



International Student Deferment, Suspension and Cancellation of Study Policy

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Policy owner	Chief Executive Officer
Responsible Officer	Chief Executive Officer
Approving authority	Board of Directors
Contact Officer	Registrar
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Related Documents	International Student Deferment, Suspension and Cancellation of Study Procedure ESOS Act 2000 National Code of Practice for Providers of Education and Training to Overseas Students 2018 Student Handbook Student Progression and Exclusion Policy Student Progression and Exclusion Procedure Student Complaint and Appeal Policy Student Complaint and Appeal Procedure Student Code of Conduct Academic Misconduct Policy Academic Misconduct Procedure

1. Purpose

The intent of this Policy and the associated Procedure is to provide a framework for assessing, approving and recording deferment of the commencement of study, suspension of study, or cancellation of study for international students at the Australian Institute of Higher Education Pty Ltd (the 'Institute') in line with the requirements of the ESOS Act and National Code.

2. Principles

The key principle informing this Policy and the associated Procedure is to provide a clear statement and guidelines about the conditions under which international students at the Institute may voluntarily defer, suspend, or cancel their study. It also addresses the processes for institute-initiated suspension or cancellation of enrolment of an international student.

3. Context

This Policy has been developed to a) ensure compliance with the requirements of the ESOS Act and National Code and b) ensure that all international students and relevant staff are fully informed of those requirements.

4. Scope

This Policy applies to all international students enrolled at the Institute, Executive Management, Admissions, Student Services and the Accounts office.

5. Definitions

See the *AIH Glossary of Terms* for definitions.

6. Policy Details

Under the requirements of the ESOS Act and National Code, if an international student has enrolled in a course at the Institute they are not permitted to defer commencement of their studies or suspend their studies. Exceptions apply only on the grounds of illness as evidenced by a doctor's certificate, or other compassionate and/or compelling circumstances beyond the student's control. If a student defers or suspends their studies on any other grounds, the Institute must report the student to the Department of Education and Training (DET) and the Department of Home Affairs via the Provider Registration and International Student Management System (PRISMS), as not complying with visa conditions.

When a prospective international student has not met conditional offer requirements of educational and/or English language proficiency, the Institute may defer the student's intake date. The Institute may also suspend or cancel a student's studies on the basis of misconduct.

6.1 **Publication and dissemination**

International students are advised of the circumstances and consequences regarding deferment or suspension of study prior to enrolment and during the student orientation process. International students applying to defer or suspend their studies will be reminded that a successful application may affect their student visa.

6.1.1. In the event that the deferment of study for a commencing student has been approved, the Admissions will notify the student in writing of the decision and remind them that a successful application may affect their student visa.

6.1.2. In the event that the suspension of study for a continuing student has been approved, the Student Services team will notify the student in writing of the decision and remind them that a successful application may affect their visa.

6.2 **Compassionate and compelling circumstances**

Compassionate or compelling circumstances are generally those beyond the control of the student and which are likely to have an impact upon the student's course progress or wellbeing. They could include, but are not limited to:

- serious illness or injury, where a medical certificate states that the student will be unable to attend classes;
- death or illness of close family members such as parents or grandparents (where possible, a doctor's or death certificate should be provided);
- major political upheaval or natural disaster in the international student's home country requiring emergency travel and this has impacted, or will impact, on the student's studies;
- a traumatic experience which has impacted on the student, which could include:
 - involvement in, or witnessing of a serious accident; or

- witnessing or being the victim of a serious crime,

These cases should be supported by police or psychologist's reports;

- where the Institute was unable to offer a pre-requisite unit;
- inability to begin studying on the course commencement date due to delay in receiving a student visa.

International students may also defer or suspend their studies with the Institute for other reasons; however, the student will be required to provide compelling documentary evidence to support their request.

6.3 Institute-initiated Suspension of Study or Cancellation of Enrolment

All students, including international students, are subject to the potential for institute-initiated suspension of study or cancellation of enrolment for both academic and non-academic misconduct, in accordance with the ***Student Academic Misconduct Policy*** and associated Procedure and ***Student Code of Conduct*** respectively, and for non-payment of fees (a student's failure to pay the required amount to the Institute to undertake or continue their course in accordance with their Offer Letter). Students may also be subject to suspension due to unsatisfactory academic performance in accordance with the ***Student Progression and Exclusion Policy*** and the associated Procedure.

International students will have been made aware of the circumstances in which their studies may be suspended for misconduct prior to enrolment and during student orientation.

6.4 Appeal against outcome

International students seeking to appeal a decision should do so through the Institute's ***Student Complaint and Appeal Policy*** and associated Procedure.

7. Legislation

This Policy and the associated Procedure comply with the *ESOS Act 2000* and the *National Code of Practice for Providers of Education and Training to Overseas Students 2018*.

8. Version Control

This Policy has been endorsed by the Australian Institute of Higher Education Board of Directors as at September 2019 and is reviewed every 3 years. The Policy is published and available on the Australian Institute of Higher Education website <http://www.aih.nsw.edu.au/> under 'Policies and Procedures'.

Change and Version Control				
Version	Authored by	Brief Description of the changes	Date Approved:	Effective Date:
2016-2	Registrar	Updated template	6 July 2016	6 August 2016
2017-1	Ms. McCoy	Restructured document; added box to beginning Revised/edited content	1 March 2017	6 March 2017
2017-2	Registrar	Updated to reflect change in the National Code.	15 December 2017	16 December 2017
2019.1	Principal	Updated the Policy Owner from CEO to Principal and Section 6.3 to refer explicitly to the misconduct process.	27 September 2019	30 September 2019

2020.1	Academic Success Manager/Chief Executive Officer	Minor updates: formatting and proofed for student comprehension.	24 September 2020	25 September 2020
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