

Our Lady of the Sacred Heart

Catholic College

INTERNATIONAL STUDENTS – CROCOS PROVIDER 02598D



DEFERMENT, SUSPENSION OR CANCELLATION POLICY AND PROCEDURE

Purpose:

The National Code of Practice for Providers of Education and Training to Overseas Students 2018 requires the college to have and implement a documented deferment, suspension and cancellation policy and procedures for an International Student in accordance with Standard 9.

Relevant to:

All staff | International Students | Parents/Guardians of International Students

Date of Effect:

06/2021

Review Date:

06/2024

Related Legislation:

- Education Services for Overseas Students (ESOS) Act 2000
- National Code of Practice for Providers of Education and Training to Overseas Students 2018

Policy:

1) Deferment of commencement of study requested by student

- a) Our Lady of the Sacred Heart Catholic College will only grant a deferment of commencement of studies for compassionate and compelling circumstances. These may include but are not limited to:
 - i. illness, where a medical certificate states that the student was unable to attend classes;
 - ii. bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided);
 - iii. major political upheaval or natural disaster in the home country requiring emergency travel that has impacted on studies ;
 - iv. a traumatic experience, which could include:
 - involvement in, or witnessing of a serious accident; or
 - witnessing or being the victim of a serious crime, and this has impacted on the overseas student (these cases should be where possible supported by police or psychologists' reports)
- b) The final decision for assessing and granting a deferment of commencement of studies lies with the Principal.
- c) Deferment will be recorded on PRISMS depending on the students CoE status.

2) Suspension of study requested by student

- a) Once the student has commenced the course, OLSH Catholic College will only grant a suspension of study for compassionate and compelling circumstances. These include but are not limited to;
 - i) illness, where a medical certificate states that the student was unable to attend classes;
 - ii) bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided);
 - iii) major political upheaval or natural disaster in the home country requiring emergency travel that has impacted on studies;
 - iv) a traumatic experience, which could include:
 - o involvement in, or witnessing of a serious accident; or
 - o witnessing or being the victim of a serious crime, and this has impacted on the overseas student (these cases should be where possible supported by police or psychologists' reports).
- b) Suspensions will be recorded on PRISMS.
- c) The period of suspension will not be included in attendance calculations.
- d) The final decision for assessing and granting a suspension of studies lies with the Principal.

3) Assessing requests for deferment or suspension of studies

- a) Applications will be assessed on merit by the Principal.
- b) All applications for deferment or suspension will be considered within 5 working days.

4) Exclusion from class (1 – 28 days)

- a) OLSH Catholic 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 relation to the college's behaviour management policy.
- b) Excluded students must abide by the conditions of their exclusion from studies, which will be determined by the Principal.
- c) 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.
- d) Exclusions from class will not be recorded on PRISMS.
- e) Periods of exclusion from class will not be included in attendance calculations as per the college's policy regarding overseas student course progress and attendance.

5) College initiated suspension of studies (28 days+)

- a) OLSH Catholic 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 relation to the college's behaviour management policy.

- b) Suspended students must abide by the conditions of their suspension from studies, which will be determined by the Principal.
- c) Students who have been suspended for more than 28 days are required to return to their home country by the Department of Immigration and Border Protection (DIBP) unless special circumstances exist (for example the student is medically unfit to travel).
- d) If special circumstances exist, the student must abide by the conditions of their suspension which will be determined by the Principal.
- e) Suspensions will be recorded on PRISMS.
- f) The period of suspension will not be included in attendance calculations.
- g) Students will receive a letter of intention to suspend their enrolment stating the reasons for this decision. Where students are under 18 years of age a copy will be forwarded to their parents/guardians.

6) **Cancellation of Enrolment**

- a) OLSH Catholic College will cancel the enrolment of a student under the following conditions;
 - i) Failure to pay course fees;
 - ii) Failure to maintain approved welfare and accommodation arrangements (visa condition 8532);
 - iii) Any behaviour identified as resulting in cancellation in OLSH Catholic College's *Code of Conduct and Behaviour Management Policy*.
- b) OLSH Catholic College is required to report failure to maintain satisfactory course progress and failure to maintain satisfactory attendance via PRISMS, which may result in visa cancellation. The student will need to seek advice from Immigration on the potential impact on their visa.
- c) Students will receive a letter of intention to cancel their enrolment, stating the reasons for this decision. Where students are under 18 years of age a copy will be forwarded to their parents/guardians.

7) **Grievance and Appeals**

- a) Student requested deferment and suspension is not subject to the college's grievance and appeals policy and procedures.
- b) Exclusion from class is subject to OLSH Catholic College's *Grievance and Appeals Policy and Procedures*.
- c) College initiated suspension, where the suspension is to be recorded in PRISMS, and cancellation are subject to OLSH Catholic College's *Grievance and Appeals Policy and Procedures*.

- d) For the duration of the appeals process, the student is required to maintain enrolment and attendance at all classes at OLSH Catholic College as normal. The Principal or Head of Campus will determine if participation in studies will be in class or under a supervised arrangement outside of classes.
- e) If students access OLSH Catholic College's grievance and appeals process regarding a school initiated suspension, where the suspension is recorded in PRISMS, or cancellation, the suspension or cancellation will not be reported in PRISMS until the grievance and appeals process is finalised, unless extenuating circumstances relating to the welfare of the student apply.
- f) Extenuating circumstances include that the student:
 - i) refuses to maintain approved welfare and accommodation arrangements (for students under 18 years of age);
 - ii) is missing;
 - iii) has medical concerns or severe depression or psychological issues which lead the college to fear for the student's wellbeing;
 - iv) the student has engaged or threatened to engage in behaviour that is reasonably believed to endanger the student or others;
 - v) is at risk of committing a criminal offence; or,
 - vi) the student is the subject of investigation relating to criminal matters
- g) The use of extenuating circumstances by OLSH Catholic College to suspend or cancel a student's enrolment prior to the completion of any grievance and appeals process will be supported by appropriate evidence.
- h) The final decision for evaluating extenuating circumstances lies with the Principal.

8) **Student Advice**

- a) Deferment, suspension and cancellation of enrolment can have an effect on a student's visa as a result of changes to enrolment status. Students will be advised to contact the Department of Immigration and Border Protection for advice.
- b) OLSH Catholic College will inform the international student of its intention to suspend or cancel the student's enrolment in writing. The student has 20 working days to access the College's Grievance and Appeals process.

9) **Responsibilities**

International Student Officer is responsible for:

- a) Receiving, assessing and recording applications from students for deferral or leave of absence;
- b) documenting the evidence to support such requests on the student file;
- c) advising the student of the impact of a deferral on their VISA;
- d) referring applications to the Principal for approval;
- e) recording details of deferrals and decisions taken on the student's file, and where required by the nature of the deferral, referring a student to DIBP, informing DIBP of deferrals and recording details of deferrals in PRISMS.

- f) ensuring that any employee assigned to dealing with requests for leave of absence fully understands the requirements of the ESOS Act and the National Code as it applies to this process, and approving all deferrals, suspensions and cancellations.

International Students/Parents/Guardians are responsible for:

- a) paying fees within the required time-frame;
- b) informing the International Student Officer of their intentions to defer or continue studies, providing reasons to support requests for deferral, and if required, providing a medical or other clearance to resume studies.

10) **Records**

Our Lady of the Sacred Heart Catholic College must keep records of requests for deferments and all records associated with the circumstances in which the student's enrolment has been suspended or cancelled. These will be kept on the student file.

11) **Definitions**

- a) **Day** – any day including weekends and public holidays in or out of term time
- b) **Deferral** means to delay commencement of studies.
- c) **Suspension of enrolment** or **Leave of Absence** is to put studies on hold for a specified period.
- d) **Cancellation** is where enrolment is terminated.
- e) **Compassionate or compelling circumstances** are generally those beyond the control of the students and which have an impact on the student's course progress or wellbeing. These include but are not limited to: serious illness, death in the family, major political upheaval or natural disaster in the home country which requires the student to return home or a traumatic incident.
- f) A **Formal Grievance** is a complaint made in writing about a process, decision or provision of service at the College.
- g) A **Confirmation of Enrolment (CoE)** is the document issued by the provider on PRISMS that is the accepted evidence of enrolment by DIBP for processing a student visa or for the change of providers.
- h) **DIBP** is the Commonwealth Department of Immigration and Boarder Protection.
- i) **DET** is the Commonwealth Department of Education and Training.
- j) **Misconduct** is as defined in the Student Behaviour Management Policy and can be of a general nature or relate to academic misconduct.
- k) **PRISMS** is DET's Provider Registration and International Students Management System.

Appendix 1 [Printed on College Letterhead]

INSERT DATE

NAME

Street address

Alice Springs NT 0870

Dear Mr and Mrs NAME,

This letter is to inform you that NAME was involved in an incident at school on INSERT DATE where DESCRIBE INCIDENT.

As discussed with you over the phone the College considers NAME's involvement in this matter a breach of his/her enrolment conditions. Consequently, NAME is suspended for a period of X days while the College investigates the incident more fully. During the period of suspension, the student does not attend school and the normal services of the College are not available to them. The suspended student is required to complete one full booklet of study notes, in the booklet provided, for each day of the suspension. The completed booklets are brought to the interview with the Principal. No student will be permitted to return to school if the work is not completed properly. Untidy or inappropriate work will result in new booklets being issued and a continuation of the suspension.

You are requested to make an appointment for an interview with the Principal on INSERT DATE. Please contact the Principal's personal assistant on 8952 6409 to arrange a time. The student (dressed in regular school uniform) and at least one parent/guardian is to be present at the interview.

In the interest of honest and transparent process, included with this letter is a copy of the College's *Exclusion Suspension and Termination of Enrolment Policy and Procedures* for your information. If you have any questions regarding the process outlined above, please contact me.

Sincerely yours,

NAME.

Head of Campus

Appendix 2 [Printed on College Letterhead]

INSERT DATE

NAME
Street address
Alice Springs NT 0870

Dear Mr and Mrs NAME,

Thank you for coming to meet with NAME (Principal) and me, regarding the suspension of NAME'S enrolment. I write to confirm the outcome of our discussion.

During the interview, it was acknowledged that NAME DESCRIBE INCIDENT.

It was also acknowledged that NAME accepted responsibility for his/her involvement in the incident. His/Her honesty and remorse were noted.

OR

It was also acknowledged that NAME was reluctant to accept responsibility for his/her involvement in the incident.

In the interview NAME accepted that RECORD AS REQUIRED. NAME was sincere in his/her acceptance of these facts and understood why the suspension was in place.

On his/her assurance that he/she will show due respect to members of staff and follow their instructions, and be genuinely cooperative in his/her approach to life at the College, NAME may resume his/her enrolment at OLSH on a provisional basis. It was agreed that the conditions of his/her return are: LIST CONDITIONS.

Should he/she not meet this expectation, then it was agreed that OUTLINE CONSEQUENCES.

I look forward to a more positive approach from Name.

Sincerely yours,

NAME
Head of Campus