axis institute honours the rights of students to make complaints and access appeals as per this policy and Complaints and Appeals Policy. Student can lodge their complaints and appeals by completing “*Complaints and Appeals form*” sending it to [complaints@axisinstitute.edu.au](mailto:complaints@axisinstitute.edu.au).

## 10. Associated documents and guides

- Enrolment Variations Manual (Internal document)
- Transfer Between Providers Policy and Procedure
- Access, Equity and Fair Treatment Policy
- Complaints and Appeals Policy
- Complaints and Appeal form
- Institute website information content
- Enrolment Variation Form
- Student Academic and General Code of Conduct Policy and Procedure
- Student Handbook
- Student Agreement
- Standard 9: Deferring, suspending or cancelling the overseas student’s enrolment, National Code of Practice for Providers of Education and Training to Overseas Students 2018
- DHA\_student-course-variation-report-options-reference-guide
- Provider Registration and International Student Management System (PRISMS) Provider User Guide V 1.0

**Important Notes:**

- Data officers are to be advised in relation to any amendments to student enrolments in order to ensure students' course details are accurately updated within the Student Management System (Galaxy 360)
- Deferral, Suspension or cancellation of enrolment may have implications for the student's visa; especially if the course end data has been changed. Axis Institute advises that students seek appropriate advice regarding these implications by contacting the Department of Home Affairs. Axis Institute does not provide immigration advice to students