

## Deferral, suspension or cancellation of enrolment policy

### Purpose

Australian Business School will appropriately manage the deferral, suspension or cancellation of enrolment of their overseas students.

### Scope

This policy relates to all enrolled overseas students.

### Definitions

**Education agent.** A person or organisation (in or outside Australia) who recruits overseas students and refers them to education providers. In doing so, the education agent may provide education counselling to overseas students as well as marketing and promotion services to education providers. Education agent does not refer to an education institution with whom an Australian provider has an agreement for the provision of education (that is teaching activities).

**ESOS Act.** The Education Services for Overseas Students Act 2000, or ESOS Act, establishes legislative requirements and standards for the quality assurance of education and training institutions offering courses to international students who are in Australia on a student visa. ESOS also provides tuition fee protection for international students.

**PRISMS.** The Provider Registration and International Student Management System (PRISMS) is the system used to process information given to the Secretary of DET by registered providers.

### Policy stipulations

- 9 Australian Business School will appropriately manage the enrolment of their overseas students and ensure all necessary information about enrolments has been provided to the relevant government department by maintaining updated information in the Provider Registration and International Student Management System (PRISMS) database.
- 9.1 A registered provider will have and implement a documented process for assessing, approving and recording a deferment of the commencement of study or suspension of study requested by an overseas student, including maintaining a record of any decisions.
- 9.2 A registered provider may defer or suspend the enrolment of a student if it believes there are compassionate or compelling circumstances.
- 9.3 A registered provider may suspend or cancel a student's enrolment including, but not limited to, on the basis of:
  - 9.3.1 misbehaviour by the student
  - 9.3.2 the student's failure to pay an amount he or she was required to pay ABS to undertake or continue the course as stated in the written agreement
  - 9.3.3 a breach of course progress or attendance requirements by the overseas student, which will occur in accordance with Standard 8 (Overseas student visa requirements).

- 9.4 If ABS initiates a suspension or cancellation of the overseas student's enrolment, before imposing a suspension or cancellation ABS will:
  - 9.4.1 inform the overseas student of that intention and the reasons for doing so, in writing
  - 9.4.2 advise the overseas student of their right to appeal through the provider's internal complaints and appeals process, in accordance with Standard 10 (Complaints and appeals), within 20 working days.
  
- 9.5 When there is any deferral, suspension or cancellation action taken under this standard, ABS will:
  - 9.5.1 inform the overseas student of the need to seek advice from Immigration on the potential impact on his or her student visa
  - 9.5.2 report the change to the overseas student's enrolment under section 19 of the ESOS Act.
  
- 9.6 The suspension or cancellation of the overseas student's enrolment under Standard 9.3 cannot take effect until the internal appeals process is completed, unless the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk.

**Procedure 1: Deferment of the commencement of study, by application by the student**

Step	What	By whom	By when
1	Maintain updated information in the Provider Registration and International Student Management System (PRISMS) database	All authorised users	Within 24 hours of each update
2	Promptly assess, refuse or approve, and record in EBECAS any deferment of the commencement of study requested by an overseas student	Director of Studies Administration	At completion
3	Defer the commencement of study if there are compassionate or compelling circumstances	Director of Studies	On receipt of the application
4	Review the compassionate or compelling circumstances indicated on the student's application form, consider the reasons given and refer to any supplementary evidence provided, in order to approve or refuse the application	Director of Studies	On receipt of the application
5	Advise the student and/or agent of the outcome	Administration	On DOS advice of the decision
6	Record the decision in EBECAS and PRISMS as required	Admissions	On DOS advice of the decision
7	Inform the overseas student of the need to seek advice from Immigration on the potential impact on their student visa	Admissions	On DOS advice of the decision
8	Report the change to the student's enrolment under section 19 of the ESOS Act	Admissions	On DOS advice of the decision
9	Change the student's start date and COE as required	Admissions	On DOS advice of the decision
10	Securely retain records of all deferments, including a statement of the outcome and reasons for the outcome, for at least two years after the person ceases to be an accepted student.	Administration	At end of student's course

## Procedure 2: Suspension of study, by application by the student

Step	What	By whom	By when
1	Maintain updated information in the Provider Registration and International Student Management System (PRISMS) database	All authorised users	Within 24 hours of each update
2	Promptly assess, refuse or approve, and record in EBECAS any suspension of study requested by an overseas student	Director of Studies Administration	At completion
3	Suspend the student's enrolment if there are compassionate or compelling circumstances	Director of Studies	On receipt of the application
4	Review the compassionate or compelling circumstances indicated on the student's application form, consider the reasons given and refer to any supplementary evidence provided, in order to approve or refuse the application	Director of Studies	On receipt of the application
5	Review the student's training plan and advise Administration of a study plan that addresses the units that are delivered during the period of suspension	Trainer	On receipt of the application
6	Advise the student and/or agent of the outcome, including (if approved) the study plan requirements to ensure the completion of assessments for the units missed during the period of suspension	Administration	On DOS advice of the decision
7	Record the decision in EBECAS and PRISMS as required	Admissions	On DOS advice of the decision
8	Inform the overseas student of the need to seek advice from Immigration on the potential impact on their student visa	Admissions	On DOS advice of the decision
9	Report the change to the student's enrolment under section 19 of the ESOS Act	Admissions	On DOS advice of the decision
10	Change the student's study periods and COE as required	Admissions	On DOS advice of the decision
11	Securely retain records of all suspensions, including a statement of the outcome and reasons for the outcome, for at least two years after the person ceases to be an accepted student.	Administration	At end of student's course

### Procedure 3: Suspension or cancellation of study, for breaches by the student

Step	What	By whom	By when
1	Maintain updated information in the Provider Registration and International Student Management System (PRISMS) database	All authorised users	Within 24 hours of each update
2	Ascertain that the student was advised of the ABS Student Code of Conduct, received a Student Handbook, participated in Orientation and signed a Student Declaration	Administration	At breach
3	Act promptly to initiate any suspension or cancellation of study as desired by ABS	Director of Studies Administration	At breach
4	Form an intention to suspend or cancel the student's enrolment on the basis of the criteria specified in 9.3.1 to 9.3.3 above	Director of Studies	At breach
5	Before imposing a suspension or cancellation, inform the student in writing of that intention and the reasons for doing so	Director of Studies	Ongoing
6	Before imposing a suspension or cancellation, advise the overseas student of their right to appeal through the provider's internal complaints and appeals process, in accordance with Standard 10 (Complaints and appeals), within 20 working days	Director of Studies	Ongoing
7	Inform the overseas student of the need to seek advice from Immigration on the potential impact on their student visa	Admissions	On DOS advice of the decision
8	Advise relevant staff that the suspension or cancellation of the overseas student's enrolment cannot take effect until the internal appeals process is completed, unless the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk	Director of Studies	Ongoing
9	Do not finalise the student's status in PRISMS until the appeal finds in favour of ABS, or the overseas student has chosen not to access the complaints and appeals processes within the 20 working day period, or the overseas student withdraws from the process by notifying ABS in writing	Admissions	On hold for 20 working days
10	Record on the ABS calendar, the date in which 21 working days have elapsed	Admissions	Ongoing

Step	What	By whom	By when
11	After 21 working days, finalise the processing of the paperwork	Admissions	Processing of application
12	Report the change to the student's enrolment under section 19 of the ESOS Act	Admissions	On DOS advice
13	Securely retain records of all deferments, suspensions or cancellations, including a statement of the outcome and reasons for the outcome, for at least two years after the person ceases to be an accepted student.	Administration	At end of student's course

### Relevant legislation

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

- Standard 9

*User's guide to the standards for Registered Training Organisations 2015*

- Standard 5

### Related policies or forms

- Deferment application form (New form to be developed)
- Suspension application form (New form to be developed)
- Cancellation application form (New form to be developed)