

# Deferral, Suspension or Cancellation of Enrolment Policy

## Purpose

This policy establishes the principles and processes by which Collarts will assess applications from students for the deferral (delayed commencement), suspension (leave of absence) or cancellation (withdrawal) of their enrolment to ensure compliance with the rules of Collarts, the *Higher Education Standards Framework 2015*, the *Education Services for Overseas Students (ESOS) Act 2019* and Standard 9 of the *National Code 2018*.

## Scope

This policy applies to all students who seek to defer, suspend or cancel their enrolment in course of study at Collarts. This policy also applies to College staff who assess and process such voluntary student-initiated requests, or must implement a decision by Collarts to suspend or cancel a student's enrolment due to misconduct, including the non-payment of tuition fees.

## Related Policies

This policy applies only to students of Collarts and should be read in conjunction with the following College policies:

- *Misconduct Policy*
- *International Student Transfer between Registered Providers Policy*
- *Tuition Fee Refund Policy*
- *Grievance & Appeals Policy*

All College policies referenced in this document can be found at the MyCollarts Student Portal at <http://mycollarts.edu.au/login/index.php>.

## Definition of Key Terms

**"Compassionate or Compelling Circumstances"** means situations generally beyond the control of a student which has an impact on their course progression or wellbeing, such as serious illness or injury, bereavement, exceptional personal hardship or compulsory overseas military service

**"Deferment"** means postponement of the commencement date of study which allows the student's place in a Collarts course to be held for a nominated period of time, usually a period of twelve months

**"Cancellation"** means withdrawal from the enrolled course of study at Collarts which may be voluntarily activated by the student or forced by Collarts as a result of misconduct

**"Misconduct"** means any behaviour which is contrary to a policy of the College or to generally accepted social or academic standards, for example but not limited to, harassment or plagiarism

**"Suspension, Involuntary"** means a forced finite break from studies which is activated by Collarts as a result of misconduct

**"Suspension, Voluntary"** means to take a leave of absence from studies which is activated by the student, usually for a period of up to twelve months

## Policy

The College has policies and procedures that guide the application by students for the deferment, cancellation or voluntary suspension of their course of study at Collarts, and how applications are assessed and processed. The Department of Home Affairs (DHA) also have rules under which they will agree to vary an international student's visa for the purpose of deferring course commencement or suspending enrolment for a leave of absence. The DHA-imposed conditions are very limited and Collarts must abide by these rules when assessing an international student application for leave in accordance with Standard 9 of the *National Code 2018*.

The deferral, suspension and cancellation of the enrolment of an international student may affect the visa as issued by DHA. An international student who is considering deferring, suspending or cancelling their enrolment at Collarts should seek further information from DHA on the implications of such a decision on their student visa via their website <https://www.homeaffairs.gov.au/> or telephone 131 881. Collarts will report the deferment, suspension or cancellation of enrolment to the DHA Secretary via PRISMS in accordance with Standard 9 of the *National Code 2018*.

### A. Deferral or Delayed Commencement of Study

#### *Activated by Student on Request (Application) prior to Census Date*

If a student is unable to commence their course of study at Collarts in the trimester for which they applied for, or they commence their studies as enrolled but decide they wish to delay commencement before Census Date, they may apply to defer their study at Collarts to a new agreed commencement date. The maximum period for which deferment will be granted is twelve months, unless there are compelling circumstances to extend this timeframe. International students should be aware that deferring their study at Collarts might affect their student visa conditions.

Where a student wishes to defer their course of study, the student must lodge an '*Application to Defer the Commencement of Study*' form with the Office of the Registrar outlining the reasons for the request. An '*Application to Defer the Commencement of Study*' form and the instructions for lodgment can be downloaded from the Student Resources page of the College website. Applications for deferment should be submitted as soon as a student is aware they are unable to commence study, but at least ten working days prior to the commencing trimester Census Date. Applications for deferment received after Census Date will not be accepted and students will be directed to submit an '*Application to Suspend Enrolment for a Leave of Absence*' form to suspend their studies. Collarts will report the deferral of enrolment of an international student to the DHA via PRISMS in accordance with Standard 9 of the *National Code 2018* which may affect their student visa conditions.

Collarts will only consider an application complete and eligible for assessment when all sections have been completed and the form signed ('completed application').

① International students should note that, in accordance with Standard 9 of the *National Code 2018*, Collarts will only grant approval for a delayed commencement of studies (deferral) on the grounds of compassionate or compelling circumstances. As such, documentary evidence must be provided to support the compassionate or compelling circumstances as outlined in the completed application. Examples of acceptable documentary evidence include, but not limited to:

- a) Medical certificate from a registered medical practitioner
- b) Statement of support from a counsellor or psychologist
- c) Certified personal statement of exceptional hardship
- d) Activation orders for compulsory overseas military service
- e) Delay of visa

Collarts will assess and respond to all completed applications within ten working days. A longer time may be required during peak admission and enrolment times but the process will not exceed fifteen working days.

Where an 'Application to Defer the Commencement of Study' is successful, Collarts will issue an *Acceptance of Deferment Letter* to notify the decision in writing. It is the responsibility of the student to sign and return the letter acknowledging their acceptance of the new commencement date and any subsequent changes to their enrolment. Collarts will hold the student's place in their course of study but it is the student's responsibility to observe the enrolment process in line with the dates as stipulated in the *Acceptance of Deferment Letter* (including providing a copy of the new visa for international students). For international students, Collarts will report the deferral to the DHA Secretary via PRISMS on receipt of their signed acceptance which may affect the student's visa conditions.

Where an 'Application to Defer the Commencement of Study' is denied, Collarts will issue a *Refusal of Deferment Letter* outlining the reasons for refusal and their right to appeal within twenty working days. Students wishing to appeal the decision should refer to the College **Grievance & Appeals Policy**.

A copy of all applications, decisions and outcomes will be kept on the student file.

## **B. Leave of Absence or the Voluntary Suspension of Study**

### *Activated by Student on Request (Application) after Census Date*

If a student who has commenced their course of study at Collarts wishes to take a leave of absence from their studies after Census Date, they may apply to voluntarily suspend their enrolment for a period up to twelve months. International students should be aware that suspending their enrolment at Collarts and taking a leave of absence may affect their student visa. Collarts will report the suspension of enrolment to the DHA Secretary via PRISMS in accordance with Standard 9 of the *National Code 2018* which may affect their student visa conditions.

Where a student wishes to take a leave of absence from their course of study at Collarts, the student must lodge an 'Application to Suspend Enrolment for a Leave of Absence' form with the Office of the Registrar outlining the reasons for the request. An 'Application to Suspend Enrolment for a Leave of Absence' form can be downloaded via the *Student Resources* section of the MyCollarts student portal at <http://mycollarts.edu.au/login/index.php>.

Applications for leave should be submitted as soon practical and at least ten days prior to the commencement date of the next trimester. Where the decision to take a leave of absence is made after the trimester commencement date, application should be made prior to Census Date to avoid any academic and/or monetary penalty. For example, in accordance with the College **Tuition Fee Refund Policy**, applications for leave received after Census Date will not be entitled to the refund of tuition fees.

Collarts will only consider an application complete and eligible for assessment when all sections have been completed and the form signed ('completed application').

❗ International students should note that, in accordance with Standard 9 of the *National Code 2018*, Collarts will only grant approval for a leave of absence (voluntary suspension of study) on the grounds of compassionate or compelling circumstances. As such, documentary evidence must be provided to support the compassionate or compelling circumstances as outlined in the completed application. Examples of acceptable documentary evidence include, but not limited to:

- a) Medical certificate from a registered medical practitioner
- b) Statement of support from a counsellor or psychologist
- c) Certified personal statement of exceptional hardship
- d) Activation orders for compulsory overseas military service

Collarts will assess and respond to all completed applications within ten working days. A longer time may be required during peak admission and enrolment times but the process will not exceed fifteen working days.

Where an 'Application to Suspend Enrolment for a Leave of Absence' is successful, Collarts will issue an *Approval of Leave Letter* and hold the student's place in their course of study but it is the student's responsibility to observe the re-enrolment process in line with the dates as stipulated in the *Approval of Leave Letter*. For international students, Collarts will update the CoE via PRISMS in accordance with the agreed return date and expected completion date. International students must provide a copy of the new visa to the Office of the Registrar before enrolment will be finalised for their return to study at Collarts at the agreed date.

Where an 'Application to Suspend Enrolment for a Leave of Absence' is denied, the student will be notified in writing of the reasons for the refusal and their right to appeal within twenty working days as per Standard 10 of the *National Code 2018*. Students wishing to make an appeal should refer to the College **Grievance & Appeals Policy**. A student's enrolment will be maintained for the duration of the internal appeals process. Where an appeal is made by an international student, Collarts will not report any changes to the DHA Secretary via PRISMS during this time.

A copy of all applications, decisions and outcomes, including the new student visa where applicable, will be kept on the student file.

### C. Involuntary Suspension of Enrolment for Misconduct

*Activated by Collarts*

Where a student has displayed or participated in behavior contrary to the **Misconduct Policy** or other College policy or to generally acceptable social or academic standards, Collarts may activate a suspension of study for misconduct.

Where Collarts intends to suspend the enrolment of a student as a result of misconduct, the student will be issued with a *Notice of Intention to Suspend Enrolment* notifying the intention to suspend, the reasons for the decision and the student's right to appeal within twenty working days. Collarts will hold the student's place in their course of study for the period of suspension. It is the student's responsibility to observe the re-enrolment process in line with the dates as stipulated in the *Notice of Intention to Suspend Enrolment*.

Collarts will report the suspension of enrolment of an international student to the DHA Secretary via PRISMS in accordance with Standard 9 of the *National Code 2018*. Students must provide a copy of the new visa to the Office of the Registrar for the student records before they are re-enrolled for their return to study at the date agreed.

Students wishing to make an appeal against suspension for academic misconduct should refer to the College **Grievance & Appeals Policy**. A student's enrolment will be maintained for the duration of the internal appeals process. Where an appeal is made by an international student, Collarts will not report any changes to the DHA Secretary via PRISMS during this time.

A copy of all decisions and outcomes, including an international student's new visa where applicable, will be kept on the student file.

### D. Cancellation of Enrolment for Misconduct

*Activated by Collarts*

Where a student has displayed or participated in behavior contrary to the **Misconduct Policy** or other College policy or to generally acceptable social or academic standards, Collarts may activate the cancellation of their enrolment at the College. Collarts may cancel a student's enrolment on the grounds of misconduct which may include one or more, but not limited to, the following circumstances:

- a) Plagiarism, cheating or collusion
- b) Harassment or bullying of students, staff or others persons
- c) Causing or threatening the safety or health of students, staff or other persons
- d) Non-payment of tuition fees
- e) Unsatisfactory course progress (international students as per Standard 10 of the National Code 2007)

Where Collarts intends to cancel the enrolment of a student as a result of misconduct, the student will be issued with a *Notice of Intention to Cancel Enrolment* notifying the intention to cancel, the reasons for the decision and the student's right to appeal within twenty working days. Collarts will report the cancellation of enrolment of an international student to the DHA Secretary via PRISMS in accordance with Standard 8 of the *National Code 2018*.

Students wishing to make an appeal against the cancellation of their enrolment for academic misconduct should refer to the College **Grievance & Appeals Policy**. A student's enrolment will be maintained for the duration of the internal appeals process. Where an appeal is made by an international student, Collarts will not report any changes to the DHA Secretary via PRISMS during this time.

A copy of all decisions and outcomes will be kept on the student file.

## **E. Cancellation or Withdrawal from a Course**

### *Activated by Student on Request (Application)*

If a student is unable to continue their course of study at Collarts they may apply to withdraw or cancel their enrolment at Collarts.

When a student wishes to withdraw from their course of study at Collarts, the student must lodge an 'Application to Withdraw or Cancel Enrolment' form with the Office of the Registrar outlining the reasons for the request. An 'Application to Withdraw or Cancel Enrolment' form can be downloaded via the *Student Resources* section of the MyCollarts student portal at <http://mycollarts.edu.au/login/index.php>.

Applications to withdraw or cancel enrolment should be submitted prior to Census Date to avoid any academic and/or monetary penalty. For example, in accordance with the College **Tuition Fee Refund Policy**, applications to withdraw received after Census Date will not be entitled to the refund of tuition fees.

An international student applying to cancel their enrolment to transfer to a course at another registered provider, and has not completed six months of their principal course of study at Collarts, should refer to the **International Student Transfer between Registered Providers Policy** which outlines the DHA imposed conditions by which Collarts must abide in accordance with Standard 7 of the *National Code 2018*.

Collarts will only consider an application complete and eligible for assessment when all sections have been completed and the form signed ('completed application').

Collarts will assess and respond to all completed applications within ten working days. A longer time may be required during peak admission and enrolment times but the process will not exceed fifteen working days.

Where an 'Application to Withdraw or Cancel Enrolment' is successful, Collarts will issue an *Approval of Withdrawal Letter* to notify the decision in writing. It is the responsibility of the student to sign and return the letter acknowledging their acceptance of the withdrawal and the subsequent cancellation of their enrolment. For international students, Collarts will report the cancellation of enrolment to the DHA Secretary via PRISMS on receipt of their signed acceptance which may cancel their student visa.

Where an 'Application to Defer the Commencement of Study' is denied, Collarts will issue a *Refusal of Deferment Letter* outlining the reasons for refusal and their right to appeal within twenty working days. Students wishing to appeal the decision should refer to the College **Grievance & Appeals Policy**.

Where an 'Application to Withdraw or Cancel Enrolment' is denied, the student will be notified in writing of the reasons for refusal and their right to appeal within twenty working days. Students wishing to make an appeal should refer to the College **Grievance & Appeals Policy**. Where an appeal is made by an international student, Collarts will not report any changes to the DHA Secretary via PRISMS during this time.

A copy of all applications, decisions and outcomes will be kept on the student file.

## Procedures

### 1. Submit an application to the Office of the Registrar

*Responsible: Student*

Students wishing to make application to defer, suspend or withdraw by cancelling their enrolment should by complete the appropriate form and attach the documentary evidence as outlined in the ***Defer, Suspend or Cancel Enrolment Policy***. The respective application form and attachments should be submitted to the Office of the Registrar.

### 2. Review and consideration of the completed application against assessment criteria [Collarts]

#### a) Confirm application for completeness

*Responsible: Collarts Office of the Registrar*

The respective application form as submitted is checked for completeness by the Office of the Registrar. All applications are required to be completed, signed and it is the responsibility of the student to attach the appropriate documentary evidence in support of their application as set out in the policy.

All attachments should be copies of originals as certified by a Justice of the Peace (and translated into English if necessary). Where original documentation is presented with the application, the Office of the Registrar will take copies of the documentation and witness them as being true copies of originals presented. The original documentation will be returned to the student (or applicant). Application forms will not be accepted without the appropriate supporting documentation.

#### b) Assessment of the Completed Application

*Responsible: Collarts Office of the Registrar and/or Program Leader*

After the check for completeness, the Office of the Registrar undertakes a review of the Completed Application against the assessment criteria as outlined in the ***Deferral, Suspension or Cancellation of Enrolment Policy*** and makes a decision to grant or deny the application for course credit. The Office of the Registrar may choose to refer the application to the Head of Program where they require faculty input to make the appropriate decision.

### 3. Advise assessment decision in writing

*Responsible: Collarts Office of the Registrar*

The Office of the Registrar will advise the student (or applicant) in writing of the College decision to grant or deny the request to defer, suspend or cancel enrolment within ten working days of the receipt of the completed application. A longer time may be required during peak admission and enrolment times but will not exceed fifteen working days.

Where an application is successful, Collarts will send the student the respective *Approval Letter* notifying the decision, and that the deferment, suspension or cancellation of their enrolment may affect an international student's visa and they should seek further information from DHA before accepting the decision of Collarts to grant their request. The student must sign and return a copy of this letter authorising the change to their enrolment and any subsequent conditions on their return to study if applicable before the student management system is updated accordingly.

Where an application is denied, the student will be notified in writing of the reasons for refusal and their right to appeal within twenty working days. A student's enrolment will be maintained for the duration of the internal appeals process. Where the appellant is an international student, Collarts will not report any changes to DHA via PRISMS during this time.

#### 4. Respond to the notification of decision

*Responsible: Student (or the Applicant)*

##### a) The student accepts the College decision

If the student (or applicant) accepts the College decision outlined in their notification letter following their application to voluntarily defer, suspend or cancel their enrolment, they must formally accept the decision and acknowledge their understanding of any implications, by signing and returning a copy of the letter to the Office of the Registrar. For any student activated requests to defer, suspend or cancel their enrolment, no changes will be made without receipt of the student's acknowledgement in writing.

On receipt of the signed acknowledgement, the Office of the Registrar will update the student management system and, if necessary, report the change to DHA via PRISMS within five working days in accordance with Standard 9 of the *National Code 2018*.

##### b) The student appeals the College decision

Students who make an appeal the College decision outlined in their notification letter to defer, suspend or cancel their enrolment must do so within twenty working days from the deemed receipt of the notification letter. The appeal must be submitted in writing using the 'Application for an Appeal or Grievance' form which can be downloaded from the Student Resources page of the College website. Students should refer to the College **Grievance & Appeals Policy** on how to lodge an appeal, and the **Misconduct Policy** for the eligible grounds for appeal and details on how the case will be heard by the Misconduct Appeals Committee. Where a student has admitted to committing or participating in an act of misconduct, an appeal can be made only on the ground of excessive penalty.

Where the student elects to appeal, their enrolment and access to College services will be maintained for the duration of the appeals process. Where the appellant is an international student, Collarts will not report any changes in PRISMS during this time. However if the appeal is unsuccessful, enrolment will be cancelled and access to all College services withdrawn at the end of the appeal process. Collarts will then report the changes to enrolment for international students to the DHA Secretary via PRISMS within five working days of end of the appeal process in accordance with Standard 9 of the *National Code 2018*.

If successful in appeal, Steps 4a and 5 in the procedure to this policy will be implemented.

##### c) The student elects not to appeal the College decision

Students who elect not to appeal the College decision outlined in their notification letter to defer, suspend or cancel their enrolment, will have their enrolment changed accordingly and access to all College services withdrawn at the conclusion of the twenty working day appeal period. Collarts will report the change to an international student's enrolment to the DHA Secretary via PRISMS within five working days of the end of the appeal period in accordance with Standard 9 of the *National Code 2018*.

## 5. Enrolment is updated in the Student Management System

### a) Where the student voluntarily defers, suspends or cancels their enrolment

Where the student voluntarily applied to defer, suspend or cancel their enrolment, on receipt of the signed acknowledgement letter accepting the change to their enrolment, the Office of the Registrar will update the student management system to adjust enrolment accordingly and withdraw the student from all College services including access to the following:

- campus access
- the MyCollarts Student Portal
- the College email account
- library and library services
- other College hardware and software including WiFi access

No changes will be made to enrolment without receipt of the student's acknowledgement in writing by the Office of the Registrar. Until this time, the student remains enrolled in their course of study and bound by the College policies, the *Higher Education Standards Framework 2015*, the *Education Services for Overseas Students (ESOS) Act 2019* and *National Code 2018* that governs their enrolment at Collarts and visa to study and reside in Australia.

Within five working days of receipt of the signed letter, the Office of the Registrar will report the change for an international student's enrolment to the DHA Secretary via PRISMS in accordance with Standard 9 of the *National Code 2018*.

### b) Where the College activates the suspension or cancellation of enrolment

Where Collarts activates the suspension or cancellation of enrolment for misconduct, at the end of the twenty-day appeal period or the appeal process as applicable, the Office of the Registrar will update the student management system to adjust enrolment accordingly and withdraw the student from all College services including access to the following:

- campus access
- the My.Collarts Student Portal
- the College email account
- library and library services
- other College hardware and software including WiFi access

Within five working days of the appropriate appeal period as outlined above, the Office of the Registrar will report the change to an international student's enrolment to the DHA Secretary via PRISMS in accordance with Standard 9 of the *National Code 2018*.

## 6. Re-enrolment for deferred or suspended students

Students who deferred or suspended their enrolment for a leave of absence will be sent a letter outlining the process for re-enrolment and any imposed conditions for their return to study at Collarts at the agreed commencement date (following deferment) or return date (following a leave of absence or College activated suspension). Students will be asked to contact the College to begin the re-enrolment at least twenty days prior to the agreed commencement date or return date.

International students will be required to provide a copy of their new student visa before re-enrolment will be completed.

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Approvals:

Next Policy Review Cycle: July 2022

As part of the College Policy Review Cycle, this policy was endorsed by the Teaching & Learning Committee at the meeting of 25 July 2019 and ratified by the Academic Board at the meeting of 08 August 2019.