

## POLICY AND PROCEDURE

<b>Deferment, Suspension, Withdrawal or Cancellation of Enrolment</b>		
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Refer to the following Legislative Frameworks		
<b>Standards for Registered Training Organisations 2015</b>	Clause 1.7	
<b>National Code of Practice for Providers of Education and Training to Overseas Students 2018</b>	Standard 9	
<b>Other</b>	N/A	
<b>Related Documents (Internal)</b>		
Australian International Institute of Technology Student Handbook Australian International Institute of Technology Student Written Agreement Form: Complaints and Appeal Lodgement Form: Deferment, Suspension or Cancellation of Enrolment Form: Leave from Studies Request Form: Withdrawal from Studies Policy and Procedure: Applications, Offers and Enrolments Policy and Procedure: Attendance Policy and Procedure: Complaints and Appeals Policy and Procedure: Critical Incident Policy and Procedure: Monitoring Course Progress and Student's at Risk Policy and Procedure: Overseas Student Transfers Policy and Procedure: Privacy Policy and Procedure: Records (Management) Policy and Procedure: Tuition Fees and Charges Register (Complaints and Appeals) Register (Tuition Fees and Charges)		
<b>Related Documents (External)</b>		
Tuition Protection Scheme (TPS) Charter		

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## 1. Purpose

As outlined in *the National Code of Practice for Providers of Education and Training to Overseas Students 2018 Standard 9*, for deferring, suspending or cancelling an overseas student's enrolment with Australian International Institute of Technology a student may only defer or temporarily suspend their studies, including granting a leave of absence, during their course (through a formal agreement) in certain limited circumstances.

## 2. Scope

This policy and procedure outlines the circumstances for the application, assessment and approval of the deferment, suspension, withdrawal, leave of absence or cancellation of enrolment when instigated by either student or Australian International Institute of Technology and subsequent reporting requirements via the Provider Registration and International Student Management System (PRISMS).

## 3. Definitions

**Cancellation** - the termination of enrolment in a course.

**CoE** - Confirmation of Enrolment.

**Course** - means a course of education or training as defined in the ESOS.

**Deferment** - to delay the commencement of a course.

**ESOS** - Education Services for Overseas Students Act 2000.

**PRISMS** - the Provider Registration and International Student Management System.

**Suspension** - the temporary postponement of enrolment during a course.

## 4. Student initiated Leave from Studies

Australian International Institute of Technology may approve a student initiated leave from studies for a maximum period of **two (2) weeks** within a term study period.

A *Leave from Studies request form* must be submitted to the Academic Manager for approval and students must provide a valid reason and evidence for the leave from studies request.

Australian International Institute of Technology may ask for documentary or third-party evidence to verify the leave request including:

- Certified Medical Document from a registered medical organization or medical practitioner
- Travel Itinerary (Travel Commencement and Return Dates)
- Statutory Declaration (Signed)
- Victorian Police Report

## 5. Australian International Institute of Technology initiates a Deferment or Suspension

Australian International Institute of Technology may defer or suspend the enrolment of a student, if Australian International Institute of Technology believes there are compassionate or compelling circumstances.

In addition, Australian International Institute of Technology may suspend or cancel a student's enrolment including, but not limited to, on the basis of:

- misbehaviour by the student

- the student's failure to pay an amount that they are required to pay to Australian International Institute of Technology to undertake or continue the course as stated in the student's written agreement
- a breach of course progress or attendance requirements by the overseas student, which must occur in accordance with the *National Code 2018, Standard 8 (Overseas student visa requirements)*.

## 6. Australian International Institute of Technology initiates a Suspension or Cancellation

If Australian International Institute of Technology initiates a suspension or cancellation of the overseas student's enrolment, before imposing a suspension or cancellation Australian International Institute of Technology will:

- inform the overseas student of that intention and the reasons for doing so, in writing
- advise the overseas student of their right to appeal through the provider's internal complaints and appeals process, in accordance with the *National Code 2018, Standard 10 (Complaints and Appeals)*, within **twenty (20) working days**.

When there is any deferral, suspension or cancellation action taken under this Standard, Australian International Institute of Technology will:

- inform the overseas student of the need to seek advice from Immigration (i.e. the Department of Home Affairs) on the potential impact on their visa
- report the change to the overseas student's enrolment under *Section 19 of the Education Services for Overseas Students Act 2000 (ESOS)*.

The suspension or cancellation of the overseas student's enrolment under *National Code 2018, Standard 9.3* cannot take effect until the internal appeals process is completed, unless the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk.

Accordingly, Australian International Institute of Technology will only defer or temporarily suspend the enrolment of a student on the grounds of:

- compassionate or compelling circumstances, or:
  - Compassionate or compelling circumstances are generally those beyond the control of the student and which have an impact upon the student's course progress or wellbeing. These could include, but are not limited to:
    - serious illness or injury, where a medical certificate states that the student was unable to attend classes
    - bereavement of immediate family members such as parents, grandparents, or siblings (Where possible Australian International Institute of Technology recommends a death certificate as supporting evidence)
    - major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student's studies; or
    - a traumatic experience which could include:
      - i. involvement in, or witnessing of a serious accident; or
      - ii. witnessing or being the victim of a serious crime, and this has impacted on the student (these cases should be supported by police or psychologists' reports)
- Where Australian International Institute of Technology was unable to offer a pre-requisite unit; or inability to begin studying on the course commencement date due to delay in receiving a student visa, or misbehavior by a student.

- Students will need to substantiate their claims with appropriate supporting documentation. Deferral or Suspension of studies cannot be used for personal travelling, undertaking hobbies, working, or taking holidays or breaks, and will not be approved on such grounds.
- Students who would like to defer the commencement of their studies or suspend their current course of study must first speak to the Student Services Admission Officer in the case of deferral and the Academic Manager in the case of suspension.

## 7. Withdrawal from Studies

Students intending to have their enrolment cancelled through a withdrawal from studies must arrange a meeting with the Academic Manager.

Circumstances and evidence provided by the student for the withdrawal of studies must be discussed and appropriate advice obtained from the Academic Manager.

After these measures have been taken, should the student still proceed to withdraw from their studies, a *Withdrawal from Studies request form* must be completed by the student and submitted to the Academic Manager along with the supporting evidence documents.

Prior to any withdrawal from studies approval, students must ensure that they have paid any outstanding course tuition fees.

If a student is intending to withdraw prior to the completion of **six (6) months** of their principal course of study, they should be directed to and given access to *Overseas Student Transfers policy and procedure*. Please refer to <https://aiit.vic.edu.au/pol-pro> for more information or to download a copy.

Students should be informed that organizations providing courses to international students are restricted from enrolling transferring students from other providers prior to the student completing **six (6) months** of his or her principal course of study (*National Code 2018, Standard 7, 7.1*).

The reasons stated for the request to withdraw and transfer have not been adequate:

- The transfer does not appear to be for the purpose of an educational or career-oriented benefit
- The course requested transfer to is the same or like the currently enrolled course(s)
- The primary reason for a transfer request is for a different class schedule which is more suited to the student's current or anticipated employment interests, or other non-educational interests
- When a student applies to withdraw from a course during this restricted period, the student must complete and submit a *Withdrawal from Studies request form* which is accompanied by:
  - a valid letter of offer from another registered training provider
  - a statement of purpose explaining the reasons for the overseas student transfer request

In the event that a student's application for withdrawal from an enrolled course(s) is approved, a designated Student Services Administration Officer must notify the Secretary of the Department of Education (Formally DET, DEEWR) via PRISMS within **fourteen (14) days** of the change to the student's enrolment status (*Section 19, ESOS Act*).

## 8. Student VISA Implications

Any processed and approved leave from studies, deferral, suspension, withdrawal, or cancellation of enrolment may have implications for a student's visa; especially if the course end date has been revised.

Australian International Institute of Technology recommends that students seek appropriate advice regarding the potential implications to their student visa.

## 9. Appeals

Once a decision is made on deferral, suspension, cancellation and/or exclusion for either reasons initiated by the student or Australian International Institute of Technology, the student will be notified in writing of the outcome, including reasons for the decision.

Students should further refer to Australian International Institute of Technology's *Student Complaints and Appeals policy and procedure* available from student services administration, reception, and online for information on lodging an appeal against any decision. Please refer to <https://aiit.vic.edu.au/pol-pro> for more information or to download a copy.

## 10. Responsibility

The Student Services Admissions Officer has the responsibility to provide the student details and current course and tuition fee status to the Chief Executive Officer (CEO) and Academic Manager for effective implementation and maintenance of this policy and procedure.

The Academic Manager is responsible for the effective implementation and management of this policy as well as provision of information on how to resolve complaints of breaches of this policy. Further the Academic Manager is responsible for the decision to either approve or reject any Deferment, Suspension, Withdrawal or Cancellation of Enrolment.

Any complaints or breaches in relation to this policy should be reported to the Chief Executive Officer in person or by email to [ceo@aiit.vic.edu.au](mailto:ceo@aiit.vic.edu.au).

## 10. References

Source	Document Title	Version - Date
External	Commonwealth Ombudsman <a href="https://www.ombudsman.gov.au/">https://www.ombudsman.gov.au/</a>	(Accessed 23/07/2020)
	Department of Education <a href="https://www.education.gov.au/">https://www.education.gov.au/</a>	(Accessed 23/07/2020)
	Department of Home Affairs <a href="https://immi.homeaffairs.gov.au/">https://immi.homeaffairs.gov.au/</a>	(Accessed 23/07/2020)
	Education Services for Overseas Students Act 2000 - Section 19(2) <a href="https://www.legislation.gov.au/Details/C2017C00263">https://www.legislation.gov.au/Details/C2017C00263</a>	(Accessed 23/07/2020)
	Education Services for Overseas Students (ESOS) Regulations 2019 <a href="https://www.legislation.gov.au/Details/F2016C00681">https://www.legislation.gov.au/Details/F2016C00681</a>	(Accessed 23/07/2020)
	the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018)	2018
	Standards for Registered Training Organisations 2015	2015
	Tuition Protection Scheme (TPS) <a href="https://tps.gov.au/Home">https://tps.gov.au/Home</a>	(Accessed 23/07/2020)
	Tuition Protection Scheme (TPS) Charter 2020	PDF
	Users' Guide to the Standards for RTOs 2015 <a href="https://www.asqa.gov.au/standards">https://www.asqa.gov.au/standards</a>	(Accessed 23/07/2020)

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