

### Deferment, Suspension or Cancellation Policy

<b>Department</b>	Administration		
<b>Effective Date</b>	1 <sup>st</sup> September, 2011	<b>Review Date</b>	1 <sup>st</sup> September, 2012
<b>Version</b>	5	<b>Implementation Date</b>	1 <sup>st</sup> September, 2011
<b>Application</b>	Administrative Assistant to PEO, Attendance Officer, , PRISMS Administrator, HOD VET Academic department , Assistants to HODs and Student Support Officer		
<b>Replaces</b>	N/A		
<b>Relevant Policies</b>	The Ashmark Institute Of Australia Student's Policies & Procedures, The National Code 2007 & ESOS Act 2000		
<b>Approved by</b>	Administrative Assistant to PEO		
<b>Administered by</b>	PRISMS Administrator; Administrative Assistant to PEO		

#### Policy

This policy contains requirements that apply to all enrolments by international students.

#### Procedural Purpose

The purpose of this policy is to ensure that students of The Ashmark Institute of Australia (thereafter known as AIA) are only able to defer or temporarily suspend their studies during the course through formal agreement in certain limited circumstances. This is to provide a procedure for assessing, approving and recording a deferment of the commencement of study, suspension or cancellation of study for the student, including keeping documentary evidence on the student's file of the assessment of the application or evidence of the initiation of the deferment, suspension or cancellation of enrolment procedures or status.

#### Definition of terms:

**Cancelling** a student's enrolment means that the student is formally no longer a student of The Ashmark Institute of Australia (thereafter known as AIA). Cancelling a student's becomes official once DEEWR, via PRISMS, is notified that the student's enrolment with AIA has been cancelled.

**Deferring or suspending studies** means to temporarily delay or postpone studies. A deferment or suspension of studies can be initiated by either AIA or the student. A deferment or suspension of studies becomes official once DEEWR, via PRISMS, is notified that the student's enrolment with AIA has been suspended or deferred.

**DIAC:** Department of Immigration and Citizenship.

**DEEWR:** Department of Education, Employment and Workplace Relations

Students may apply for a temporary deferment or suspension of studies. All temporary suspensions, regardless of their duration, must be reported to DEEWR.

It is important to keep in mind that should you apply for a deferment or suspension of studies, this may affect your course completion date which in turn may affect your student visa. Therefore, students planning to **defer, suspend or cancel their enrolment** are advised to contact DIAC on 131 881 for further information.

#### On what grounds may a student apply for a deferment or suspension of studies?

The prospective students should find this information on the student's handbook, which also can be found on the website. Students wishing to defer or temporarily suspend their studies can only do so when there are genuinely compelling or compassionate circumstances. Compelling or compassionate circumstances include, but are not limited to:

- a) Serious injury or illness where the medical certificate states the student was unable to attend classes – please note, that backdated medical certificates are generally not accepted as evidence.
- b) Bereavement or serious illness of a close family member (where possible, a death certificate needs to be provided)

- c) Major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student's studies;
- d) A traumatic experience such as being involved in a serious crime or accident. All such cases need to be supported by police or psychologists' reports.
- e) Where AIA was unable to offer a pre-requisite unit
- f) A student did not receive a visa in time to commence studies on the due date.

*Please note: Even if medical or other certificates are provided, the student cannot be guaranteed a suspension or deferment of studies. AIA will use its professional judgment to assess each case on its individual merits.*

### **How to apply for a deferment or suspension of studies?**

Students must submit the Deferment or Temporary Suspension of Studies Form (available from Reception or from the AIA's website <http://www.ashmark.edu.au> as this form is available for download) at least 10 working days prior to the start of the suspension period for which the student is applying. In exceptional cases, such as the death of a family member, this 10 working days period may be waived.

Together with the application form, the student needs to provide documentary evidence in support of the application. Documents may include, for example:

- a police report
- Medical certificates that clearly indicate the period during which the student is unable to attend classes. Generally, medical certificates without such evidence will not be accepted as proof that the student is unable to attend classes.
- Return air flight tickets to one's home country

AIA will process the application within **10 working days**. Should the application be refused, AIA will provide written reasons for its decision. A copy of AIA's response will be kept in the student's file.

### **Additional important information:**

Students should keep in mind that, unless they have been granted, in writing, a formal approval to suspend studies, airline tickets should not be pre-purchased, as AIA cannot guarantee that the student will be successful in his or her application for a suspension.

### **On what grounds may AIA initiate a cancellation or suspension of a student's studies?**

AIA reserves the right to cancel or temporarily suspend a student's enrolment on the basis of:

1. Student misbehavior, examples of which include, but are not limited to, behaviour which:
  1. Seriously disrupts a class.
  2. Could potentially bring AIA into disrepute
  3. Poses a serious threat to the student's, other students' or staff health, safety or welfare
  4. is dishonest, including theft of AIA, staff or student property
  5. Shows great disrespect towards staff or students
  6. is academically unethical such as engaging in plagiarism, cheating or other inappropriate behaviour
  7. Demonstrates a willful misuse or damage of AIA property or facilities
2. Compelling reasons relating to the welfare of the student and/or other members of the Institute community. For example, if a student has a contagious disease and refuses to take leave, AIA may be forced to suspend the student's studies, so as to protect the Institute community.

### **Are there any other grounds on which AIA may initiate a cancellation of a student's studies?**

1. Non-payment of fees
2. Unsatisfactory course progress
3. The student is due commence studies but has not arrived in Australia nor contacted the Institute within 2 weeks of the semester's commencement date to explain the reason for his or her non-commencement of studies.
4. The student has not returned from semester break **and** has not paid the next semester's fees **and** has not contacted AIA within **2 weeks** of the semester's commencement date to explain the reason for his or her non-commencement of studies. In this case, Notification of Intention to Cancel or suspend the student's enrolment letter will be issued, as the Institute has assumed that the student, by not paying his or her fees and not contacting AIA, has indicated "inactively" that he or she will not be continuing with his or her studies.

### **If The Ashmark Institute of Australia initiates a cancellation or suspension of a student's studies, what process will the Institute follow?**

**WARNING LETTER:** In cases relating to attendance, course progress, or non-payment of fees, warning letters will be sent to the student's residential Australian address (please refer to *Attendance Policy*, *Course Progress Policy* and *Fee Payment Policies* for specific details on when and how warning letters are issued).

Warning letters will not be issued in compelling circumstances requiring the immediate removal of the student's presence from campus (e.g. where the student has a contagious disease that poses a serious threat to other persons).

**Notification of Intention to Cancel or Suspend the Student's Enrolment:** Before taking the final step to cancel or suspend a student's enrolment, the student will be sent a Notification of Intention to Cancel or Suspend the student's enrolment letter to his or her Australian residence and given 20 working days within which to appeal the Institute's intention to cancel the student's enrolment.

A Notification of Intention to Cancel or Suspend the Student's Enrolment letter will not be issued in the circumstances covered by Point 4 above or where there are compelling circumstances requiring the immediate removal of the student from campus. This does not preclude the student's right to appeal AIA's decision to suspend/cancel the student's enrolment. All such appeals must be made within 20 working days of the letter issued to the student indicating that his or her enrolment has been cancelled.

### **Cancellation/Suspension Due to Misbehavior**

In cases where AIA has decided to cancel/suspend a student's enrolment due to misbehavior (as outlined above), AIA will take the following steps:

- Administration will contact the student to discuss the issue and to determine how the issue might be rectified. This meeting will be documented and signed by both parties and included in the student's file.
- Where the issue or behaviour continues, the student will be given a warning **in writing** and invited to discuss the issue with the Student Support Officer. This meeting will be documented and signed by both parties and included in the student's file.
- should the issue or behaviour persist, the student will be issued a final letter indicating AIA's intention to cancel or temporarily suspend the student's enrolment. The letter will indicate that the student has 20 working days within which to appeal using AIA's internal appeals process. A copy of this letter will be kept in the student's file.

### **Before cancelling or suspending a student's enrolment, will The Ashmark Institute of Australia wait for the Appeals Process to be completed?**

### **Unsatisfactory attendance or academic progress**

If the student is appealing AIA's intention to report the student to DIAC for non-payment of fees, unsatisfactory course progress, AIA will maintain the student's enrolment throughout the appeals process, including the external appeal, should the student choose to access an external arbitrator. AIA will only cancel a student's enrolment, if the student has not appealed or the appeals process is completed and the decision is in AIA's favor.

### **Other reasons**

If the student is appealing AIA's intention to cancel or suspend his or her enrolment for **other** reasons, including **misbehavior** (ref. previous section for list), AIA will maintain the student's enrolment throughout the internal appeals process. AIA is not required, however, to wait for the outcome of an external appeal before notifying DEEWR through PRISMS of the change to the student's enrolment. Once DEEWR has been notified of the change to the student's enrolment, the student has 28 days within which to choose one of the following 3 options:

- a. leave Australia
- b. show DIAC a new CoE
- c. Provide DIAC with evidence that he or she has accessed an external arbitrator.

**Please note that The Ashmark Institute of Australia may cancel the student's enrolment without waiting for the internal appeals process to run its course, if the Institute fears for the safety and wellbeing of the student and/or people the student may encounter. The student, however, can still appeal from his or her Australian residence or home country.**

### **Attendance Monitoring during suspension or deferment of enrolment**

If a student has had his or her studies suspended or deferred, the student's attendance will not be monitored for the period covered by the suspension or deferment.