

### 1. Purpose

Student enrolment can be deferred, suspended or cancelled in limited circumstances by ACOT or by the student. When deferral, suspension or cancellation of enrolment is initiated by ACOT, students have the right to appeal the decision.

### 2. Scope

This policy and procedure applies to all international students enrolled in or seeking a place in a qualification/course provided by ACOT

### 3. Relevant Standard from ESOS National Code

#### ESOS National Code Standard 9 - Deferring, suspending or cancelling the student's enrolment

#### Outcome of Standard 9 (for International Students)

ACOT, as a Registered provider, may only enable students to defer or suspend their studies, including granting a leave of absence, during the course through formal agreement in certain limited circumstances.

13.1 ACOT, as a registered provider must have in place documented procedures for assessing, approving and recording a deferment of the commencement of study or suspension of study for the student, including keeping documentary evidence on the student's file of the assessment of the application.

13.2 ACOT, as a registered provider can only defer or suspend the enrolment of the student on the grounds of:

- a. compassionate or compelling circumstances (e.g. illness where a medical certificate states that the student is unable to attend classes), or
- b. misbehaviour by the student.

13.3 ACOT, as a registered provider must:

- a. informs the student that deferring, suspending or cancelling his or her enrolment may affect his or her student visa, and
- b. notifies the Secretary of the Department of Home Affairs via PRISMS as required under the ESOS Act where the student's enrolment is deferred, suspended or cancelled.

13.4 ACOT, as a registered provider must inform the student of its intention to suspend or cancel the student's enrolment where the suspension or cancellation is not initiated by the student and notify the student that he or she has 20 working days to access the registered provider's internal complaints and appeals process as per ESOS National Code Standard 10 and Standard 6 of the **Standards for Registered Training organisations (2015)**. If the student accesses ACOT's internal complaints and appeals process, the suspension or cancellation of the student's enrolment under this standard cannot take effect until the internal process is completed, unless extenuating circumstances relating to the welfare of the student apply.

### 4. Definitions

- 4.1 The Registered Provider – refers to Australian College of Trade
- 4.2 Vocational Staff – refers to trainers/assessors
- 4.3 Department of Education, Skills and Employment
- 4.4 DHA – refers to the Department of Home Affairs.

- 4.5 Deferral – postponement of commencement of course.
- 4.6 Suspension - temporary postponement of enrolment during course.
- 4.7 Cancellation – termination or cessation of enrolment in course.
- 4.8 DOS – Director of Studies
- 4.9 CEO – Chief Executive Officer
- 4.10 SVTS – Skills Victoria Skills First Funding

#### 5. Compliance Evidence

For ACOT, as a registered provider to show it is complying with Standard 9, it may need some of the following as evidence:

- documented procedures for assessing, approving and recording a deferment of the commencement of study or suspension of study;
- documentary evidence on students' files of the assessment of applications for deferment or suspension of enrolment;
- a copy of the information given to students prior to enrolment which states the grounds on which students' enrolment may be deferred, suspended or cancelled;
- a copy of ACOT's documented complaints and appeals processes (see ESOS National Code Standard 10 and Standard 6 of the **Standards for Registered Training organisations (2015)** and an indication of how students would access such a document (for example, link to the ACOT website, [www.acot.vic.edu.au](http://www.acot.vic.edu.au));
- evidence that ACOT has informed affected students that deferring, suspending or cancelling their enrolment may affect their student visas (ACOT demonstrates this through a letter or form given to students applying for a deferment or suspension); and
- evidence of appropriate notification (through PRISMS) of changes to enrolment status.

#### 6. PROCEDURE

##### Guidelines for International Students

Deferral, Suspension or Cancellation may be initiated by either the student or by ACOT.

##### 6.1 Deferral, Suspension or Cancellation initiated by the Australian College of Trade

6.1.1 ACOT may defer commencement of a course when a course is not offered

6.1.2 ACOT may cancel or suspend a student's enrolment in the following instances:

- Student misbehaviour as outlined in Student Information handbook.
- Intervention strategy for unsatisfactory course progress.
- Erratic course progress, for example, consistent unsatisfactory course progress in non-consecutive semesters or continuous absence from scheduled course hours
- Student is not paying fees on time
- Student takes leave of absence without approval
- Student fails to enrol in any units of competency for a compulsory study period
- The student does not return to study from a scheduled term or holiday break or following and approved leave of absence such as Deferment or suspension of studies

6.1.3 In cases where suspension or cancellation of the student's enrolment is initiated by ACOT, students will be notified and given 20 working days to access ACOT's internal complaints and appeals process (Student Complaints and Appeals Procedure). **Students must be provided with information on ACOT's complaints and appeals process**

- The change in enrolment status will not be reported to the Department of Home Affairs, for International Students, or SVTS for Skills First funded domestic students until the appeals process is completed.
- Education and Training will continue to be provided to the student until the appeals process is completed.
- Once the deferral, suspension or cancellation is processed, ACOT will notify the Department of Home Affairs via PRISMS for International Students and SVTS for Skills First funded domestic students.

#### 6.2 Student Initiated Deferral, Suspension or Cancellation

6.2.1 International students may defer commencement of a course or suspend or cancel their enrolment during their course in the following limited circumstances:

- Delay in issuing of initial visa.
- Unavailability of a course or pre-requisite unit
- On the grounds of compassionate or compelling circumstances (at the discretion of ACOT).

As per ESOS standard 9 “students may apply to ACOT for deferment or suspension of their studies if they have good reason for doing so (compassionate or compelling circumstances). ACOT may choose to grant or decline any student’s request for deferment or suspension of studies, in accordance with its documented procedures for assessing such requests.

The grounds for compassionate and compelling are quite broad and if genuine students who appear to have every intention of completing their course need to go home for family reasons this would generally fit into the compassionate category.

*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 close family members such as parents, siblings, children or grandparents (Where possible a death certificate should be provided)
- 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:
- involvement in, or witnessing of a serious accident; or
- 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)
- serious illness or injury, where a medical certificate states that the a family member requires the attendance of and/or assistance of the student
- Major family event that requires the student to attend; each case will be assessed on its importance to the individual and/or their family

6.2.2 Students who wish to **defer or suspend** their enrolment must obtain written approval from the Director of Studies.

To **defer** commencement of studies:

- Students may request to defer the commencement of their course by completing “**VCID.SMS.16 Application for Course Deferment or Suspension of Studies**” and

submitting it to Student Administration prior to the course commencing. Once the request is processed the student will receive a revised Confirmation of Enrolment letter and have a new enrolment agreement written to reflect the new commencement date.

To **suspend** studies during an enrolment:

- Form “**VCID.SMS.16 Application for Course Deferment or Suspension of Studies**” is to be completed and submitted to Student Administration who will then pass it on to the Director of Studies for consideration and approval.
- To obtain approval, the standard lead time for students to submit the form is a minimum of 14 days before the requested suspension date. In some emergency situations this may not be possible. In such cases the Director of Studies will advise the student and student administration of an acceptable submission timeline.
- Once the suspension is approved the student will receive a copy of the approved application form from the Director of Studies, granting the suspension.
- In some cases, the student may be seeking a period of leave that does not require a suspension of studies. In such cases, each case will be considered on its merits and approved where the Director of Studies is satisfied that the application is genuine and does not impede the student’s ability to complete their course in the expected duration as specified in their COE.

**6.2.3** Students who wish to **cancel** enrolment in their course must obtain written approval from the Director of Studies and the Chief Operating Officer.

- Students must complete the form “**VCID.SMS.10 Application for Approval to Terminate, cease or withdraw from studies**” and submit it to student administration who will verify the student has achieved satisfactory academic performance
- The form will then be passed on to the Finance Department for verifying the student has adhered to financial requirements.
- The form is then passed on to the Director of Studies and Chief Executive Officer for final approval
- Once the cancellation is processed the student will receive a letter from Student Administration approving the cancellation.

Once the deferral, suspension or cancellation is processed, ACOT will notify the Department of Home Affairs for International students via PRISMS in cases where the student’s enrolment requires alteration.

**For Domestic Students:** Students wishing to defer commencement, suspend their studies or cancel their enrolment must apply to do so in writing to ACOT. To defer or suspend their studies, students must complete **VCID.SMS.16 Application for Course Deferment or Suspension of Studies**. To cancel their studies, students must complete **VCID.SMS.10 Application for Approval to Terminate, cease or withdraw from studies**. For domestic students enrolled in a Skills First government funded course, the withdrawal will be reflected via the SVTS system.

***Where a request is rejected, written notification will be provided to the student. They will be advised in this letter that they have 20 working days in which to appeal ACOT’s decision utilising the college’s complaints and appeals process. Students must be provided with information on ACOT’s complaints and appeals process***

### 6.3 Additional Guidelines re: International Students

**6.3.1** If an international student's enrolment is suspended for a period of 28 days or longer, the student must return home (unless special circumstances exist).

**6.3.2** ACOT will approve suspension of enrolment for International students for a maximum period of six months relating to a single request.

**6.3.3** Deferral, suspension or cancellation of enrolment may affect the student's visa.

**6.3.4** If an international student's enrolment is suspended for more than six months, the student's visa may be cancelled by DHA.

**6.3.5** Upon deferral, suspension or cancellation of a student's course any outstanding fees for tuition that has already been provided remain due and must be paid in full. Students continuing their study after returning from deferral or suspension of studies must continue to pay as per the scheduled dates in their payment plan.

ACOT's management and staff are committed to assessing all applications for course deferrals of study ensuring that students within the process are informed of their rights and provided with due care and where relevant opportunities for appeal.

### 7. APPENDICES- Nil

### 8. RESPONSIBILITIES

The Director of Studies and Chief Executive Officer have responsibility for managing this policy and procedure

### 9. PROCEDURE OWNER

The owner of this procedure is the Director of Studies