

Faith Lutheran College

Student Deferment, Suspension and Cancellation Policy

International Students



Introduction

This policy is a requirement under *Standard 9 of the National Code of Practice for Providers of Education and Training to Overseas Students 2018*. Faith Lutheran College, as a registered CRICOS provider, must enable students who are enrolled in its accredited courses to defer or temporarily suspend their studies, including granting a leave of absence, during the course through formal agreement in limited circumstances. The College also holds the right to suspend or cancel a student's enrolment.

Deferment, suspension and cancellation of enrolment can have an effect on a student's visa as a result of changes to enrolment status. Students can visit the Department of Home Affairs Website <http://www.homeaffairs.gov.au/Trav/Stud> for further information about their visa conditions and obligations.

Definitions

For the purposes of this policy, the following terms are defined:

Day	Refers to any day including weekends and public holidays in or out of term time
Deferral	Refers to a pause in enrolment prior to commencement, and is student-initiated
Suspension	Refers to a pause in enrolment after commencement, and may be student or College-initiated
Cancellation	Refers to complete cessation of enrolment any time after a Confirmation of Enrolment has been created. This can be initiated by the student or College. Examples include: <ul style="list-style-type: none"> ○ The student refuses to maintain approved welfare and accommodation arrangements (for students under 18 years of age); ○ The student is missing; ○ The student has medical concerns or severe depression or psychological issues, which lead the College to fear for the student's wellbeing; ○ The student has engaged or threatened to engage in behaviour that is reasonably believed to endanger the student or others; ○ Is at risk of committing a criminal offence; or ○ The student is the subject of investigation relating to criminal matters.
Extenuating circumstances	If the student's health or wellbeing, or the wellbeing of others, is likely to be at risk. For example: <ul style="list-style-type: none"> ○ the student refuses to maintain approved welfare and accommodation arrangements (for students under 18 years of age) ○ the student has medical concerns or severe depression or psychological issues which lead the College to fear for the student's wellbeing ○ the student has engaged or threatened to engage in behaviour that is reasonably believed to endanger the student or others

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| | <ul style="list-style-type: none">○ is at risk of committing a criminal offence, or the student is the subject of an investigation relating to criminal matters. |
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Communication

When communicating with families about changes in enrolment status:

- a) All communications regarding changes to enrolment status will be made directly with students and parents/legal guardians, in accordance with the latest contact details provided to the College.
- b) Parents/legal guardians must therefore keep Faith Lutheran College informed of their current contact details, as per the conditions of the student visa.
- c) Where relevant and where approved by the parents/legal guardians, the College may also share copies of correspondence with the student's education agent (if utilised by the College or overseas family) to help facilitate communication about any changes in enrolment status. However, the parents/legal guardians with whom the College has a formal written agreement are the primary contact for such matters. The College will not act on any decision affecting the student's enrolment without communication with the parents/legal guardians.

Student-Initiated Changes in Enrolment

The following outlines the details surrounding student-initiated deferment, suspension or cancellation of enrolment at Faith Lutheran College.

1. Deferment of commencement of study requested by student

- a) Faith Lutheran College will only grant a deferment of commencement of studies for compassionate and compelling circumstances. These include but are not limited to:
 - illness, where a medical certificate states that the student will be unable to attend classes
 - bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided)
 - major political upheaval or natural disaster in the home country that has impacted on expected commencement of studies
 - a traumatic experience which has impacted on the student (where possible, these cases should be supported by police or psychologists' reports)
- b) After undertaking ELICOS studies, the student has not/will not meet the English language benchmark required for entry into the desired course, and the College is willing to defer the student's commencement in the course until a later date when the required benchmark is achieved.
- c) All applications for deferment will be considered within 10 working days. The final decision for assessing and granting a deferment of commencement of studies lies with the College Principal. Where a student's request to defer his/her commencement of studies is refused, the student has a right of appeal (see Faith Lutheran College's Complaints and Appeals policy). Deferment will be recorded on PRISMS within 14 days of being granted.

2. Suspension of study requested by student

- a) Once the student has commenced the course, Faith Lutheran College will only grant a suspension of study for compassionate and compelling circumstances. These include but are not limited to:
 - illness, where a medical certificate states that the student was unable to attend classes
 - bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided)

- o major political upheaval or natural disaster in the home country requiring emergency travel that has/will impact on studies
 - o a traumatic experience which has impacted on the student (where possible, these cases should be supported by police or psychologists' reports)
 - o a student who returns to their home country to sit a university entrance exam (or similar assessment), which impacts upon their education
- b) Some examples of circumstances that are not considered compassionate and compelling at Faith Lutheran College include:
- o Requests for early departure or late return from vacation, including inability to secure cheap flights
 - o Leaving early or returning late from holidays in order to attend festivals in the student's home country
 - o Returning home to attend family gatherings that occur during term time.
- c) Where there is a significant issue impacting upon a student's attendance or course progress, it is essential that the student or parents/legal guardians contact the College as soon as possible to discuss the concern so that appropriate support can be put in place. Where deemed necessary, this may involve temporarily suspending the student's enrolment so that matters can be resolved without having a negative impact on the student's ability to satisfy their visa conditions.
- d) Temporary suspensions of study cannot exceed 6 months' duration.
- e) Suspensions will be recorded on PRISMS within 14 days of being granted if the student is under 18 years of age, and within 31 days if the student is over 18 years of age.
- f) The period of suspension will not be included in attendance calculations.
- g) Applications will be assessed on merit by the International Student Liaison Coordinator.
- h) As part of any assessment of a request to defer or temporarily suspend studies, the impact of the request on the student's ability to complete their intended course of study in accordance with their Confirmation of Enrolment (CoE) and student visa will be considered. Any implications will be communicated to students.
- i) All applications for suspension will be considered within 10 working days. The final decision for assessing and granting a suspension of studies lies with the Principal. Where a student's request to suspend studies is refused, the student has a right of appeal (see *Faith Lutheran College's Complaints and Appeals policy*).

3. Student-initiated cancellation of enrolment

- a) All notification of withdrawal from a course, or applications for refunds, must be made in writing and submitted to the Business Manager.
- b) Please see Faith Lutheran College's Refund Policy for information regarding refunds.
- c) A student will be deemed to have inactively notified Faith Lutheran College of cancellation of enrolment where:
- o the student has not yet finished his/her course/s of study with the College; and
 - o does not resume studies at the College within 10 school days after a holiday break; and
 - o the student has not previously provided the College with written notification of withdrawal.
- b) Student-initiated cancellation of enrolment, including 'inactive' cancellation of enrolment is not subject to Faith Lutheran College's Complaints and Appeals Policy.

College-Initiated Changes in Enrolment

The following outlines the details surrounding College-initiated deferment, suspension or cancellation of enrolment at Faith Lutheran College.

1. College-initiated exclusion from class

- a) Faith Lutheran College may exclude a student from class studies on the grounds of not adhering to the rights and responsibilities as set by the College. Temporary withdrawal will occur as the result of any actions identified as resulting in contravention of Faith Lutheran College's Relational Management Policy/Code of Conduct. The withdrawal process will be carried out in alignment with the College's Restorative Practices guidelines.
 - b) It is possible that a student may also be withdrawn from class for failure to pay fees that he/she was required to pay in order to undertake or continue the course, as stated in the written agreement.
 - c) Where Faith Lutheran College has withdrawn a student from class, the College will make contact with the homestay provider and the Parents/Legal Guardian. Communication will provide details of the reason/s for withdrawal, as well as information about how to access Faith Lutheran College's internal appeals process. The student will also work through the standard Restorative Practices processes. Further information about the appeals process in the event of a College-initiated exclusion from class is outlined below.
 - d) Withdrawn students must abide by the conditions of their removal from studies and must adhere to any welfare and accommodation arrangements in place, as determined by the International Student Liaison Coordinator. Where the student is provided with homework or other studies for the period of the withdrawal, the student must continue to meet the academic requirements of the course. Withdrawal from class will not be included in attendance calculations for the study period and will not be recorded on PRISMS.
2. College-initiated suspension of studies
- a) Faith Lutheran College may initiate a suspension of studies for a student on the grounds of not adhering to the rights and responsibilities as set by the College. Suspension will occur as the result of any actions identified as resulting in a significant contravention of Faith Lutheran College's Relational Management and Wellbeing Policy.
 - b) Under some circumstances, a suspension of studies may occur for significant failure to pay fees that he/she was required to pay in order to undertake or continue the course, as stated in the student's written agreement.
 - c) Where Faith Lutheran College intends to suspend the enrolment of a student, it will first issue a letter that notifies the student and parents/legal guardians of this intention. The letter will provide details of the reason/s for the intended suspension, as well as information about how to access Faith Lutheran College's internal appeals process. Further information about the appeals process in the event of a College-initiated suspension is outlined below.
 - d) Suspended students must abide by the conditions of their suspension from studies and must adhere to any welfare and accommodation arrangements in place, as determined by the International Student Liaison Coordinator.
 - e) Students who have been suspended for more than 28 days may need to contact Department of Home Affairs. Please see contact details at this link:
<http://www.homeaffairs.gov.au/about/contact/offices-locations>
 - f) Suspensions will be recorded on PRISMS.
 - g) The period of suspension will not be included in attendance calculations.
3. College-initiated cancellation of enrolment
- a) Faith Lutheran College will cancel the enrolment of a student under the following conditions:
 - o Any breach of an agreed condition of enrolment as outlined in the student's written agreement, including failure to disclose a pre-existing condition requiring a high degree of specialised support or care.

- o Failure to pay course fees.
 - o Any actions identified as resulting in severe contravention of Faith Lutheran College's Relational Management and Wellbeing Policy or WHS Policy.
- b) Where Faith Lutheran College intends to cancel the enrolment of a student, it will first issue a letter which notifies the student and parents/legal guardians of this intention. The letter will also provide details of the reason/s for the intended cancellation, as well as information about how to access Faith Lutheran College's internal appeals process. Further information about the appeals process in the event of a College-initiated cancellation is outlined in the College's appeals process.
 - c) Faith Lutheran College is required to report any confirmed breach of course progress and attendance requirements to the Department of Home Affairs. Where a student is reported for breach of visa condition, his/her enrolment at Faith Lutheran College will be cancelled and this may impact on the student's ability to access a visa. Further information can be found in Faith Lutheran College's Course Progress and Attendance Policy.
 - d) For the duration of the internal appeals process, Faith Lutheran College will maintain the student's enrolment and the student will access class work in consultation with the Principal or their delegates. The International Student Liaison Coordinator will determine if participation in studies will be in class or under a supervised arrangement outside of classes.
 - e) If a student decides to access Faith Lutheran College's complaints and appeals process because they have been notified of a College initiated suspension or cancellation of enrolment under Standard 9, the change in enrolment status will not be reported in PRISMS until the internal complaints and appeals process is finalised, unless extenuating circumstances relating to the welfare of the student apply (see Definitions above).
 - f) Where extenuating circumstances are deemed to exist, a student may still access the complaints and appeals process, but Faith Lutheran College need not await the outcome of this process before changing the student's enrolment status in PRISMS. If the College has issued a Confirmation of Appropriate Accommodation and Welfare (CAAW) for such a student, welfare provisions under Standard 5.6 are applicable.
 - g) The use of extenuating circumstances by Faith Lutheran College to suspend or cancel a student's enrolment prior to the completion of any complaints and appeals process will be supported by appropriate evidence.
 - h) The final decision for evaluating extenuating circumstances lies with the Principal.

Policy Release Details

Date of Policy:	October 2018
Approved by:	Plenary
Responsibility:	College Principal
Point of Contact:	International Student Liaison Coordinator
Review Date:	