

## Overseas Students Deferment, Suspension and Cancellation Policy

Overseas Students Policy	Last Review and Approved	January 2023
	Next Review Due	2024

### 1. Introduction

1.1. This policy is designed to provide a procedure for assessing, approving and recording deferment of the commencement of study, suspension of study or cancellation of study for overseas students and is in harmony with the requirements and conditions set by Citipointe Christian College (the College), and with legislative requirements of the State of Queensland and the Commonwealth of Australia.

1.2. A copy of this policy is located on the College's website<sup>1</sup> and in the Overseas Student Handbook.

### 2. Scope of the Policy

2.1. This policy applies to college staff, agents, overseas students and their parents/legal guardians.

### 3. Policy

#### 3.1. Communicating with families about changes in enrolment status

- 3.1.1. 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.
- 3.1.2. Parents must therefore keep the College informed of their current contact details, as per the conditions of the student visa. The College will verify and update contact details every 6 months.
- 3.1.3. 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 student-initiated decisions affecting the student's enrolment that is not made by the parent/s and has the written consent of the parent/s.

#### 3.2. Student-Initiated Changes in Enrolment

##### 3.2.1. Deferment of commencement of study requested by student

- a) The College will only grant a deferment of commencement of studies 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 has impacted on the student (these cases should be where possible supported by police or psychologists' reports).
  - v. 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.

Note: an application to defer commencement in a mainstream course can only be supported

<sup>1</sup> <https://citipointe.qld.edu.au/international/policies/>

where the student will not exceed the maximum duration for the College's ELICOS course (see written agreement conditions and Overseas Student Requirements for Entry policy).

- b) All applications for deferment will be considered within 10 working days.
- c) The final decision for assessing and granting a deferment of commencement of studies lies with the Registrar and Principal. Where a student's request to defer his/her commencement of studies is refused, the student has a right of appeal (see the College's Overseas Student Complaints and Appeals policy, refer to <https://citipointe.qld.edu.au/international/policies/>).
- d) Deferment will be recorded on PRISMS within 14 days of being granted.

### 3.2.2. Suspension of study requested by student

- a) 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:
  - 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 has impacted on the student (these cases should be where possible supported by police or psychologists' reports).
  - v. Student return to their home country to sit a university exam (or similar assessment) which impacts upon their education
- b) Where there is a significant issue impacting upon 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.
- c) Temporary suspensions of study cannot exceed 6 months duration.
- d) 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.
- e) The period of suspension will not be included in attendance calculations.
- f) Applications will be assessed on merit by the Heads of Schools and the Registrar.
- g) Some examples of circumstances that may not be considered compassionate and compelling at the College include:
  - i. Requests for early departure or late return from vacation, including inability to secure cheap flights
  - ii. Leaving early or returning late from holidays in order to attend festivals in the student's home country
  - iii. Returning home to attend family gatherings that occur during term time.

NOTE: These circumstances do not constitute grounds for suspension of enrolment and any absences for these reasons will be included in attendance calculations.
- h) 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 (CoE) and student visa will be considered. Any implications will be communicated to students.
- i) All applications for suspension will be considered within 10 working days.
- j) The final decision for assessing and granting a suspension of studies lies with the Principal after considering the assessment of the application conducted by the Heads of Schools and the Registrar. Where a student's request to suspend studies is refused, the student has a right of appeal (see the

College's Overseas Student Complaints and Appeals policy, refer to <https://citipointe.qld.edu.au/international/policies/>.

### 3.2.3. Student-initiated cancellation of enrolment

- a) All notification of withdrawal from a course, or applications for refunds, must be made in writing and submitted to Registrar and Principal. Please see the College's Overseas Student Refund Policy for information regarding refunds <https://citipointe.qld.edu.au/international/policies/>
- b) A student will be deemed to have inactively notified the College of cancellation of enrolment where:
  - i. the student has not yet finished his/her course/s of study with the College, and
  - ii. does not resume studies at the College within 14 days after a holiday break, and
  - iii. the student has not previously provided the College with written notification of withdrawal.
- c) Student-initiated cancellation of enrolment, including "inactive" cancellation of enrolment in section 3.2.3.b), is not subject to the College's Grievance, Disputes and Complaints.

### 3.3. College-initiated changes in enrolment

#### 3.3.1. College-initiated exclusion from class or suspension from attending the College (no impact on CoE)

- a) The College may exclude a student from class studies or suspend attendance from school on the grounds of misbehaviour by the student. Temporary exclusion or suspension will occur as the result of any behaviour identified as resulting in exclusion in the College Student Code of Conduct.<sup>2</sup>
- b) Students may also be excluded from class or suspended for failure to pay fees that he/she was required to pay in order to undertake or continue the course, as stated in the written agreement.
- c) Where the College intends to exclude or suspend 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 or 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 exclusion or suspension from class is outlined below.
- d) Excluded or suspended 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 Head of International and the Principal.
- e) Where the student is provided with homework or other studies for the period of the exclusion or suspension, the student must continue to meet the academic requirements of the course.
- f) Exclusions from class or suspensions from school under this section of the policy:
  - i. will not be included in attendance calculations for the study period,
  - ii. will not impact the CoE or study, and
  - iii. will not be recorded on PRISMS
  - iv. will not be visible to the Department of Home Affairs (Immigration).

#### 3.3.2. College-initiated suspension of enrolment (CoE will be impacted)

- a) 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 Code of Conduct.
- b) Students may also be suspended for failure to pay fees that he/she was required to pay in order to undertake or continue the course, as stated in the student's written agreement.
- c) 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 school-initiated suspension is

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<sup>2</sup> <https://citipointe.qld.edu.au/discover-citipointe/general-policies/>

outlined below.

- d) 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 Head of International/Principal.
- e) Students who have been suspended for more than 28 days may need to contact Department of Immigration. (Please see contact details at: <https://immi.homeaffairs.gov.au/help-support/contact-us>).
- f) If special circumstances exist, the student must abide by the conditions of his or her suspension which will depend on the welfare and accommodation arrangements in place for each student and which will be determined by the Head of International College/Principal.
- g) Where applied, a suspension of enrolment will impact the student's CoE and will be recorded on PRISMS. The suspension will therefore be visible to the Department of Home Affairs (Immigration).
- h) The period of suspension will not be included in attendance calculations.

### 3.3.3. College-initiated cancellation of enrolment (CoE will be impacted)

- a) The College will cancel the enrolment of a student under the following conditions:
  - i. Any breach of an agreed condition of enrolment as outlined in the student's written agreement, including failure to disclose information required by the school at the point of application or a pre-existing condition requiring a high degree of specialised support or care.
  - ii. Failure to pay course fees.
  - iii. Failure to maintain approved welfare and accommodation arrangements (visa condition 8532).
  - iv. Any behaviour identified as resulting in cancellation in the College's Code of Conduct in the Primary, Secondary and Overseas Parent Handbooks and Student Diaries.
- b) 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.
- c) The College is required to report any confirmed breach of course progress and attendance requirements to the Department of Immigration. 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 *Overseas Student Progress, Attendance and Course Duration Policy*<sup>3</sup>.
- d) 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, 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 (see Definitions below).
- e) For the duration of the internal appeals process, the College will maintain the student's enrolment and the student will attend classes as normal. Alternatively, the Heads of Schools will determine if participation in studies will be in class or under a supervised arrangement outside of classes.
- f) Where extenuating circumstances are deemed to exist, a student may still access the complaints and appeals process, but 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) for such a student, welfare provisions under Standard 5.6 are applicable.
- g) The use of extenuating circumstances by the College to suspend or cancel a student's enrolment prior

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<sup>3</sup> <https://citipointe.qld.edu.au/international/policies/>

to the completion of any complaints and appeals process will be supported by appropriate evidence.

- i) The final decision for evaluating extenuating circumstances lies with the Principal.

#### 3.4. Student to Seek Information from Department of Immigration

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 (Immigration) Website <https://immi.homeaffairs.gov.au/visas/getting-a-visa/visa-listing/student-500> for further information about their visa conditions and obligations.

#### 3.5. Definitions, Terms, Acronyms

**Cancellation of enrolment** - The provider notifies the Department of Education through PRISMS that it wishes to permanently cancel (terminate) the student's enrolment. Once this process is complete, the student's CoE status will be listed as 'cancelled'.

**Confirmation of Appropriate Accommodation and Welfare (CAAW)** - A letter created by the College at the same time as the Confirmation of Enrolment (CoE) confirming that the College is taking responsibility for, or is approving, suitable arrangements for the overseas student's accommodation, welfare and support in Australia. If a parent, legal custodian, or an eligible relative is taking responsibility for the overseas student's accommodation, welfare and support in Australia, the College need not issue a CAAW letter.

**Confirmation of Enrolment (CoE)** - The CoE provides evidence of a student's enrolment with a provider registered on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS). This evidence is required before Home Affairs will issue a student visa. The CoE contains information about the Provider, agent (if involved), course and duration of study in which the student has enrolled.

**Day** - any day including weekends and public holidays in or out of term time.

**Deferment of enrolment** - To defer or suspend enrolment means to temporarily put studies on hold (adjourn, delay, postpone). Providers do this by notifying the Department of Education, PRISMS of the deferment of enrolment. A student may request a temporary deferment to his or her enrolment on the grounds of compassionate or compelling circumstances. A provider may also initiate suspension of a student's enrolment due to misbehaviour of the student.

**ELICOS** - English Language Intensive Courses for Overseas Students

**Exclusion from class** - When a student is not allowed to attend classes for a period of time by may access learning material offline.

**Extenuating circumstances relating to the welfare of the student** - This refers to student's health or wellbeing, or the wellbeing of others and if it is likely to be at risk. Examples 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 behaviour 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.

**Parent/Guardian** - The parent(s) or guardian(s) of the overseas student (or intending overseas student) who signed the letter confirming the overseas student's offer of placement at the College.

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

**Standard** - Refers to the Standards set out in the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Cth). <https://internationaleducation.gov.au/regulatory-information/Pages/National-Code-2018-Factsheets-.aspx>

**Suspension from attending school** - when a student is removed from school or class for a period of time. After a suspension, they will return to school or class. When considering suspending a student, the Principal must take into account the disruption to your child's learning, their disability, home circumstances, educational needs.

**Suspension of enrolment** - To suspend enrolment means to temporarily put studies on hold (adjourn, delay, postpone). Providers do this by notifying the Department of Education, through PRISMS of the suspension of enrolment. A student may request a temporary suspension to his or her enrolment on the grounds of compassionate or compelling circumstances. A provider may also initiate suspension of a student's enrolment due to misbehaviour of the student. It is important to note the meanings of the terms for this context – suspension of enrolment is not necessarily due to misbehaviour – suspension of enrolment may also be initiated by the student.

**Visa Condition 8532** - requires that under-18-year-old students maintain suitable accommodation, support and general welfare arrangements. Under-18-year-old students may stay with a parent or suitable relative or, if this is not possible, they may stay in accommodation approved by their education provider.<sup>4</sup>

#### 4. Legislative Provisions and Related Documentation

##### Legislative Provisions

- Privacy Act 1988 (Cth)
- Education Services for Overseas Students Act 2000 (Cth)
- Education (Accreditation of Non-State Schools) Act 2017 (Qld)
- National Code of Practice for Providers of Education and Training to Overseas Students 2018 (Cth)
- Education (Overseas Students) Act 2018 (Qld)

This policy is to be read in conjunction with other policies and College guidelines i.e.

- [5.1 Privacy of Information](#)
- [6.1.9 COVID-19 Return to On-Campus Learning Compliance](#)
- [7.1 Student Protection Policy](#)
- [10.3 11.6 Anti-Discrimination Policy](#)
- [11.4 Grievances Disputes and Complaints](#)
- [Overseas Student Complaints and Appeals Policy](#)
- [Overseas Student Conditions of Enrolment](#)
- [Overseas Student Critical Incident Policy](#)
- [Overseas Student Homestay Policy](#)
- [Overseas Student Intervention Strategy for Failure to Meet Progress, Attendance and Completion Within Expected Duration](#)
- [Overseas Student Progress Attendance and Course Duration Policy](#)
- [Overseas Students Refund Policy](#)
- [Overseas Student Requirements for Entry Policy](#)
- [Overseas Student Transfer Policy](#)
- [Overseas Student Welfare and Accommodation Policy](#)

#### 5. Policy Review

5.1. This policy will be reviewed annually unless otherwise advised.

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<sup>4</sup> <https://internationaleducation.gov.au/regulatory-information/Education-Services-for-Overseas-Students-ESOS-Legislative-Framework/National-Code/nationalcodepartd/Pages/ExplanatoryguideD5.aspx>