DEFERMENT, SUSPENSION AND CANCELLATION POLICY

Human Resources and Compliance
Version 2.0
Last Reviewed: 23 March 2018

1 Statement

FSAC Ltd trading as St John's International College and St John's Anglican College (the College) is committed to providing clear and accurate information to intending students about the grounds on which an enrolment can be deferred, suspended or cancelled prior to enrolment at the College. Overseas students are required to meet and maintain satisfactory course progress and attendance requirements under visa condition 8202 and in accordance with Standard 8 of the National Code of Practice for Providers of Education and Training to Overseas Students (the National Code).

2 Scope

This policy applies to the College Council members, employees, Homestay students and their parents/legal guardians.

3 Principles

This policy is based on the following principles:

- International Students have the right to feel safe, be listened to, be involved in decisions that affect them, have their cultural values respected, not be unjustly discriminated against based on their status, activities, expressed opinions or beliefs of their parents or carers, and have their best interests considered.
- Students under the care of the College should be provided with the knowledge and information they require to feel empowered to act in the event of abuse or neglect.
- The College acknowledges that International Students are unique and valued individuals and deserve to be treated with care and respect.
- The College recognises that respect for students is the foundation on which all policies and procedures are developed.
- The College is committed to promoting the wellbeing of International Students under its protection by protecting their security, safety and wellbeing.

4 Student Protection

The College supports the rights of children and young people and is committed to ensure the safety, welfare and wellbeing of students. The College is therefore committed to responding to allegations of student harm resulting from the conduct or actions of any person including that of employees. This commitment includes the provision of a safe and supportive living and learning environment for all students and requires all employees, volunteers and visitors to model and encourage behaviour that upholds the dignity and protection of students from harm.

5 Definitions

Day:	any day including weekends and public holidays in or out of term time.
Extenuating circumstances:	if the student's health or wellbeing, or the wellbeing of others, is likely to be at risk. Examples may include: • 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 behavior 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.

6 Communicating with families about changes in enrolment status

All communications regarding changes to enrolment status will be made directly with students and parents, in accordance with the latest contact details provided to the College. Parents must therefore keep the College informed of their current contact details, as per the conditions of the student visa.

Where relevant and where approved by the parents, the College may also share copies of correspondence with the child's education agent to help facilitate communication about any changes in enrolment status. However, the parents with whom the College has a formal written agreement are the primary contact for the college in such matters. The College will not act on any decision affecting the student's enrolment that is not made by the parents.

7 Changes in enrolment

7.1 Student-initiated changes in enrolment

7.1.1 Deferment of commencement of study requested by student

The 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 psychologist's reports); or
- 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.

All applications for deferment will be considered within 5 working days.

The final decision for assessing and granting a deferment of commencement of studies lies with the Principal. Where a student's request to defer his/her commencement of studies is refused, the student has a right of appeal in accordance with the colleges *Complaints and Appeals Policy*.

Deferment will be recorded on PRISMS within 14 days of being granted.

7.1.2 Suspension of study requested by student

Once the student has commenced the course, the 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);
- major political upheaval or natural disaster in the home country requiring emergency travel that has/will impact on studies;
- a traumatic experience which has impacted on the student (where possible, these cases should be supported by police or psychologist's reports); or
- the student returns to their home country to sit a university exam (or similar assessment) which impacts on their education.

Where there is a significant issue impacting on a student's attendance or course progress, it is essential that the student or parents 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.

Temporary suspensions of study cannot exceed 6 months duration.

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. The period of suspension will not be included in attendance calculations.

Applications will be assessed on merit by the Principal. Some examples of circumstances that are not considered compassionate and compelling at the College include:

- requests for early departure or late return from vacation, including inability to secure cheap flights;
- leaving early or returning late from holidays in order to attend festivals in the student's home country; or
- returning home to attend family gatherings that occur during term time.

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 and Student Visa will be considered. Any implications will be communicated to students.

All applications for suspension will be considered within 5 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 in accordance with the college's *Complaints and Appeals Policy*.

7.1.3 Student-initiated cancellation of enrolment

All notifications of withdrawal from a course, or applications for refunds, must be made in writing and submitted to the Principal. Please refer to the college's *Refund Policy* for more information.

A student will be deemed to have inactively notified the College of cancellation of enrolment where:

- the student has not yet finished his/her course/s of study with the College; and
- does not resume studies at the College within 14 days after a holiday break; and
- the student has not previously provided the College with written notification of withdrawal.

Student-initiated cancellation of enrolment, including 'inactive' cancellation of enrolment, as outlined above, is not subject to the College's *Complaints and Appeals Policy*.

7.2 College-initiated changes in enrolment

7.2.1 College-initiated exclusion from class

The College may exclude a student from class studies on the grounds of misbehaviour by the student. Exclusion will occur as the result of any behaviour identified as resulting in exclusion in the College's *Student Code of Conduct*.

Students may also be excluded from class for failure to pay fees that he/she was required to pay to undertake or continue the course, as stated in the written agreement.

Where the College intends to exclude a student from class it will first issue a letter which notifies the student and parents of this intention. The letter will provide details of the reason/s for the intended exclusion, as well as information about how to access the College's internal appeals process.

Further information about the appeals process in the event of a College-initiated exclusion from class is outlined below.

Excluded students must abide by the conditions of their exclusion from studies and must adhere to any welfare and accommodation arrangements in place, as determined by the Principal. Where the student is provided with homework or other studies for the period of the exclusion, the student must continue to meet the academic requirements of the course.

Exclusions from class will not be included in attendance calculations for the study period and will not be recorded on PRISMS.

7.2.2 College-initiated suspension of studies

The College may initiate a suspension of studies for a student on the grounds of misbehaviour by the student. Suspension will occur as the result of any behaviour identified as resulting in suspension in the College's *Student Code of Conduct*.

Students may also be suspended for failure to pay fees that he/she was required to pay to undertake or continue the course, as stated in the student's written agreement.

Where the College intends to suspend the enrolment of a student, it will first issue a letter that notifies the student and parents of this intention. The letter will provide details of the reason/s for the intended suspension, as well as information about how to access the college's internal appeals process. Further information about the appeals process in the event of a College-initiated suspension is outlined below.

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 Principal. Students who have been suspended for more than 28 days may need to contact Department of Home Affairs.

Suspensions will be recorded on PRISMS.

The period of suspension will not be included in attendance calculations.

7.2.3 College-initiated cancellation of enrolment

The College will cancel the enrolment of a student under the following conditions:

- 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;
- failure to pay course fees;
- failure to maintain approved welfare and accommodation arrangements (visa condition 8532);
- any behaviour identified as resulting in cancellation in the College's *Student Code of Conduct*.

Where the College intends to cancel the enrolment of a student it will first issue a letter which notifies the student and parents 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 the College's internal appeals process. Further information about the appeals process in the event of a College-initiated cancellation is outlined below.

The 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 the College will be cancelled and this may impact on the student's visa. Further information can be found in the College's *Course Progress, Attendance and Course Duration Policy.*

For the duration of the internal appeals process, the College will maintain the student's enrolment and the student will attend classes as normal. The Principal will determine if participation in studies will be in class or under a supervised arrangement outside of classes.

If a student decides to access the College's complaints and appeals process because they have been notified of a College-initiated suspension or cancellation of enrolment under Standard 9 of the National Code, 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 as per the definition provided in section 5 of this policy.

Where extenuating circumstances are deemed to exist, a student may still access the complaints and appeals process, however the 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) letter for such a student, welfare provisions under Standard 5 of the National Code are applicable.

The use of extenuating circumstances by the 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. The final decision for evaluating extenuating circumstances lies with the Principal.

8 Department of Home Affairs

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 for further information about their visa conditions and obligations. https://www.homeaffairs.gov.au/trav/stud.

9 Privacy

Personal information that may be obtained, stored and released is done so in accordance with the *Privacy Act 1988*. For further information please refer to the college's *Privacy Procedure*.

10 Accountabilities and Responsibilities

The table below outlines the accountabilities and responsibilities for governing and managing the College.	
College Council:	Is responsible for ensuring the proper and effective management and operation of the College. This includes defining and monitoring the strategic direction, developing and monitoring policies, monitoring the effectiveness of the College Council and College, and establishing control and accountability systems.
Principal:	Is responsible for the administration and implementation of the College's strategic direction, policies and procedures and control and accountability systems developed by the College Council. The Principal works closely with and is accountable to the College Council for leading the College to deliver high quality

	curriculum and educational outcomes, excellence in teaching and learning, a strong College community and driving market growth.
Manager Human Resources and Compliance:	Is responsible for ensuring the achievement of College strategic objectives through the development and application of best practice Human Resource Management principles and practices that comply with legislative requirements. The Manager Human Resources and Compliance works closely with and is accountable to the Principal for developing, implementing and evaluating an appropriate policy framework compliant with all statutory requirements.
Employees:	Are expected to abide by all College policies and procedures.

11 Related policies, procedures and other documents

11.1 Policies

Complaints and Appeals Policy

Course Progress, Attendance and Course Duration Policy

Entry Requirements Policy

International College Homestay Management Policy

Refund Policy

Student Transfer Request Policy

11.2 Procedures

Accommodation and Welfare Procedure

Privacy Procedure

11.3 Other documents

Australian Privacy Principles

College Vision, Mission and Values Statement

Student Code of Conduct

11.4 Legislation

Child Protection Act 1999 (Qld)

Education Services for Overseas Students Act 2000

National Code of Practice for Providers of Education and Training to Overseas Students 2018

Privacy Act 1988

12 Approval

This policy was issued on 23 March 2018 under the authority of the Principal. This document represents the current policy of the College until it is revised or rescinded.

13 Managing this policy

13.1 Review

This policy is to be reviewed every two years or earlier if necessary. The Manager Human Resources and Compliance is responsible for reviewing or making approved modifications to the policy.

14 Authorisation

Suzanne Bain
Principal
Date: 23 March 2018