

# Deferral, Suspension and Cancellation Policy & Procedure

## Purpose & Legislative Background

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According to Standard 9 of the National Code of Practice for Providers of Education and Training of Overseas Student 2018, enrolment can be deferred, suspended, or cancelled in limited circumstances by Australian School of Business and Trade (ASBT) or by the student. When deferral, suspension or cancellation of enrolment is initiated by Australian School of Business and Trade (ASBT), the student has the right to appeal the decision. Overseas students need to note that any deferral, suspension, or cancellation may affect their study visa in Australia.

## Scope

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This policy may impact current and future students of Australian School of Business and Trade (ASBT). This may also impact the third party specifically the agents to Australian School of Business and Trade (ASBT).

## Policy

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Students can only apply to Australian School of Business and Trade (ASBT) for deferment or suspension of their studies for compassionate or compelling circumstances (defined as those beyond the control of the student and which have an impact on course progress or wellbeing).

Students may request a deferral prior to course commencement. The request must be in writing and addressed to the Student Support Officer. If the deferral is approved the student will receive a revised Letter of Offer and CoE.

All applications for deferment or suspension will be considered and the decision provided in writing to the student within 10 working days from the date of application.

Australian School of Business and Trade (ASBT) may choose to grant or decline any student's request for deferment or suspension of studies. All documentation including reasons are to be kept on the student file.

If students apply to suspend their studies the maximum allowable period of suspension is six (6) months. Students may be required to apply for a new student visa to continue their course.

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

- serious illness or injury, 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 and this has impacted on the student's studies; or
  - 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 student (these cases should be supported by police or psychologists' reports)
  - where the registered provider was unable to offer a pre-requisite unit; or
  - inability to begin studying on the course commencement date due to delay in receiving a student visa.

Australian School of Business and Trade (ASBT) will use our professional judgement to assess each case on its merits. Documentary evidence will be required to support any compassionate/compelling application. All evidence/notes/comments must be kept on the student file.

## **College Initiated Deferments, Suspensions or Cancellations**

### **Suspension**

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The College may initiate a suspension of studies on the grounds of misbehaviour of a student, in accordance with the College's Student Code of Conduct / Behaviour / Rules.

Attendance will not be recorded during a period of suspension.

Course suspension will be recorded on PRISMS.

### **Cancellation**

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- On the grounds of misbehaviour, in accordance with the College's Student Code of Conduct / Behavior / Rules
- Due to the student no longer holding a Student Visa
- Due to the student's failure to pay course fees
- Students not being genuine/bonafide students, being, they do not attend class or progress in their course.
- Course suspensions/cancellations will be recorded on PRISMS.

Australian School of Business and Trade (ASBT) can suspend or cancel a student's enrolment against the student's wishes, provided that the suspension or cancellation is consistent with Australian School of Business and Trade (ASBT) policies and/or Australian Law.

Before suspending or cancelling a student's enrolment Australian School of Business and Trade (ASBT) must notify the student of its intention to take such action and allow the student 20 working days to access the complaints and appeals process. (See: Complaints and Appeals Policy).

If Australian School of Business and Trade (ASBT) intends to cancel a student's enrolment and the cancellation was not requested by the student, the student must be advised of their right to access the complaints and appeals process (regardless of the reason for cancellation).

Students are advised that a deferment or suspension of their studies may affect their visa.

Australian School of Business and Trade (ASBT) is not required to wait for the outcome of any external appeals process before notifying DESE of the cancellation of the student's enrolment.

Where Australian School of Business and Trade (ASBT) has a reason for concern for the welfare of the student or those with whom the student may come into contact, Australian School of Business and Trade (ASBT) will cancel the student's enrolment prior to completion of any appeals process.

Notification on PRISMS will not occur until the result of the internal appeals process is known, unless extenuating circumstances relating to the welfare of the student apply, such as:

- the student is at risk of committing a criminal offence or is the subject of an investigation relating to criminal matters
- the student's actual or threatened behaviour poses a threat to another staff/student/person
- the student has medical or psychological problems that may affect their wellbeing
- the student cannot be located

If Australian School of Business and Trade (ASBT) cancels your COE, you must contact DHA within 28 days to inform DHA of your plans (to find another course, return home or access an external appeals process) and take all relevant paperwork (for example, new CoE) to DHA.

## Management Action and Responsibility

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Refer to the RSA Matrix for details.

The policy must be approved by the CEO before it takes effect