



# Deferral, Suspension, and Cancellation of Enrolment Policy

## 1. Purpose

Standard 9 of The National Code 2018 allows students to defer commencement of studies, take a leave of studies, or temporarily suspend their studies during their program where compassionate or compelling circumstances exist. Standard 9 states that registered providers may only enable students to defer or temporarily suspend their studies, including granting a leave of absence, during the course through formal agreement in certain limited circumstances.

This policy outlines the circumstances for the application, assessment and approval of the deferment, suspension, leave of absence or cancellation of enrolment when instigated by either student or Oak Leaf and subsequent reporting requirements via PRISMS.

## 2. Scope

This policy applies to all the current international students of Oak Leaf studying onshore, holding a student visa.

## 3. Definitions

**Deferral:** Postponement of the commencement of a course of study. Must occur prior to start of a new academic term or a study period

**Suspension:** Temporary postponement of an undertaken course of study. May occur at any time during an academic term or a study period

**Cancellation:** Termination of enrolment

**Course:** means a course of education or training as defined in the ESOS Act.

**CoE:** Confirmation of Enrolment

**PRISMS:** The Provider Registration and International Student Management System

**Study Period:** Oak Leaf uses “Term” to define a study period. The term duration, usually a contact period of ten (10) weeks, is considered a study period.

## 4. Legislative Context

- National Vocational Education and Training Regulator Act 2011 (Cth)
- The ESOS Act 2000
- Education Services for Overseas Students (ESOS) Regulations 2001
- The National Code 2018

## 5. Policy

### 5.1 Leave of Absence: Initiated by Student



Oak Leaf may approve a personal leave of absence up to a maximum period of two (2) weeks within a study period. An *Application for a Leave of Absence* must be submitted to the Academic Manager for approval.

A leave of absence can only be granted on compassionate or considerate grounds (e.g. sudden illness, injury or professional development activity) and students must provide a valid reason for the leave. Oak Leaf may ask for documentary or third-party evidence to verify the situation.

Students granted a leave of absence will be allowed to undertake any assessment tasks that they might have missed during their absence without any academic penalty. Students may have to attend extra classes, if available, on their return to make up for the lost time.

Only two leaves of absences can be granted in an academic year and may impact on course completion date. Any changes to student's enrolment will be notified the Secretary of DE (Formally DET, DEEWR) via PRISMS within 14 days of the change to the student's enrolment status.

Leave of absence cannot be used for personal travelling, undertaking hobbies, working or taking holidays/breaks, and will not be approved on such grounds.

All leaves of absence are recorded as suspension of studies in PRISMS.

### 5.2 Deferring or Suspending a Course of Study: Initiated by Student

- Students wishing to defer or temporarily suspend their enrolment may only do so when there are compelling or compassionate circumstances. Compelling or compassionate circumstances may include, but are not limited to:
  - Serious illness
  - Serious illness or death of a family member necessitating a return to the student's home country
  - Serious injury
  - Stressful family or personal situation or a traumatic experience
  - Major political upheaval or natural disaster in the home country requiring emergency travel
- Students will need to substantiate their claims with appropriate supporting documentation. Deferral or suspension of studies cannot be used for personal travelling, undertaking hobbies, working or taking holidays/breaks, and will not be approved on such grounds.
- Students who would like to defer the commencement of their studies or suspend their current course of study must first speak to the Student Admissions Officer in the case of deferment and the Academic Manager or the Academic Manager in the case of suspension.
- Prior to applying to suspend their studies, students must ensure that they have paid any outstanding course fees and library fines and have returned all library resources to the library.
- After these measures have been taken, and the student still wishes to defer or suspend their studies, a Deferment and Allowable Suspension of Studies Claim Form must be completed and submitted to the course Coordinator or the Academic Manager with verifiable supporting documents. The form can be obtained from college reception or from Oak Leaf website. The form must be submitted at least fourteen (14) working days prior to the requested deferral or suspension date.
- In the event that an application for deferment and suspension being approved or denied, the outcome will be notified to the applicant in writing and, if denied, reasons for the refusal will be given.
- In the event of an application for deferment or suspension of studies being approved, a designated college Administration Officer will notify **the Secretary of DE (Formally DET, DEEWR) via PRISMS within 14 days of the change to the student's enrolment status (Section 19, ESOS Act).**

### 5.3 Deferral, Suspension, or Cancellation: Initiated by Oak Leaf

- Students may also have their enrolment deferred, suspended or cancelled by Oak Leaf in the event of:

- Misbehaviour (as outlined in the *Student Code of Conduct*, and *Academic and General Misconduct Policy*)
  - Breach of the *Student Agreement* (e.g., non-payment of fees)
  - Discovery of evidence of fraudulent documentation to gain admission to Oak Leaf
  - If the student behaves in a way which could potentially bring Oak Leaf into disrepute
  - Oak Leaf implementing its intervention strategy for students at risk of not meeting satisfactory course progress (including where the student is clearly having difficulty in completing the course within the expected duration, as specified on the student's CoE)
- Students have the right to appeal a decision by Oak Leaf to defer, suspend or cancel their studies and Oak Leaf will not notify the Secretary of DE (Formally DET, DEEWR) via PRISMS of a change to the enrolment status until the internal complaints and appeals process is completed.
  - In cases where deferral, suspension or cancellation of a student's enrolment is initiated by Oak Leaf, the student will be notified in writing and given twenty (20) working days to access Oak Leaf's internal complaints and appeals process.
  - After all due processes have been completed, and Oak Leaf decides to defer, suspend or cancel a student's enrolment, a designated college Administration Officer must notify the Secretary of DE (Formally DET, DEEWR) via PRISMS within 14 days of the change to the student's enrolment status. In the event, however, of Oak Leaf cancelling a student's enrolment due to a breach of a condition of a student visa, Oak Leaf Administration Officer must give the Secretary particulars of this breach via PRISMS as soon as practicable after the breach occurs.

#### 5.4 Withdrawing from a course of study

Students intending to have their enrolment cancelled through course withdrawal must first speak to their course coordinator or the Academic Manager. Reasons given by the student for course withdrawal should be discussed and appropriate advice obtained. After these measures have been taken, and the student still wishes to withdraw from their studies, a *Withdrawal from Course Form* must be completed by the student and submitted to the Academic Manager. Prior to applying to withdraw from their program, students must ensure that they have paid any outstanding course fees and library fines and have returned all library resources to the library. The *Withdrawal from Course Form* can be obtained from college reception.

**Restricted Period:** If a student is intending to withdraw prior to the completion of six months of his/her principal course of study, they should be directed to and given access to Oak Leaf's *Transfer between Providers Policy*. Students should be informed that colleges providing courses to international students are restricted from enrolling transferring students from other providers prior to the student completing six months of his or her principal course of study (*National Code*, 7.1).

While Oak Leaf may grant a student a letter of release in this restricted period, it is not required to do so, and it may exercise appropriate discretion. Possible reasons that a letter for release may not be given include, but are not restricted to:

- A student requesting a transfer has an inaccurate understanding of what the transfer represents to his/her study options
- The student still owes Oak Leaf course fees
- It is suspected that the student is seeking transfer only to avoid being reported to DE (Formally DET, DEEWR) for failure to meet course progress requirements.
- Oak Leaf considers this transfer to be detrimental to the student's interests
- The reasons stated for the request to transfer have not been adequate
- The transfer does not appear to be for the purpose of an educational or career-oriented benefit
- The course requested transfer to is the same or similar to the currently enrolled course(s)
- The primary reason for a transfer request is for a different class schedule which is more suited to the student's current or anticipated employment interests, or other non-educational interest

When a student applies to withdraw from a course during this restricted period, the student must complete and submit a *Withdrawal from Course Form* which is accompanied by:

- a valid letter of offer from another provider
- a detailed letter explaining clearly the reasons for seeking withdraw addressed to the Academic Manager

In the event that a student’s application for withdrawal from an enrolled course(s) is approved, a designated college Administration Officer must notify **the Secretary of DE (Formally DET, DEEWR) via PRISMS within 14 days of the change to the student’s enrolment status (Section 19, ESOS Act).**

## 6. Important Note - Visa implications

Leave of absence, deferral, suspension or cancellation of enrolment may have implications for a student’s visa; especially if the course end data has been changed. Oak Leaf recommends that students seek appropriate advice regarding these implications. Oak Leaf does not provide immigration advice to students.

## 7. Appeals

Once a decision is made on deferral, suspension, cancellation and/or exclusion for either reasons initiated by the student or Oak Leaf, the student will be notified in writing of the outcome, including reasons for the decision.

Student should also refer to Oak Leaf’s “**Student Complaints and Appeals Policy**”, available with student services, front desk, and online at – [www.oakleaf.edu.au](http://www.oakleaf.edu.au) for information on lodging an appeal against a decision.

## 8. Responsibility

Student Admissions Officer has the responsibility to provide the student details and fee status to CEO for effective implementation and maintenance of this procedure.

The Academic Manager is responsible for effective implementation and management of this policy as well as provision of information on ways to resolve complaints of breaches of this policy.

Any complaints or breaches in relation to this policy should be reported to the Chief Executive Officer in person or by email to: [info@oakleaf.edu.au](mailto:info@oakleaf.edu.au)

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