

DEFERMENT, LEAVE OF ABSENCE, RELEASE TO TRANSFER, SUSPENSION OR CANCELLATION

INTENDED AUDIENCE	CEO, Administration
EFFECTIVE FROM	November 2019
STATEMENT OF OUTCOME	Site Institute efficiently and appropriately manages the deferment, temporary leave of absence, release to transfer, suspension or cancellation of enrolment of overseas students, in a fair and transparent process.
SCOPE	<p>Applies to all enrolled overseas students seeking deferment, leave of absence, release to transfer, suspension or cancellation of enrolment (student-initiated).</p> <p>Applies to all enrolled overseas students whom Site Institute intends to temporarily suspend, or cancel (RTO-initiated).</p>
DEFINITIONS	<p>Cancellation. CoE is cancelled for misbehaviour, non-payment of fees, breach of course progress requirements, or breach of attendance requirements.</p> <p>Deferment. A request by the student, prior to the commencement of the study period, to temporarily postpone study (Student initiated).</p> <p>Leave of absence. A request by the student currently studying to take a temporary leave of absence from their studies (Student initiated).</p> <p>Release to transfer. A request by the student, within the first six months of their Principal course, to be released to transfer to another provider (Student initiated).</p> <p>Suspension. When the enrolment of a student in their course of study is suspended for a period of time for misbehaviour, after which the student may recommence study (RTO initiated).</p>
APPENDICES	<p>Appendix 1: Compassionate or compelling circumstances</p> <p>Appendix 2: Circumstances in which Site Institute will grant a release to transfer request</p> <p>Appendix 3: Types of misbehaviour</p>

KEY POINTS

Site Institute will appropriately manage the enrolment of overseas students and ensure all necessary information about enrolments has been provided to the relevant government department by maintaining updated information in the Provider Registration and International Student Management System (PRISMS) database.

Site Institute will have and implement a documented process for assessing, approving and recording a deferment of the commencement of study, leave of absence from study, release to transfer to another provider, suspension, or cancellation, including maintaining a record of any decisions.

Site Institute may defer or temporarily suspend the enrolment of a student if it believes there are compassionate or compelling circumstances to do so. The definition of compassionate or compelling circumstances and their application is as specified in Appendix 1 and on the Application for Deferment or Leave of absence.

Site Institute may release the student for transfer to another provider, under circumstances where Site Institute believes the transfer is in the best interests of the student, as specified in Appendix 2.

Site Institute may temporarily suspend, or cancel, a student's enrolment including, but not limited to, based on:

- misbehaviour by the student
- the student's failure to pay an amount they were required to pay Site Institute to undertake or continue the course as stated in the written agreement
- a breach of course progress or attendance requirements by the overseas student, in accordance with Standard 8 (Overseas student visa requirements).

Suspension for misbehaviour may be short (1 to 10 days) or long (11 to 20 days) at the discretion of the CEO

If Site Institute initiates a suspension or cancellation of the overseas student's enrolment, before imposing a suspension or cancellation Site Institute 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, within 20 working days and in accordance with Standard 10 (Complaints and appeals).

When there is any deferment, suspension or cancellation action taken under this standard, Site Institute will:

- inform the overseas student of the need to seek advice from DHA on the potential impact on their student visa
- report the change to the overseas student's enrolment under section 19 of the ESOS Act.

The suspension or cancellation of the overseas student's enrolment under National Code Standard 9.3 and 13.4 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.

REFERENCE DOCUMENTS	National Code of Practice for Providers of Education and Training to overseas Students 2018, Standards 8, 9, 10 Users' guide to the Standards for RTOs 2015
SITE INSTITUTE DOCUMENTS	Application for deferment or leave of absence Application for cancellation or release for transfer Application to appeal a decision Application for refund Letter template: Notice of intention to suspend enrolment Letter template: Notice of intention to cancel enrolment
THE STEPS	As detailed below. One of following procedures will apply: Procedure 1: Deferment of the commencement of study, by application by the student Procedure 2: Leave of absence from study, by application by the student Procedure 3: Release to transfer to another provider, by application by the student Procedure 4: Cancellation of enrolment, by application by the student Procedure 5: Intention to suspend study, for misbehaviour by the student (initiated by Site Institute) Procedure 6: Intention to cancel enrolment, for misbehaviour by the student (initiated by Site Institute) Procedure 7: Intention to cancel enrolment, for non-payment of fees, breach of course progress requirements, or breach of attendance requirements (initiated by Site Institute)

Procedure 1: Deferment of the commencement of study, by application by the student

Step	What	By whom	By when
1	Promptly assess the compassionate or compelling circumstances indicated on the student's application form, consider the reasons given and refer to any supplementary evidence provided, in order to approve or refuse the application.	Marketing Manager	On receipt and processing of the application
2	Approve or refuse, any deferment of the commencement of study requested by an overseas student.	Marketing Manager	On processing of the application
3	Reissue the Letter of Offer. Copy to the student and agent.	Administration	On processing of the application
4	Promptly record in aXcelerate any approved deferment of the commencement of study.	Administration	On processing of the application
5	In PRISMS, change the student's start date and reissue COE as required.	Administration	On processing of the application
6	Notify the student in writing of the outcome.	Administration	On processing of the application
7	Securely retain records of all deferments, including a statement of the outcome and reasons for the outcome, for at least two years after the person ceases to be an accepted student.	Administration	At end of student's course

Procedure 2: Leave of absence from study, by application by the student

Step	What	By whom	By when
1	Promptly assess the compassionate or compelling circumstances indicated on the student's application form, consider the reasons given and refer to any supplementary evidence provided, in order to approve or refuse the application.	Administration	On receipt and processing of the application
2	Approve or refuse, any temporary leave of absence from study requested by an overseas student.	Administration	On processing of the application
3	Reissue the Letter of Offer. Copy to the student and agent.	Administration	On processing of the application
4	Promptly record in aXcelerate any approved leave of absence from study.	Administration	On processing of the application
5	In PRISMS, change the student's start date and reissue COE as required.	Administration	On processing of the application
6	Notify the student in writing of the outcome.	Administration	On processing of the application
7	Securely retain records of all leave of absence, including a statement of the outcome and reasons for the outcome, for at least two years after the person ceases to be an accepted student.	Administration	At end of student's course

Procedure 3: Release to transfer to another provider, by application by the student

Step	What	By whom	By when
1	Confirm that the student is within the first six months of their Principal course.	Administration	On receipt of the application
2	Confirm the age of the student (If under 18, see Standard 7.3 of the National Code).	Administration	On receipt of the application
3	Use Appendix 2 to assess the eligibility of the circumstances in which a transfer may be in the student's best interests.	Administration	On receipt of the application
4	Confirm that the circumstances are supported by appropriate and valid evidence.	Administration	On receipt of the application
5	Receive from the student or their agent, a valid enrolment offer from another registered provider.	Administration	On processing of the application
6	Approve or refuse the transfer.	Administration	On processing of the application
7	If approved, continue from Step 11 to release the student.	Administration	On processing of the application
8	If refused, inform the overseas student in writing of the reasons for the refusal and the overseas student's right to access Site Institute's complaints and appeals process, in accordance with Standard 10 (Complaints and appeals), within 20 working days.	Administration	On refusal
9	If refused, wait 20 days: until the overseas student has chosen not to access the complaints and appeals processes within the 20-working day period, or until the overseas student withdraws from the process, or until any appeal finds in favour of the registered provider.	Administration	Day 21
10	If the refusal is upheld, no changes to the student's enrolment are actioned	Administration	Day 21
11	If approved, promptly record in aXcelerate the change of enrolment status.	Administration	On approval
12	If approved, promptly record in PRISMS the change of enrolment status.	Administration	On approval
13	Notify the student in writing of the outcome.	Administration	On processing of the application
14	Securely retain records of all transfers, including a statement of the outcome and reasons for the outcome, for at least two years after the person ceases to be an accepted student.	Administration	At end of student's course

Procedure 4: Cancellation of enrolment, by application by the student

Step	What	By whom	By when
1	Promptly assess the reasons indicated on the student's application form, consider the reasons given and refer to any supplementary evidence provided, in order to approve or refuse the application.	Administration	On receipt and processing of the application
2	Approve or refuse, any cancellation of enrolment requested by an overseas student.	Administration	On processing of the application
3	If approved, promptly record in aXcelerate.	Administration	On processing of the application
4	In PRISMS, cancel the student's CoE.	Administration	On processing of the application
5	Cancel all future invoices.	Administration	On processing of the application
6	Notify the student in writing of the outcome.	Administration	On processing of the application
7	Securely retain records of all cancellations, including a statement of the outcome and reasons for the outcome, for at least two years after the person ceases to be an accepted student.	Administration	At end of student's course

Procedure 5: Intention to suspend study, for misbehaviour by the student

Step	What	By whom	By when
1	Ascertain that the student: was advised, prior to enrolment, of the grounds for suspension or cancellation participated in Orientation agreed to the Student Code of Conduct agreed to the Statement of Academic Integrity.	Administration	At breach
2	Form an intention to suspend the student's study based on the criteria specified in the Disciplinary Policy.	CEO	At breach
3	Inform the student in writing of an intention to suspend their studies, the reasons for doing so, and for what duration.	Administration	On CEO advice of the decision
4	Invite the student to attend a meeting with the CEO. Prepare the Notice of intention to suspend studies letter. Advise the overseas student of their right to appeal through the provider's internal complaints and appeals process. Inform the overseas student of the need to seek advice from DHA on the potential impact on their student visa.	Administration	Within 24 hours
5	Meet the student. State the intent to suspend their studies and the reasons for doing so. Provide the student with the opportunity to explain their circumstances.	CEO	At the meeting
6	Decide whether to proceed with the suspension and issue the <i>Notice of intention to suspend studies</i> letter, OR rescind the intention to suspend the student	CEO	At the meeting

Procedure 5: Intention to suspend study, for misbehaviour by the student

Step	What	By whom	By when
7	<p>If proceeding with the suspension: Advise the student verbally and in writing that they may continue to access learning material and assessments through Canvas Advise the trainer and campus administrator that the student has been suspended and the terms and conditions of that suspension</p>	CEO	At the meeting
8	If the student appeals the decision within 20 working days, apply the Appeals process.	Administration	On receipt
9	<p>Do not finalise the student's status in PRISMS until: the appeal finds in favour of Site Institute, or the overseas student has chosen not to access the complaints and appeals processes within the 20-working day period, or the overseas student withdraws from the process by notifying Site Institute in writing. The suspension of the overseas student's enrolment 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.</p> <p>Record on the Site Institute calendar, the date in which 21 working days will have elapsed</p>	Administration	Within the 20-day working period
10	After 21 working days, report the change of enrolment in PRISMS	Administration	Day 21
11	Meet with the student to reiterate the terms and conditions of their enrolment with emphasis on compliance with the Student Code of Conduct.	CEO	Day 22
12	Securely retain records of all suspensions, including a statement of the outcome and reasons for the outcome, for at least two years after the person ceases to be an accepted student.	Administration	At end of student's course

Procedure 6: Intention to cancel enrolment, for misbehaviour by the student

Step	What	By whom	By when
1	Ascertain that the student: was advised, prior to enrolment, of the grounds for cancellation of enrolment participated in Orientation agreed to the Student Code of Conduct agreed to the Statement of Academic Integrity.	Administration	At breach
2	Form an intention to cancel the student's enrolment based on the criteria specified in the Disciplinary Policy.	CEO	At breach
3	Inform the student in writing of an intention to cancel their enrolment and the reasons for doing so.	Administration	On CEO advice of the decision
4	Invite the student to attend a meeting with the CEO. Prepare the <i>Notice of intention to cancel enrolment</i> letter. Advise the overseas student of their right to appeal through the provider's internal complaints and appeals process. Inform the overseas student of the need to seek advice from Immigration on the potential impact on their student visa.	Administration	Within 24 hours
5	Meet the student. State the intent to cancel their enrolment and the reasons for doing so. Provide the student with the opportunity to explain their circumstances.	CEO	At the meeting
6	Decide whether to proceed with the cancellation and issue the <i>Notice of intention to cancel enrolment</i> letter, OR Rescind the intention to cancel the student's enrolment.	CEO	At the meeting

Procedure 6: Intention to cancel enrolment, for misbehaviour by the student

Step	What	By whom	By when
7	If proceeding with the cancellation, advise the trainer and campus administrator of an intention to cancel the student's enrolment.	CEO	At the meeting
8	If the student appeals the decision within 20 working days, apply the Appeals process.	Administration	On receipt
9	Do not finalise the student's status in PRISMS until the appeal finds in favour of Site Institute, or the overseas student has chosen not to access the complaints and appeals processes within the 20-working day period, or the overseas student withdraws from the process by notifying Site Institute in writing. The cancellation of the overseas student's enrolment 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 Record on the Site Institute calendar, the date in which 21 working days will have elapsed	Administration	Within the 20-working day period
10	After 21 working days, report the change of enrolment in PRISMS	Administration	Day 21
11	Cancel all future invoices.	Administration	At cancellation
12	Notify the student in writing of the outcome.	Administration	At cancellation
13	Advise the trainer that the student's enrolment has been cancelled.	Administration	At cancellation
14	Securely retain records of all cancellations, including a statement of the outcome and reasons for the outcome, for at least two years after the person ceases to be an accepted student.	Administration	At cancellation

Procedure 7: Intention to cancel enrolment for non-payment of fees, breach of course progress requirements, or breach of attendance requirements.

Step	What	By whom	By when
1	Ascertain that the student: was advised, prior to enrolment, of the grounds for cancellation of enrolment participated in Orientation agreed to the Student Code of Conduct agreed to the Statement of Academic Integrity	Administration	At breach
2	Form an intention to cancel the student's enrolment based on the criteria specified in the Disciplinary Policy.	CEO	At breach
3	Inform the student in writing of an intention to cancel their enrolment and the reasons for doing so.	Administration	On CEO advice of the decision
4	Invite the student to attend a meeting with the CEO. Prepare the <i>Notice of intention to cancel enrolment</i> letter. Advise the overseas student of their right to appeal through the provider's internal complaints and appeals process. Inform the overseas student of the need to seek advice from Immigration on the potential impact on their student visa.	Administration	Within 24 hours
5	Meet the student. State the intent to cancel their enrolment and the reasons for doing so. Provide the student with the opportunity to explain their circumstances.	CEO	At the meeting
6	Decide whether to proceed with the cancellation and issue the <i>Notice of intention to cancel enrolment letter</i> , OR Rescind the intention to cancel the student's enrolment.	CEO	At the meeting

Procedure 7: Intention to cancel enrolment for non-payment of fees, breach of course progress requirements, or breach of attendance requirements.

Step	What	By whom	By when
7	If proceeding with the cancellation, advise the trainer and campus administrator of an intention to cancel the student's enrolment.	CEO	At the meeting
8	If the student appeals the decision within 20 working days, apply the Appeals process	Administration	On receipt
9	Do not finalise the student's status in PRISMS until the appeal finds in favour of Site Institute, or the overseas student has chosen not to access the complaints and appeals processes within the 20-working day period, or the overseas student withdraws from the process by notifying Site Institute in writing. The cancellation of the overseas student's enrolment 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 Record on the Site Institute calendar, the date in which 21 working days will have elapsed	Administration	Within the 20-working day period
10	After 21 working days, report the change of enrolment in PRISMS.	Administration	Day 21
11	Cancel all future invoices.	Administration	At cancellation
12	Notify the student in writing of the outcome.	Administration	At the meeting
13	Advise the trainer that the student's enrolment has been cancelled.	Administration	At cancellation
14	Securely retain records of all cancellations, including a statement of the outcome and reasons for the outcome, for at least two years after the person ceases to be an accepted student.	Administration	At cancellation

Appendix 1: Compassionate or compelling circumstances

Compassionate or compelling circumstances are generally those beyond the control of the overseas student and which have an impact upon the overseas student's course progress or wellbeing.

These could include, but are not limited to:

1. Serious illness or injury, where a medical certificate states that the overseas student was unable to attend classes
2. Pregnancy or childbirth complications, where a medical certificate states that the overseas student was unable to attend classes
3. Bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided)
4. Major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the overseas student's studies
5. A traumatic experience, including involvement in, or witnessing of a serious accident; or 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. Conscription for military service.

Note: The above are only some of examples of what may be considered compassionate or compelling circumstances. Site Institute will use their professional judgment to assess each case on its individual merits. When determining whether compassionate or compelling circumstances exist, Site Institute will consider documentary evidence provided to support the claim, and will keep copies of these documents in the student's file.

Appendix 2: Circumstances in which Site Institute will grant a release to transfer request

Circumstances in which the registered provider will grant the transfer request because the transfer is in the overseas student's best interests, including but not limited to where Site Institute has assessed that:

1. The overseas student will be reported because they are unable to achieve satisfactory course progress at the level they are studying, even after engaging with Site Institute's intervention strategy to assist the overseas student in accordance with Standard 8
2. There is evidence of compassionate or compelling circumstances
3. Site Institute fails to deliver the course as outlined in the written agreement
4. There is evidence that the overseas student's reasonable expectations about their current course are not being met
5. There is evidence that the overseas student was misled by Site Institute, or an education or migration agent regarding Site Institute or its course and the course is therefore unsuitable to their needs and/or study objectives
6. An appeal (internal or external) on another matter results in a decision or recommendation to release the overseas student

Appendix 3: Types of misbehaviour

Site Institute may suspend or cancel a student's enrolment on the grounds of misbehaviour.

Such acts of misbehaviour will be classified into one of two categories:

- Academic misconduct
- General misbehaviour

Academic misconduct

The following include but is not limited to, the types of behaviour that constitute academic misconduct:

1. Students may not copy any document, audio-visual material, computer-based material or artistic piece from another source except in accordance with the conventions of the field of study
2. Students may not cut-and-paste or copy-and-paste from textbooks, course readings, study guides, PowerPoints, internet or any other source
3. Students may not copy and submit other people's work, including another student's work
4. Students may not use another person's concepts, results or conclusions and represent them as their own
5. In cases where the assessment task is intended to be individual work and not group work, students may not prepare an assignment collaboratively and then submit work that is substantially the same as another student's assessment.
6. Students may not ask another person to produce an assessable item for them.

General misbehaviour

The following include but is not limited to, the types of behaviour that constitute general misbehaviour, that is, where the student, while the student is engaged in study or other activity as a Site Institute student, on Site Institute premises, or other premises to which the student has access as a student of Site Institute:

1. Knowingly makes any false or misleading representation about admission or enrolment
2. Fails to comply with conditions agreed in the Enrolment application form or the Accepted Letter of Offer
3. Fails to comply with Work Health and Safety requirements
4. Breaches the Student Code of Conduct or any policies, procedures or rules of Site Institute
5. Breaches the Statement of Academic Integrity
6. Wilfully disobeys or disregards any lawful order or direction from a staff member of Site Institute
7. Refuses to identify him or herself when lawfully asked to do so by a staff member of Site Institute
8. Misbehaves in a class, meeting or other activity under the control or supervision of Site Institute
9. Obstructs any member of staff in the performance of their duties
10. Physically or verbally abuses, assaults or is aggressive towards a member of staff, a visitor to Site Institute, or any other person
11. Harasses or intimidates another student, a member of staff, a visitor to Site Institute, or any other person, because of that person's race, ethnic or national origin, sex, marital status, sexual preference, disability, age, political conviction, religious belief or for any other reason
12. Interferes with the freedom of other people to pursue their studies, carry out their functions or participate at Site Institute
13. Misuses any facility in a manner which is illegal, or which is, or may be, detrimental to the rights or property of others
14. Misuses, in any way, of any computing or communications equipment or capacity to which the student has access at or away from Site Institute premises, in a manner which is illegal, or which is, or may be, detrimental to the rights or property of others
15. Steals, destroys or damages a facility or property of Site Institute or for which Site Institute is responsible
16. Fails to comply with any penalty imposed for breach of discipline.