

# Deferment, Suspension or Cancellation of a Student's Enrolment (ESOS Specific) Procedure

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## Purpose

The National Code of Practice for Providers of Education and Training to Overseas Students (ESOS) 2018 Standard 9 covers the circumstances for students, where compassionate or compelling circumstances exist, to defer commencement of studies, take a leave from studies or temporarily suspend their studies during their course. This must be completed through a formal agreement with their registered provider. Students must be advised that deferring, taking leave from studies or temporarily suspending their studies during their course may affect their student visa.

The registered provider may also seek to cancel or suspend the student's enrolment for disciplinary reasons.

This procedure outlines the circumstances for the application, assessment and approval of the deferment, suspension, a leave from studies, or cancellation of enrolment, when instigated by either student or the University and subsequent reporting requirements via PRISMS.

## Scope

This Procedure applies to all **international students** holding a **Student Visa** as a **student** of Federation **University**. This is irrespective of teaching location or if the course or unit is delivered via a Partner Provider.

## Definitions

Term	Definition
<b>Cancellation</b>	CoE is cancelled. Student must reapply for course if they wish to continue study.
<b>Compassionate or compelling Circumstances*</b> <b>*Professional judgement to assess each case on its merits</b>	<ul style="list-style-type: none"> <li>• Where a student does not receive their student visa in time to arrive at the University to commence study.</li> <li>• Serious illness or injury – where a medical certificate states the student was unable to attend classes.</li> <li>• Bereavement of close family members such as parents or grandparents (death certificate should be provided).</li> <li>• Major political upheaval or natural disaster in home country requiring emergency travel and this has impacted on the students studies.</li> <li>• A traumatic experience i.e. involvement in or witnessing of a serious crime or accident and this has impacted on the student (police or psychologists report to be provided).</li> <li>• Where the registered provider was unable to offer a pre requisite unit.</li> <li>• Other reasons may be considered but must have documentary evidence to support the claim.</li> </ul> <p><b>Note:</b></p> <ul style="list-style-type: none"> <li>• Deferral due to lack of funds is not accepted by Immigration as a compassionate or compelling circumstance to defer for a semester. It is a condition of a student visa that students have access to funds to cover the tuition fees and cost of living for the duration of their student visa.</li> </ul>
<b>CoE</b>	Confirmation of Enrolment - A document provided electronically which is issued by the University to intending international students and which must accompany their application for a student visa. It confirms the student's eligibility to enrol in the course/qualification of the University, at a specific teaching location.
<b>Deferment</b>	A request by the student prior to the commencement of study of their course to temporarily postpone study (student initiated).
<b>ESOS</b>	Education Services for Overseas Students Act 2000, as amended from time to time.
<b>Extenuating Circumstances</b>	<ul style="list-style-type: none"> <li>• Is missing.</li> <li>• Has medical concerns.</li> <li>• Has engaged or threatens to engage in behaviour that is reasonably believed to endanger the student or others.</li> <li>• Is at risk of committing a criminal offence.</li> </ul>
<b>School</b>	School delivering courses to international students

<b>Immigration</b>	Department of Home Affairs
<b>Leave from Studies</b>	A request by the student to temporarily postpone study after the commencement of their course. (Student initiated).
<b>Partner Provider (PP)</b>	Educational Institution providing courses and units of the University through an approved Education Agreement.
<b>PRISMS</b>	The Provider Registration and International Student Management System.
<b>Suspension</b>	The enrolment of a student in their course of study is suspended for a period of time, after which time the student may recommence study. If student initiated refer to Leave from Studies.

**Note:**

Suspension of enrolment should not be included in attendance monitoring calculations.

## Actions

**The University's Statutes and Regulations must be read in conjunction with this Procedure.**

Where a decision is made, the student always has the right to appeal this decision to the University Appeals Committee using the appeals processes as outlined in the Universities Statues and Regulations. This must always be clearly communicated to the student with the notification of the decision.

Actions required to meet this procedure are outlined in the following sections:

Deferment or Leave from Absence

Withdrawal From All Studies

Suspension of Enrolment (University Initiated)

Cancellation of Enrolment

## Deferment or Leave from Studies

	STEPS	WHO IS RESPONSIBLE?	COMMENTS
1	Request for Leave from Studies for a full semester or longer.  Deferment request (Refer point 8 & 9)	Student	<ul style="list-style-type: none"> <li>Must be made using the Amend your course status form for Leave from Studies in My Student Centre.</li> <li>Additional documentation to support application must be lodged with form.</li> </ul>
2	Request for leave is after census date	Student	<ul style="list-style-type: none"> <li>Completed Remission of Debt form to be lodged with Amend your course status form for Leave Studies together with</li> </ul>

			additional documentation to support application.
3	Assessment for Leave from Studies.	International Student Compliance	<ul style="list-style-type: none"> <li>Approval can only be given in accordance with defined compassionate or compelling circumstances.</li> <li>Where a student wishes to take a break from their studies but does not have compassionate or compelling circumstances the student will need to withdraw and re-apply when they are ready to return to study.</li> <li>School may delegate approval for PP to assess applications for short term leave from studies. Refer <b>Short term leave from studies</b> below.</li> </ul>
4	Approval / Decline of Leave of Studies.	International Student Compliance	<ul style="list-style-type: none"> <li>Outcome of application will be made through My Student Centre</li> </ul>
5	Notification is provided to Student of decision.	International Student Compliance	<ul style="list-style-type: none"> <li>Records to be maintained of the provision of notification and information provided to student.</li> <li>Outcome of application in My Student Centre triggers an outcome letter to be automatically issued through fdlGrades.</li> <li>Information provided to student to include: their visa may be affected as a result of the Leave of Studies and Immigration contact details.</li> <li>Immigration will advise the student if they are required to leave the country while on approved leave.</li> </ul>
6	Form is processed in My Student Centre.	International Student Compliance	<ul style="list-style-type: none"> <li>Form is processed automatically in My Student Centre.</li> </ul>
7	Change to CoE reported via PRISMS.	International Student Compliance	<ul style="list-style-type: none"> <li>CoE reported on in PRISMS.</li> <li>New CoE emailed directly to the Student or Partner Provider as applicable.</li> </ul>

8	Deferment of commencement of course	Student / International Admissions / PP	<ul style="list-style-type: none"> <li>Students requesting a deferment due to not receiving their student visa in time to commence their course for the current semester or other compassionate or compelling reasons will contact the International Admissions/PP and request a new CoE for the following semester.</li> <li>The deferred commencement request is processed through StudyLink.</li> </ul>
9	Deferment approved	International Student Compliance / International Admissions	<ul style="list-style-type: none"> <li>International Admissions will issue a new offer &amp; acceptance agreement.</li> <li>On acceptance of new offer, International Student Compliance will issue a CoE with new commencement date.</li> </ul>

**Note:**

- Students can take a leave from studies if there are no units they can study in the relevant study period as this is considered to be a compelling circumstance.
- Students should check with Immigration before applying for leave of studies. In most cases students will be required to go back to their home country while on leave from studies.
- Students leave will be assessed per semester. Leave approved especially for more than one semester may not be recognised by Immigration and it may act to cancel the student's visa.

## Short term leave from studies

Short term leave from studies is leave that will normally not affect the length of a student's visa.

Returning students who wish to enrol or commence classes after the last date allowed for the semester, must apply for leave from studies and have the leave approved prior to commencement of the semester unless circumstances, out of the control of the student, prevent this from occurring. Student Administration at the Partner Provider teaching locations will inform students of the last date to enrol for the semester.

Students who wish to take leave from studies during a semester eg. leave to return to home country for two weeks, must apply for leave from studies prior to taking leave unless circumstances out of the control of the student prevents this from occurring.

When assessing a Short Term Leave From Studies application School/PP must consider the number of classes the student will miss during the leave from studies period and how it will affect the student's results at the end of the semester. If it is assessed that a student will require Special Consideration as a consequence of the approved Leave from Studies request, a Special Consideration form should be lodged at the same time as the Leave from Studies request.

Assessment of a Short Term Leave From Studies application is assessed under the compassionate or compelling definition. It is not necessary for Student HQ to make changes in My Student Centre unless advised at a later date by International Student Compliance/PP/School that the student did not return to study in current semester. Copy

of approved form or letter must be held in student's file. If applicable International Student Compliance will record leave on CoE via PRISMS.

## Withdrawal from All Studies

	STEPS	WHO IS RESPONSIBLE?	COMMENTS
1.	Withdrawal from All Studies	Student	<ul style="list-style-type: none"> <li>• Must be made using the Amend your course status form for Withdrawal from all Studies in My Student Centre.</li> <li>• Additional documentation to support application must be lodged with form.</li> </ul>
2	Withdrawal is after census date	Student	<ul style="list-style-type: none"> <li>• Completed Remission of Debt form to be lodged with Amend your course status form for Withdrawal from all Studies together with additional documentation to support application.</li> </ul>
3.	Assessment for Withdrawal from All Studies	International Student Compliance	<ul style="list-style-type: none"> <li>• Where a Student wishes to withdraw within their restricted period as per ESOS, the Student's application will be denied and advised to apply for Transfer between Registered Teaching Locations.</li> </ul>
4.	Approval / Decline of Withdrawal from all Studies	International Student Compliance	<ul style="list-style-type: none"> <li>• Outcome of application will be made through My Student Centre.</li> </ul>
5.	Notification is provided to Student of decision	International Student Compliance	<ul style="list-style-type: none"> <li>• Records to be maintained of the provision of notification and information provided to student.</li> <li>• Outcome of application in My Student Centre triggers an outcome letter to be automatically issued through fdIGrades.</li> <li>• Information provided to student to include: their visa may be affected as a result of the Withdrawal from all Studies and Immigration contact details.</li> </ul>
6.	Form is processed in My Student Centre	International Student Compliance	<ul style="list-style-type: none"> <li>• Form is processed automatically in My Student Centre.</li> </ul>

			<ul style="list-style-type: none"> <li>Record of application automatically recorded.</li> </ul>
7.	Change to CoE reported via PRISMS	International Student Compliance	<ul style="list-style-type: none"> <li>CoE reported on in PRISMS.</li> <li>New CoE emailed directly to the Student or Partner Provider as applicable</li> </ul>

**Note:**

Students should check with Immigration before withdrawing from all studies.

## Suspension of Enrolment (University initiated)

	STEPS	WHO IS RESPONSIBLE?	COMMENTS
1.	Action / Decision applicable Statute or Regulation.	Institute	<ul style="list-style-type: none"> <li>Refer to <a href="#">University Statutes and Regulations</a></li> </ul>
2.	<p>Written notification to student of the decision to suspend them from their studies.</p> <p>Advice must include:</p> <ul style="list-style-type: none"> <li>20 working days to access University's Appeals Process;</li> <li>Suspension may impact on student's visa.</li> </ul>	As per applicable Statute or Regulation.	<ul style="list-style-type: none"> <li>Suspension cannot take effect until the internal appeals process is completed unless extenuating circumstances relating to the welfare of the student or other students apply.</li> <li>Correspondence to students in regard to appeals and appeal outcomes must be sent to selected address on appeal form.</li> </ul>
3.	Notify International Student Compliance of the suspension within 7 days of the appeal period passing or any appeal finding in favour of the origin decision to suspend.	Student Misconduct Committee	<ul style="list-style-type: none"> <li>Students who choose to appeal to the National Student Ombudsman must do so within 10 working days of date of letter and must notify International Student Compliance their lodgement reference number. Students suspended for discipline reasons do not need to be enrolled during the external appeals process and their suspension may be reported to Immigration.</li> </ul>
4.	Report student via PRISMS to Immigration that the student's enrolment is suspended.	International Student Compliance	

**Note:**

The above procedure for Suspension of Enrolment (University initiated) is for discipline reasons.

Procedures for Suspension of Enrolment (University initiated) for academic reasons is covered under *FedUni's Standard 8 – Monitoring Unit Progression Procedure*.

## Cancellation of Enrolment

	STEPS	WHO IS RESPONSIBLE?	COMMENTS
1.	Action as per above applicable Statute or Regulation.	Institute	<ul style="list-style-type: none"> <li>Refer to <a href="#">University Statutes and Regulations</a>.</li> </ul>
2.	Written notification to student of the decision to cancel enrolment.  Advice must include: <ul style="list-style-type: none"> <li>20 working days to access the University's Appeals Process;</li> <li>Suspension may impact on student's visa;</li> </ul>	As per applicable Statute or Regulation.	<ul style="list-style-type: none"> <li>Cancellation cannot take effect until the internal appeals process is completed unless extenuating circumstances relating to the welfare of the student or welfare of other students apply.</li> <li>Correspondence to students in regard to appeals and appeal outcomes must be sent to selected address on appeal form.</li> </ul>
3.	Notify International Student Compliance of the cancellation within 7 days of the appeal period passing or any appeal finding in favour of the origin decision to cancel.	Student Misconduct Committee	<ul style="list-style-type: none"> <li>Students who choose to appeal to the National Student Ombudsman must do so within 10 working days of date of letter, and must notify International Student Compliance their lodgement reference number. Students whose enrolment is cancelled for disciplinary reasons do not need to be enrolled during the external appeals process and their exclusion may be reported to Immigration.</li> </ul>
4.	Report student via PRISMS to Immigration that the student's enrolment is suspended.	International Student Compliance	

### Note:

The above procedure for Cancellation of Enrolment is for disciplinary reasons.

Procedures for Cancellation of Enrolment (University initiated) for academic reasons is covered under *FedUni's Standard 8 – Monitoring Unit Progression Procedure*.

## Responsibilities

Specific responsibilities for are included under Actions.

- International Student Compliance
- School
- Partner Provider

## Policy Base

- [ESOS Act 2000](#)
- [The National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 \(The National Code\)](#).
- [University Statutes and Regulations](#).

## Associated Documents

- [Global Partners and Community Engagement Policy](#)
- [Student Appeal Procedure](#).

## Forms/Record Keeping

Title	Location	Responsible Officer	Minimum Retention Period
<b>Application for Deferment, Suspension or Leave of Studies</b>	Student File	International Student Compliance	7 years after completion of unit
<b>Evidence of Assessment of applications for deferment, suspension or LOA</b>	Student File	International Student Compliance	7 years after completion of unit
<b>Evidence of Approval / Rejection of Application</b>	Student File	International Student Compliance	7 years after completion of unit
<b>Evidence of information provided to student informing them of possible changes to their student visa.</b>	Student File	International Student Compliance	7 years after completion of unit

## Implementation

This Procedure will be implemented using the following strategies:

1. An Announcement Notice the FedNews website; and
2. Inclusion in the University's online Policy Library.