

Deferring, Suspending, Cancelling Policy and Procedure

Scope

This policy applies to all overseas students enrolled with Vibe College'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 the Standard 9 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018.

Policy

All overseas students will be provided with a copy of this policy prior to enrolment in order to inform of the basis on which applications for deferral, suspension or cancellation of studies will be assessed. This policy also outlines the circumstances in which the Vibe College initiated suspension or cancellation of a student's enrolment will be managed. This policy is also available on the website of Vibe College.

Attendance monitoring will not be conducted during approved deferred or suspended periods of an overseas student's enrolment.

Definitions

- a. **Deferral:** Application for a deferral is when a student makes the decision to postpone or put off their course BEFORE it commences.
- b. **Suspension:** Suspension applies when a student needs to put their studies on hold during the course. A student may apply for a suspension of their studies due to the compassionate or compelling reasons. Vibe College can also suspend a student's studies due to the misconduct.
- c. **Cancellation:** Cancellation applies to a student seeking to terminate their enrolment and permanently withdraw from the course of study. Vibe College can also make the decision to cancel a student's enrolment either on the basis of misconduct or breach of student visa conditions.

Overseas Student's Initiated Deferral, Suspension or Cancellation – Procedure

An overseas student may request a deferral or suspension of their enrolment under compassionate or compelling circumstances. Compassionate and compelling circumstances may include (but are not limited to):

- serious illness or injury, where a medical certificate states that the overseas student was unable to attend classes
- bereavement 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 home country requiring emergency travel and this has impacted on the overseas student's studies; or
- 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)

- inability to commence course due to non-issue of visa

The following examples are not unusual or exceptional circumstances and are not grounds for an overseas student to request a deferment, suspension, or cancellation of their enrolment:

- Work-related pressures
- Daily life traumas and stresses
- Relationship difficulties and break ups
- Minor illnesses which do not incapacitate the student.
- Celebratory relationship events e.g., Weddings
- Any type of health or religion-related claims regarding food handling where food handling is a clear requirement of the enrolled course program.

Requests must be submitted using the Enrolment Variation Form, together with documentation supporting the reason for the request. Requests will be responded to within 10 working days.

Supporting Documentation

Supporting documents to be provided with an application may include but not limited to:

- If the student is requesting suspension/deferral on grounds, then the student must provide the appropriate documentation.
- If the student is unable to travel to Australia, medically unfit to travel documents are required.
- If the student visa is granted late where the student is required to provide a notice period for termination of their current employment to their existing employer
- Specific dates must be provided. Terms such as 'early', 'mid', 'late' or month only are not acceptable.
- If the student is going offshore, then they must be able to show a valid Departure and Return airfare. Itinerary or confirmations are not acceptable.
- Bereavement – A Death or Critical Illness Certificate must be provided.
- A Traumatic Experience – A Police Report must be provided.
- If the student is medically unfit to study, a suitably descriptive doctor's medical certificate that covers the period of deferment / suspension. Note: Vibe College reserves the right to request further details from the issuing Doctor

If the student's application is approved, Vibe College will:

- Advise the student of the decision in writing (Enrolment Variation Letter), along with informing the student that any amendment to their enrolment (including cancellation), may affect their student visa and recommend they seek advice from the Department of Home Affairs.
- If the period of suspension or deferral does not impact the completion date specified on the student's CoE, the student's CoE will not be amended or re-issued, however, the period of deferral/suspension will still be recorded in PRISMS.
- If the period of suspension or deferral impacts the commencement or completion date of the CoE, the Department of Education and Training will be notified via PRISMS, the original CoE will be cancelled and re-issued with applicable dates amended as per revised commencement and/or completion dates.

- In the event of the cancellation of an overseas student's enrolment, Vibe College will notify the Department of Education and Training via PRISMS and complete the internal processes in relation to course cancellation, including if applicable, issuance of statement of attainment.

If the student's application is not approved:

- and the student is dissatisfied in relation to decisions made in regard to the outcome of an application for suspensions, deferral, or cancellation of studies, may appeal against the decision, with the appeal to be lodged within 21 working days of the date of the decision. Please see Vibe College Complaints and Appeals Policy, available from the College website, www.vibecollege.edu.au).
- Vibe College will update the student's enrolment on PRISMS within 31 days, as per Section 19 ESOS Act, once the internal and/or external appeal process is over, and the outcome is in favour of Vibe College and the student has exhausted all appeal options.

Vibe College Initiated Suspension or Cancellation of an Overseas Student's Enrolment

Vibe College may suspend or cancel an overseas student's enrolment on the basis of:

- misbehaviour or academic misconduct by the student (as per Academic and General Conduct Policy of Vibe College)
- failure to pay course fees
- breach of student visa conditions (e.g., in relation to satisfactory progress)
- failure to undertake/continue the course as detailed in the student's written agreement
- Vibe College implementing its intervention strategy for students breaching satisfactory course progress (including where the student is clearly having difficulty in completing the course within the expected duration, as specified on the student's CoE), in accordance with Standard 8 of the National Code 2018

In the case where Vibe College has initiated the suspension or cancellation of a student's enrolment, a Notice of Intention to Report (with reasons) will be issued to the student, together with information on how to access the college's internal complaints and appeals process.

The student will have 21 days in which to appeal the decision by initiating the Complaints and Appeals process. Notification on PRISMS will not occur until the result of the internal and/or external appeals process is known, unless extenuating circumstances relating to the welfare of the student apply, such as (but is not limited to):

- The student is at risk of committing a criminal offence or is the subject of an investigation relating to criminal matters.
- The student's actual or threatened behaviour poses a threat to other students
- The student has medical or psychological problems that may affect their well-being
- The student cannot be located

Procedure

1. Students must submit a request using the Enrolment Variation Form, together with documentation supporting the reason for the request to Vibe College via email: info@vibecollege.edu.au.
2. Requests will be responded to in writing within 10 working days.

3. Vibe College will advise the student in writing of the decision, ensuring the student is informed that any amendment to their enrolment may affect their student visa and that it is recommend they seek advice from the Department of Home Affairs
4. If the student's application is approved, Vibe College will update the student's enrolment on PRISMS within 31 days, as per Section 19 ESOS Act.
 - 4.1. Deferral has been approved – the original CoE to be cancelled and re-issued with applicable dates amended as per revised commencement and completion dates.
 - 4.2. Suspension has been approved - if the period of suspension impacts the commencement or completion date of the CoE, the Department of Education and Training will be notified via PRISMS, the original CoE will be cancelled and re-issued with applicable dates amended as per revised commencement and/or completion dates.
 - 4.3. Suspension has been approved - if the period of suspension or deferral does not impact the completion date specified on the student's CoE, not amendment is required to the student's CoE, however, the period of suspension must still be recorded in PRISMS.
 - 4.4. Cancellation has been approved – notify Department of Education and Training via PRISMS, cancel Student CoE, amend student enrolment within RTO Manager and if applicable, issue statement of attainment.
5. 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. 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. If the student's application is not approved and he or she is dissatisfied in regard to the outcome of the application for suspension, deferral or cancellation of studies, the student may appeal against the decision with the appeal to be lodged within 20 working days of the date of the decision. Please see Vibe College Complaints and Appeals Policy, available from the College website
8. If the student chooses to access the Vibe College complaints and appeals process, any variation to their enrolment under this standard cannot take effect until the process is completed, unless extenuating circumstances relating to the welfare of the student apply.
9. If the internal and/or external appeal at the end of the process, is in favour of the student, Vibe College will implement the recommendations made.
10. If the internal and/or external appeal at the end of the process, is in favour of Vibe College, Vibe College will ensure that a written copy of the decision is made available to the student, including full details of the reason for the decision.

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 (RTO Manager)
- Deferral, Suspension, or cancellation of enrolment may have implications for the student's visa; especially if the course end date has been changed. Vibe College advises that students seek appropriate advice regarding these implications by



contacting the Department of Home Affairs. Vibe College does not provide immigration advice to students.