

### Deferring, suspending or cancelling the overseas student's enrolment Policy and Procedure

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### Document Properties

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## Purpose and Scope

This policy has been developed in accordance with *Standard 9 – Deferring, Suspending or Cancelling the Overseas Student’s Enrolment* of the National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018 (National Code 2018)

Hawthorn-Melbourne is committed to abide by and implement a deferment, suspension or cancellation policy in accordance with the National Code 2018. As such, this policy should be read in conjunction with the National Code. [National Code 2018](#)

This policy and procedure supports the intent of the *Standard 9* and outlines the circumstances under which Hawthorn Learning Pty. Ltd, trading as Hawthorn-Melbourne, will cancel or suspend an enrolment when the student has failed to pay an amount he or she was required to pay Hawthorn-Melbourne to undertake or continue the course as stated in the written agreement.

This Policy and Procedure applies to all students who are enrolled in, or intending to enrol in courses delivered by Hawthorn Learning Pty. Ltd. (CRICOS Provider Code 02931G).

## Policy: Deferral

Hawthorn-Melbourne recognises that circumstances may arise where a student may have the need to defer.

Hawthorn-Melbourne may allow a student to defer the course in the following circumstances as outlined in the Hawthorn Melbourne Conditions of Enrolment. [H-M Conditions of Enrolment](#);

- if the student has paid tuition fees for a course.
- if the student provides Hawthorn-Melbourne with at least four weeks written notice before the commencement of their initial course (the student may be required to pay any increase in tuition fees arising from the deferral of commencement).
- if the student cannot start their course on the agreed start date because there is a delay in receiving their student visa before the course commences; or
- if the student has compassionate or compelling circumstances, such as: death in the immediate family (father, mother, child, sibling, spouse only); natural disaster in the home country; the student or the student’s dependant family member is seriously ill; the student becomes pregnant; or becomes a victim of a serious crime or trauma.

When a student applies for a deferral due to compassionate or compelling circumstances, the student will need to provide the appropriate documentation which supports the request. Examples of appropriate document include but are not limited to:

- a detailed medical statement from a doctor or medical specialist,
- a police statement,
- a copy of a death certificate or death notice for close family member.

Approval for deferral of a course is at the sole discretion of Hawthorn-Melbourne.

Hawthorn-Melbourne reserves the right to take into consideration other factors, including individual circumstances of a student, which may not have been specified above. All requests will be dealt with on a case-by-case basis.

If it is deemed to be in the best interest of the student, Hawthorn-Melbourne reserves the right to initiate the deferral of a student’s course.

## Procedure: Deferral

Hawthorn-Melbourne will consider each request and advise the student of the outcome in writing within 10 working days from receipt of the application and all supporting documentation. If the student's application is unsuccessful for any of the reasons detailed above, Hawthorn-Melbourne will provide written advice as to why the request was denied.

Deferral may only be granted for a maximum of six months from the date permission is granted. Unless expressly stated otherwise in these terms and conditions, the student will not be entitled to any further deferral, postponement, refund or transfer of fees.

If the student's request for deferral is approved, Hawthorn-Melbourne will record the "*Student Course Variation*" "*Deferment/Suspension – Compassionate or compelling circumstances*" noting the reason for the deferral in the comments section of the student's CoE in PRISMS.

The original CoE will be cancelled and a new CoE will be created for the deferred dates of study.

A note will be added to the diary section of the Hawthorn-Melbourne Student Management System (SMS) recording the details of the deferral.

Hawthorn-Melbourne will advise the student to seek advice from the Department of Home Affairs on the potential impact on their student visa.

The student should refer to the following website: [Department of Home Affairs-Study situation has changed](#) or, contact the helpline on 131 881.

## Policy: Suspension or cancellation by Hawthorn-Melbourne

Hawthorn-Melbourne reserves the right to suspend or cancel an overseas student's enrolment because:

- a) the overseas student has failed to pay an amount liable to Hawthorn-Melbourne (directly or indirectly) in order to undertake a course;
- b) the overseas student has breached a condition of his or her student visa;
- c) the overseas student who is under 18 years of age, refuses to maintain the approved care arrangements without sufficient reason acceptable to Hawthorn-Melbourne;
- d) the overseas student's behaviour is deemed unacceptable to Hawthorn-Melbourne, including but not limited to behaviour as described in the Hawthorn-Melbourne Code of Conduct as published and displayed at Hawthorn-Melbourne and on the web-site: [Policy and Procedures Code of Conduct](#);
- e) a failure of course progress or a breach of attendance requirements by the overseas student, in accordance with *Standard 8 of the National Code 2018 (Overseas student visa requirements)* [National Code 2018](#); [Conditions of Enrolment - Course Progress and Attendance](#)
- f) the overseas student's health or wellbeing, or the wellbeing of others is likely to be at risk.

If an overseas student's enrolment is cancelled by Hawthorn-Melbourne, no refund of fees is payable. [Conditions of Enrolment - Suspension or cancellation of enrolment.](#)

## Procedure: Suspension or cancellation by Hawthorn-Melbourne

### Notification of suspension or cancellation of an overseas student's enrolment by Hawthorn-Melbourne:

In circumstances where Hawthorn-Melbourne initiates a suspension or cancellation of the overseas student's enrolment, Hawthorn-Melbourne will:

- a) inform the overseas student, or parent/legal guardian of a student under the age of 18 years, in writing of the intention to report the suspension or cancellation of an overseas student's enrolment and the reasons for doing so;
- b) advise the overseas student, or parent/legal guardian of an overseas student under the age of 18 years, of their right to appeal through Hawthorn-Melbourne's internal Complaints and Appeals Process, in accordance with *Standard 10 (Complaints and Appeals) National Code 2018* within 20 working days \*\*\* [Complaints and Appeals-Process for Overseas Students](#)
- c) record a "*Student Course Variation*" on the CoE in PRISMS noting the reasons for the suspension or cancellation of the overseas student's course;
- d) advise the student that the CoE has been cancelled and to seek advice from the Department of Home Affairs on the potential impact to their student visa.  
The student should refer to the following website:  
[Department of Home Affairs-Study situation has changed](#) or, contact the helpline on 131 881;
- e) add an entry to the *diary section of the Student Management System (SMS)* recording the details of the suspension or cancellation;

\*\*\* In circumstances where the overseas student's health or wellbeing, or the wellbeing of others is likely to be at risk, Hawthorn-Melbourne will advise the overseas student, or the parent or legal guardian of an overseas student under the age of 18 years, that the overseas student's enrolment may either be deferred, suspended or cancelled. While the student is entitled to appeal this decision, in cases where the student attending class poses an unacceptable risk to the student themselves, other students and/or staff, Hawthorn Melbourne may elect to exclude the student from class until the appeal is resolved, in line with Standard 9 of the National Code 2018.

In this circumstances, Hawthorn-Melbourne will:

- a) keep documented evidence to support the decision;
- b) inform the overseas student (and their parent/legal guardian if under the age of 18 years) in writing of the reasons that the overseas student's enrolment has either been deferred, suspended or cancelled;
- c) generate a "*Student Course Variation*" on the CoE in PRISMS noting the reasons for the deferral, suspension or cancellation of the overseas student's course detailing the extenuation circumstances.
- d) generate a new CoE (if applicable)
- e) record the details of the deferral, suspension or cancellation in the *diary section of the Student Management System (SMS)*.

## Procedure: Cancellation of enrolment by an overseas student

Once an overseas student has commenced the course and makes a decision to withdraw/cancel their enrolment, the following applies:

- a) the overseas student makes an appointment with the Student Services Manager;
- b) the overseas student will be asked to complete a *Withdrawal from Course form* and provide the reasons for cancelling the enrolment.
- c) for overseas student's under the age of 18 years, the parent/legal guardian will be asked to complete the *Withdrawal from Course form* which may be emailed to the Manager Admissions.
- d) any documentation in support of the enrolment cancellation is to be provided by the student at the time of completing/submitting the *Withdrawal from Course form*;
- e) the original signed *Withdrawal from course form* is emailed to the student for their record with the information for the overseas student which includes:
  - as per the Conditions of Enrolment, the overseas student is not entitled to a refund of any remaining tuition fees.
  - the student has been made aware of Hawthorn-Melbourne's attendance policy.
  - Hawthorn-Melbourne is required to advise the Department of Home Affairs of the overseas student's decision to cancel the enrolment. The CoE and CAAW (if applicable) will be cancelled in PRISMS.
  - advise the student to seek advice from the Department of Home Affairs on the potential impact to their student visa. The student should refer to the following website:  
Department of Home Affairs-Study situation has changed or, contact the helpline on 131 881;
- f) the Student Services Manager will email:
  - **Class teacher** - for the purpose of attendance monitoring advising that the student has withdrawn;
  - **Students Services team** - for any student under the age of 18 years who is under the Hawthorn-Melbourne CAAW;
  - **Manager Admissions** - for reporting the *Student Course Variation via PRISMS, ending welfare arrangements (if applicable)* and actioning enrolment changes in the Student Management System with appropriate diary entries recording the enrolment cancellation.

## Packaged enrolments with Hawthorn-Melbourne:

- The Manager Admissions will inform the Principal education provider of any overseas student whose enrolment is cancelled, as this may impact the enrolment to the principal course and the student's visa.

## Sponsored student

- For any change to an enrolment for a sponsored student who has commenced their course, the overseas student must have written approval from their sponsor.

## Responsibilities

**Principal, Senior Teacher, Student Services Manager** are responsible for:

- Monitoring and proper application of these procedures
- Interviewing and counselling overseas students on reasons for deferral, suspension or cancellation
- Providing detailed information to the Manager, Admissions as described above.

**Principal, Senior Teacher, Student Services Manager and Manager Admissions** are responsible for:

- Overall guidelines on Deferral, Suspension or Cancellation
- Authoritative decisions on all individual requests
- Processing the Deferral, Suspension or Cancellation in accordance with the Hawthorn-Melbourne Policy and Procedure and Conditions of Enrolment.

**Manager Admissions / Admissions staff** are responsible for:

- Proper application of these procedures
- Storage of all documentation electronically relating to these procedures
- Generating appropriate Student Course Variation in PRISMS
- Generating appropriate diary entries in the Student Management System (eBECAS)

**Business Development Manager** is responsible for:

- Liaison with agents, as applicable

## Definitions

<b>CRICOS</b>	: Commonwealth Register of Institutions and Courses for Overseas Students
<b>DHA</b>	: Department of Home Affairs
<b>SMS</b>	: Student Management System (eBECAS)
<b>ESOS Act 2000</b>	: The Education Services for Overseas Students Act 2000.
<b>PRISMS</b>	: Provider Registration and International Student Management System

## **Related documents:**

Hawthorn-Melbourne Conditions of Enrolment

Hawthorn-Melbourne Code of Conduct

Student Attendance Policy and Procedure

Course Progress Policy and Procedure

Complaints and Appeals Policy and Procedure

## **Notification of cancellation**

Warning letters

Notice to student

Notice to parent (under 18 student)