



OCA Student Deferment, Suspension or Cancellation Policy and Procedure

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OCA Student Deferment, Suspension or Cancellation Policy and Procedure

PURPOSE

OCA adheres to the relevant requirements outlined in the National Code 2018 for the delivery of training services to international students. This policy, in particular, ensures that **OCA** properly assesses, approves, and records student deferments, suspensions, and/or cancellations.

POLICY PRINCIPLES

An overseas student's enrolment can be deferred, suspended or cancelled. This may be initiated by either the overseas student for compassionate and compelling circumstances, or the registered provider for an overseas student's breach of visa conditions, failure to pay fees, misbehaviour, or other condition listed in a registered provider's policy.

OCA will manage the enrolment of overseas students and maintain up-to-date enrolment information in the Provider Registration and International Student Management System (PRISMS) database. To ensure compliance with the requirements of the standards **OCA** will:

1. implement its documented policy and procedure for assessing, approving and recording a deferment, suspension or cancellation of study
2. notify overseas students in writing of the intention to suspend or cancel their enrolment
3. provide advice to the overseas student to contact Department of Home Affairs on the potential impact on their visa if enrolment has been deferred, suspended or cancelled
4. not finalise a suspension or cancellation of enrolment until the overseas student has been given a chance to complete the internal appeals process of the academy, unless the student's wellbeing, or the wellbeing of others, is likely to be at risk

OCA will ensure it follows the following policy principles:

1. **OCA** will notify overseas students that deferring, suspending or cancelling their enrolment on any grounds may affect their student visa. Including the three possible outcomes under the National Code:
 - a. Suspension or deferment notification to the Department of Education and Training through PRISMS for a period **without affecting the end date of the Confirmation of Enrolment**. There will be no change to the Confirmation of Enrolment on PRISMS – the overseas student will still be listed as studying. However, the notice of deferment or suspension will be recorded in PRISMS.
 - b. Suspension or deferment notification to the Department of Education and Training through PRISMS for a period **which will affect the end date of the Confirmation of Enrolment**. In this case, PRISMS will cancel the original Confirmation of Enrolment and immediately offer the registered provider the opportunity to create a new Confirmation of Enrolment with a more appropriate end date. If the registered provider does not know when the overseas student will return, it can choose not to create a new Confirmation of Enrolment at that point, but to wait



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until the overseas student has notified the registered provider of the intended date of return before creating a new Confirmation of Enrolment.

- c. Notification to the Department of Education and Training through PRISMS that the academy wishes to permanently cancel (terminate) the overseas student's enrolment. Once this process is complete, the overseas student's Confirmation of Enrolment status will be listed as 'cancelled'.
2. **OCA** does not include the period of suspension or deferment of enrolment in its attendance monitoring calculations.
3. **OCA** assess requests from students for deferral, suspension or cancellation of their enrolment. The Academy considers compassionate and compelling circumstances as outlined in this policy. At the same time the management implements their professional judgement to assess each case on their individual merits.
4. Evidence documents must support the overseas student's reason for request including when there are compelling or compassionate circumstances. Compelling or compassionate circumstances may include but is not limited to the following:
 - a. serious illness or injury, where a medical certificate states that the overseas student was unable to attend classes
 - b. bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided)
 - c. major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the overseas student's studies; or
 - d. a traumatic experience, which could include:
 - 1) involvement in, or witnessing of a serious accident; or
 - 2) witnessing or being the victim of a serious crime, and this has impacted the overseas student (these cases should be supported by police or psychologists' reports)
 - e. where the registered provider was 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; or
 - f. inability to begin studying on the course commencement date due to delay in receiving a student visa.
5. Assessment of completed requests shall be completed within 7 working days from receiving a complete request. Student notification of results shall be done within 5 working days of the decision being received.



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Suspensions

1. Under Standard 9 of the National Code 2018, **OCA** defines a suspension as a period of absence in a single semester that lasts more than two consecutive weeks.
2. Students may request for a suspension of studies, but **OCA** may only approve requests that cite compassionate or compelling circumstances.
3. If a student's request for a suspension has been approved, it falls on him/her to make arrangements on how he/she can catch up on training and assessment activities that he/she will miss during the suspension.
4. **OCA** may also suspend a student as a disciplinary measure for offensive behaviour.
5. All suspensions, whether implemented as a disciplinary measure or approved due to compassionate or compelling circumstances, are reported to the Department of Education and the Department of Home Affairs (DHA). This will be done regardless of how the suspension may affect the course's completion date.
6. **OCA** advises all Students to first seek advice from DHA before requesting for a suspension of studies. All suspensions are reported to Department of Education and DHA through PRISMS and may affect the validity of their respective visas.

Deferments

1. If **OCA** defers or suspends a student's studies for compassionate or compelling reasons, it will ensure the student visa holder has a valid Confirmation of Enrolment in PRISMS with a start date that reflects the student's intended date of return to studies.
2. There will be no maximum date implemented for a deferral under compassionate or compelling reasons, but deferral will be assessed by the management of **OCA**.
3. **OCA** can allow overseas students to delay the commencement of training, as long as the enrolment in a course has been approved prior to the submission of a request for deferment.
4. Enrolments can be deferred for up to one year. A student's place in a course will only be held for a year, after which, the student will have to submit another enrolment application. Deferments are only valid for the course that a student is currently enrolled in.



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Cancellations

1. A student's enrolment may be suspended or cancelled for the following reasons:
 - a. The student committed a major offense that warranted the cancellation
 - b. Where it becomes evident that the student has behaved improperly or provided false documentation as part of the international application and enrolment process
 - c. The student has been absent for at least two consecutive weeks in a single semester without providing notice, and without the approval of **OCA**.
 - d. The student has been absent for at least two consecutive weeks in a single 20-week period without providing notice, and without the approval of **OCA**.
 - e. The student has failed to pay applicable course fees and has not been granted permission to pay at a later date.
 - f. If a student does not maintain satisfactory course progress in accordance with the Course Progress and Attendance Monitoring Policy for international students
 - g. If a student is considered as non-bonafide by the Academy. Indicators of this include:
 - 1) Attendance Monitoring Procedure clearly state that international students shall maintain 80% attendance. Students who demonstrate erratic course progress as a result of their failure to maintain regular class attendance shall have their enrolment cancelled and shall be reported to the Department of Education as non-bonafide students.
 - 2) Students that have been counselled regarding their attendance and progression, but their attendance and progression continues to be unsatisfactory without reasonable cause
 - 3) Students who don't commit to the learning intervention strategies developed to support their study
 - 4) Students who attend classes but refuse to be engaged or to participate in the learning. This behaviour not only impacts on the students' own progression but the learning of other students. Examples of this include:
 - i. not submitting assignments
 - ii. not attending class when assessments are scheduled
 - iii. refusing to participate or be involved in classroom activities or group work.



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- h. Non-commencement of studies. Where the student does not commence studies in a program when they are due to commence, and they have not notified the Academy in writing and negotiated a later program start date
 - i. If a student who has not completed their program of study fails to return to study after a semester or holiday break and does not notify OCA. This is regarded as a passive withdrawal and the students' Confirmation of Enrolment shall be cancelled
 - j. If a student is refused a deferment as there is no evidence of compassionate or compelling circumstances, but ceases to attend classes
- 2. Based on the nature of the misconduct a decision shall be made on a case by case basis whether to allow the student to continue to attend class, make alternative study arrangements or to deny the student access to study opportunities while maintaining the student's enrolment. In making such a decision the Academy shall consider whether denying the student learning opportunities throughout the 20-business day appeal period and during the internal complaints and appeals process may disadvantage the student in their subsequent studies should the complaints and appeals process find in their favour.
- 3. When a student has not completed their program of study, does not return from a semester or holiday break and has not notified **OCA**. The student is considered to have inactively advised that they shall not be continuing their studies. Maximum period of unapproved absence is 5 business days after study recommencement. The student shall be emailed notifying of the intention to cancel enrolment and advising the student that he or she has 20 working days to access the internal complaints and appeals process as outlined in Standard 10.
- 4. A cancellation will only be reported to Department of Education and DHA via PRISMS after a student has been given 20 working days to initiate the complaints and appeals process. This applies even if an overseas student's misbehaviour is grounds for immediate expulsion, unless there is evidence that the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk. Some evidence to support this may be, but is not limited to:
 - a. missing student
 - b. student has medical concerns, severe depression or psychological issues which lead the provider to
 - c. fear for the overseas student's wellbeing;
 - d. has engaged or threatens to engage in behaviour that is reasonably believed to endanger
 - e. the overseas student or others; or
 - f. student is at risk of committing a criminal offence.



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5. Should the student choose to access the appeals process, the student's enrolment shall be maintained until the internal appeals process is completed (and has supported the Academy's intention to suspend or cancel the student's enrolment) unless extenuating circumstances relating to the welfare of the student apply.
6. **OCA** will wait for both the internal and external complaints and appeals handling process to be finalised for course progress and/or attendance breaches.
7. Students requesting for cancellation of their enrolment shall provide a written request using the **Cancellation of Enrolment Form**. Students who cite returning to home country as their enrolment cancellation reason shall not be issued with a release letter or provided with a copy of the cancelled confirmation of enrolment either at time of cancellation or at any future date

Deferments, Suspensions and Remaining in Australia

If deferments or suspensions are for a long period of time, typically more than 6 months, in some student cases a student may be asked to leave Australia for the duration of their deferment and only return back to Australia when they are to resume their studies.

As each student's situation will be different. It is recommended Students directly contact the Immigration Department for information on how the potential deferment period can affect their stay in Australia.

Records

Records of suspensions, deferments, and cancellations are kept in the student files of respective Students and maintained in **OCA's** student management statement.

OCA will notify the Department of Education and Training through PRISMS for deferment or suspension decision.

MONITORING AND IMPROVEMENT

All practices related to deferments, suspensions, and/or cancellations are monitored by the head administrator of **OCA**. Areas for improvement are identified and acted upon according to the Continuous Improvement Policy.



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STUDENT DEFERMENT, SUSPENSION OR CANCELLATION PROCEDURE

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PURPOSE	<p>To ensure that the assessment, approval, and recording of student deferments, suspensions, and/or cancellations in a manner that complies with the requirements of Standard 9 of the National Code 2018</p> <p>Changes to this procedure must only be made upon the approval of the CEO.</p>
ROLE UNDERTAKING TASK	Administration / Management Team

STEP 1 – Student Submits Request for Deferment, Suspension or Cancellation of Enrolment

No .	Who	Actions
1.1	Student	<p>a. Students who wish to suspend their training may request for a suspension or deferment of enrolment using the Application to Defer or Suspend Enrolment Form or the Cancellation of Enrolment Form.</p> <p>b. Written request to the college must be supported by the following documentation. Deferment applications must be submitted 2 weeks prior the commencement of training:</p> <ol style="list-style-type: none"> 1) Medical Certificates or supporting evidence for compelling or compassionate reason. 2) Other Evidence (Any other documented evidence to support your application) 3) Letter of approval from parent or legal guardian (if student is under 18) <p><i>Note: Students who request for a suspension will be responsible for catching up on training and assessment tasks that they may have missed as a result of the suspension.</i></p>
1.2	Administration Team	<p>c. Check completeness of the student request for suspension and evidence document. Contact student if more information or evidence is required.</p> <p>d. Endorse complete application to the Training Manager /CEO for assessment. Provide the Training Manager / CEO of the deadline for the results. Assessment of request for transfer timeframes is within 7 working days from the receipt of completed application.</p>

STEP 2 – Assessment of Request / Application



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No .	Who	Actions
2.1	Trainer / Training Manager / CEO	<ul style="list-style-type: none"> a. The Training Manager / CEO will confer with the Student's trainer regarding the Student's request for a suspension. Schedule an interview with the student for the purposes of learning his/her reasons for suspending the enrolment (if needed). b. Endorse the decision to the Administration Team. c. If the request for transfer is denied, provide the reason for the decision.
STEP 3 – Release of Results		
No .	Who	Actions
3.1	Administration Team	<ul style="list-style-type: none"> a. Inform the students of the decision regarding their request via email. Provide the reason for the decision for declined applications for suspension, deferment or cancellation. b. Create the new CoE and provide it to the student, if applicable. c. Provide information to the student on how their VISA will be affected. d. Provide information on the complaints and appeals process for non-approval. Inform the Student that he/she has 20 working days to initiate the complaints and appeals process by filing an appeal.
STEP 4 – Notify the Department of Education and Department of Home Affairs		
No .	Who	Actions
4.1	Administration Team	<ul style="list-style-type: none"> a. Notify the Department of Education and the Department Home Affairs (DHA) via PRISMS if the complaints and appeals process has been finalised. b. Maintain all documentation in the student file.