Deferring, Suspending or Cancelling an International Student's Enrolment Procedure

Section 1 - Purpose

(1) This Procedure outlines how the University of Canberra (University) assesses, approves and records the deferring, suspending or cancelling of an international student's enrolment. For the assessment, approval and recording of deferrals, this Procedure supports the University of Canberra (Admission) Rules 2022 and must be read in conjunction with the Rules.

(2) The University and the University of Canberra College (UCC) are subject to the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code 2018) a legislative instrument made under the Education Services for Overseas Students Act 2000. The National Code 2018 specifies that the University must:

a. have a documented process for assessing, approving and recording a deferral, suspension or cancellation of study;
b. notify the international student in writing of the intention to suspend or cancel their enrolment;
c. tell the international student to seek advice from the Commonwealth Department responsible for Immigration on the potential impact on their visa if enrolment has been deferred, suspended or cancelled; and
d. not allow a suspension or cancellation to take effect until the international student has been given the opportunity to complete an internal appeals process, unless their health or wellbeing, or the wellbeing of others, is likely to be at risk.

Section 2 - Scope

(3) This Procedure applies to all international students holding a student visa and who are enrolled at the University or UCC.

(4) An international student or the University may initiate a deferral, suspension or cancellation.

Section 3 - Policy

(5) Nil.

Section 4 - Procedure

Part A - Student Initiated Deferral (Assessing, Approving and Recording Deferral)

Submitting a request for Deferral

(6) International students who have received their Letter of Offer but would like to start at a later date can defer their studies for up to one year.

(7) Deferrals can be requested through the Online Application Portal on the University's website.

(8) International students should contact Future Student Services for more information.

Submitting a Request for Suspension of Enrolment

(9) An international student who wishes to suspend their enrolment after they have accepted their Letter of Offer must submit a Leave from Study – Intermission for International Student Visa Holders Form, located on the University website.

(10) International students will also need to provide evidence which supports their claim of compassionate or compelling circumstances, as outlined below.

(11) International students are required to remain enrolled in their course until their application has been assessed and they have been notified of the outcome.

Assessing Applications for Deferral or Suspension

(12) Where an international student has requested a deferral or suspension based on compassionate or compelling circumstances, those circumstances must be assessed by an Admissions Officer in accordance with Rule 15 of the University of Canberra (Admission) Rules 2022 using the description in this Procedure.

(13) Compassionate or compelling circumstances must be:

a. beyond the international student's control; and
b. make it impracticable for the person to complete the requirements for the unit during the period during which the person undertook, or was to undertake, the unit.

(14) Approved circumstances and examples of required evidence are set out in the table below:

APPROVED CIRCUMSTANCES:	EXAMPLES & SUPPORTING EVIDENCE:
1. Medical conditions – a new or changed medical condition or diagnosis that impacts the student's ability to engage in their study as per their study plan.	Example: A new medical condition occurs after the student has commenced study, and continues for several weeks, affecting the student's ability to engage in their study as per their study plan. OR A pre-existing medical condition flares up or is exacerbated after the student has commenced study, preventing them from continuing their study as per their study plan. Supporting evidence includes: • medical certificate with dates of condition/exacerbation, from doctor/counsellor; or • hospital paperwork, including any future treatment plans; or • letter from social worker.

APPROVED CIRCUMSTANCES:	EXAMPLES & SUPPORTING EVIDENCE:
2. Family conditions – member(s) of the student's family died or were impacted by a serious medical or personal condition and it is unreasonable to expect the student to have completed the requirements of study, as per their study plan.	Example: After commencing study, a close relative is impacted by a serious medical condition or passes away and the student is unable to continue study. Supporting evidence includes: • death certificate; • statutory declaration with date of death and relationship to the student; or • letter of support from University SWIS.
3. Unit Changes – Unit changes made by the University disadvantaged the student, or the student's study plan has changed due to failing a unit previously and having the fail grade waived.	Example: The student is unable to find a placement or a placement is cancelled. OR The student has previously failed a unit but has had this removed in accordance with the enrolment amendment process. Supporting evidence includes: • updated study plan, including comments from faculty staff confirming reasons for the reduced load/intermission; and • emails with dates of changes; or • letter of support from Unit Convener; or • evidence of enrolment amendment approval.
4. Unexpected, or unpredicted changes in personal situation – factors beyond the student's control have impacted their ability to continue to study with the original study plan.	Example – The student has been impacted by unexpected incidents, including but not limited to, natural disasters, conflict, political changes, family changes, or displacement. Supporting evidence includes: • documents with dates of changes – evidence of media articles, correspondence from family – and a signed statutory declaration; or • medical certificate from doctor/counsellor; and/or • letter of support from SWIS.
5. A traumatic experience.	Examples – Involvement in, or witnessing of a serious accident, or witnessing or being the victim of a serious crime, and this has impacted on the international student. Supporting evidence includes police or psychologists' reports outlining the timeframes and an impact on the student to the extent where they could not attend classes.
6. Financial difficulties experienced by the student, or a member of the student's family, are such that it is unreasonable to expect the student to attend class.	Examples – The student's family has experienced unexpected trauma, such as a natural disaster or war where they are unable to meet their financial obligations. Supporting evidence includes: • statutory declaration with an explanation of how the financial difficulties have manifested. • letter of support from University SWIS.

APPROVED CIRCUMSTANCES:	EXAMPLES & SUPPORTING EVIDENCE:
7. Additional personal factors – this may include military service in student's home country, or parental leave (for the birth and primary care of a child).	Examples – Parental leave: One Semester (or applicable 6-month teaching period), where the due date falls in or around the start date or end date of a teaching period – (additional time will only be considered where there are complications or associated medical condition(s) making the student unfit to study). Caring for a newborn or children is not considered grounds for additional leave. Necessary arrangements will need to be made. OR Military service in the student's home country. Supporting evidence includes: Parental Leave • Medical certificate from doctor/counsellor; or • Letter of support from University SWIS. Military Service • Military service notice from home country

(15) There is no maximum period for a deferral under compassionate or compelling reasons, but the deferral must be assessed in accordance with this Procedure.

(16) If after having accepted their Letter of Offer an international student seeks suspension of enrolment on the basis of compassionate or compelling circumstances for more than two consecutive study periods (or a maximum period of 12 months, whichever comes first), the international student must meet with Student Wellbeing & International Support (SWIS) to determine whether a cancellation of the their enrolment should occur because the international student's health or wellbeing, or the wellbeing of others, is likely to be at risk. This includes for prolonged medical, wellbeing, safety or other concerns, and where it would not be in the international student's best interest to continue to be on leave from study.

Recording Deferrals and Suspensions

(17) When determining whether compassionate or compelling circumstances exist, documentary evidence must be provided to support the claim.

(18) The student's application for deferral or suspension and any correspondence relating to the deferral or suspension decision will be recorded in the relevant CRM case file assigned to SWIS.

Notifying Relevant Stakeholders When Deferral or Suspension is Approved

(19) International students will be notified of the outcome of their application for deferral or suspension via their chosen email address.

(20) Where deferral or suspension is approved, the University will notify the Commonwealth Department responsible for Immigration through the Provider Registration International Student Management System (PRISMS).

(21) There are three possible scenarios to consider when reporting deferrals or suspensions via PRISMS:

OUTCOME	DETAILS	EFFECT ON COE IN PRISMS
Outcome 1	The University notifies the Commonwealth Department responsible for Education through PRISMS that they are deferring or suspending an international student's enrolment for a period without affecting the end date of the CoE.	There will be no change to the CoE on PRISMS – the international student will still be listed as studying. However, the notice of deferral or suspension will be recorded in PRISMS.

OUTCOME	DETAILS	EFFECT ON COE IN PRISMS
Outcome 2	The University notifies the Commonwealth Department responsible for Education through PRISMS that they are deferring or suspending an international student's enrolment for a period which will affect the end date of the CoE.	PRISMS will cancel the original CoE and immediately offer the University the opportunity to create a new CoE with a more appropriate end date.
Outcome 3	The University notifies the Commonwealth Department responsible for Education through PRISMS that it wishes to permanently cancel (terminate) the international student's enrolment.	Once this process is complete, the international student's CoE status will be listed as 'cancelled'.

(22) International students who are not eligible for deferral or suspension based on compassionate or compelling circumstances will have the option to cancel their course and reapply for admission at a later date. Any decision to cease studies should be reported to the Commonwealth Department responsible for Immigration via PRISMS within 31 days of the termination of studies (or 14 days, if under 18 years of age), as required under Section 19 of the ESOS Act.

Part B - University-Initiated Deferral, Suspension or Cancellation of Enrolment

(23) The University may defer, suspend or cancel an international student's enrolment in circumstances including, but not limited to the following:

a. where a student has had a finding of misconduct against them under the University of Canberra (Student Conduct) Rules 2023;
b. where a student has failed to pay the required amount to undertake or continue the course as stated in the written agreement; and
c. the student has breached academic progress or attendance requirements (noting that attendance requirements are only required for ELICOS and Foundation level courses).

(24) For any deferral, suspension or cancellation of enrolment initiated by the University (including on behalf of the UCC), the international student must be given a Notice of Intention to Report and 20 working days to access the relevant University grievance process. This applies even if an international student's misconduct is grounds for immediate expulsion, unless the international student's health or wellbeing, or the wellbeing of others, is likely to be at risk.

Notice of Intention to Report

(25) Where the University or UCC, as relevant, has assessed the international student as not meeting course progress, attendance requirements (where applicable), non-payment of fees or as having engaged in misconduct, the University must give the student a written notice as soon as practicable, which at a minimum must:

a. notify the student that the University intends to report the student for;
b. unsatisfactory course progress or unsatisfactory course attendance;
c. informs the student of the reasons for the intention to report; and
d. advises the student of their right to access the University's grievance and appeals process, within 20 working days.

(26) Information provided about the University's grievance and appeals process will include information on:

a. how to appeal the decision;
b. the start and end date of the appeal period;
c. the consequences for a student's CoE and student visa if the student does not wish to take part in the internal

grievance and appeals process;

d. seeking advice from the Commonwealth Department responsible for Immigration in relation to visa status if the CoE is cancelled; and
e. the University's storage of the Notice of Intention to Report notice on the student's University file.

(27) The University may proceed with deferral, suspension or cancellation of enrolment after the internal grievance handling and appeals process has been completed – for example, in cases of misconduct and non-payment. The only time the University needs to wait for both the internal and external grievance and appeals processes to be completed is for course progress and/or attendance breaches.

(28) The University is not required to provide an international student with the opportunity to appeal a University-initiated deferral, suspension or cancellation of enrolment if the international student's health or wellbeing, or the wellbeing of others, is likely to be at risk. This may include, but is not limited to when the international student:

a. refuses to maintain approved care arrangements, if they are under 18 years of age;
b. is missing;
c. has medical concerns, severe depression or psychological issues which lead the provider to fear for the international student's wellbeing;
d. has engaged or threatens to engage in behaviour that is reasonably believed to endanger the international student or others; or
e. is at risk of committing a criminal offence.

(29) The University must retain any evidence used to support a decision not to provide an international student with the opportunity to appeal a University initiated deferral, suspension or cancellation of enrolment.

Academic Progression

(30) An international student who has not met satisfactory academic progress requirements will be dealt with in accordance with:

a. the University of Canberra (Academic Progress) Rules 2022, as supported by the Academic Progress Policy and Academic Progress (Coursework Units) Procedure; or
b. the Higher Degree by Research Progress and Milestones Procedure.

Attendance

(31) An international student who has not met relevant attendance requirements will be dealt with in accordance with the University's Attendance and Academic Progress in ELICOS and Foundation Programs Procedure.

Non-payment of Tuition Fees

(32) The International Student Fee Policy details the process in cases where an international student has failed to pay an amount which was required to be paid to undertake or continue the course as stated in the offer letter.

Misconduct

(33) The University will deal with allegations of misconduct in accordance with the University of Canberra (Student Conduct) Rules 2023, and supported by the Academic Integrity Policy.

Cessation of Studies and Non-Commencement

(34) In accordance with Section 19 of the ESOS Act, the University must report an accepted international student to

the Commonwealth Department responsible for Immigration through PRISMS after any of the events specified below occurs:

a. an accepted international student does not begin their course when expected (refer to Annex A for scenarios and responsibilities);
b. any termination of an accepted international student's studies (whether as a result of action by the international student, or the provider or otherwise) before the international student's course is completed; or
c. any change in the identity or duration of an accepted international student's course.

(35) If the accepted international student is younger than 18 years old, the University must report a deferral, suspension or cancellation within 14 days to the Commonwealth Department responsible for Immigration through PRISMS.

(36) If the accepted international student is 18 years old or older, the University must report a deferral, suspension or cancellation within 31 days to the Commonwealth Department responsible for Immigration through PRISMS.

Passive Withdrawal

(37) In some cases, international students will not return after a scheduled holiday or deferral period, or not enrol in any units in a compulsory study period. These international students should be treated as having passively withdrawn and no longer enrolled.

(38) Where an international student has passively withdrawn, the University must first try to contact the international student to determine the reason for non-enrolment (to ensure there are no mitigating compassionate or compelling circumstances).

(39) If there is no reply from the student or no compassionate or compelling circumstances are established by Week 5, after the census date, the University will cancel the international student's CoE by reporting the international student under 'Student notified cessation of studies' in PRISMS.

(40) Passive withdrawal is deemed to be a student-initaited cancellation of the international student's enrolment and the University is not required to give the student 20 days in which to appeal the decision. Under Standard 9.4 of the National Code 2018, only provider- initiated cancellations require the international student to be given the opportunity to access the internal complaints and appeals process.

(41) The international student's withdrawal will not absolve them from needing to obtain a release from the University, if the international student has not yet completed six months of their principal course.

Section 5 - Roles and Responsibilities

Who	Responsibilities
Student Connect	• Monitoring academic progress (Higher Education Awards) • Sending Notice of Intention to Report Letter to international student. • Actioning processes in response to attendance, non-payment of fees and misconduct.
University of Canberra College	• Monitoring academic progress (ELICOS and Foundation Courses) • Monitoring Attendance requirements (ELICOS and Foundation Courses only)
Student Wellbeing & International Support (SWIS)	• Reporting a student in PRISMS for failure to meet academic progress or attendance requirements.
Student Conduct, Grievances and Appeals Unit	• Oversees and undertakes the grievance resolution process. • Reports the outcome of grievances to relevant parties.

Section 6 - Definitions

TERMS	DEFINITIONS
Accepted Student	According to Section 5 of the ESOS Act an accepted student of a registered provider means a student (whether within or outside Australia): • who is accepted for enrolment, or enrolled, in a course provided by the provider; and • who is, or will be, required to hold a student visa to undertake or continue the course.
Cancellation of Enrolment	Termination of an international student's enrolment in a course. Can be initiated by the student or the University.
Confirmation of Enrolment (CoE)	A document, provided electronically, which is issued by the University to intending overseas students and must accompany their application for a student visa. The CoE confirms the overseas student's eligibility to enrol in the particular course of the University.
Deferral of Enrolment	Postponing the commencement of a course which the University has offered to an international student, but which the student has not yet accepted. Can be initiated by the student or the University.
ESOS	Education Services for Overseas Students Act
Notice of Intention to Report	A letter sent to international students to inform them that the University intends to report them to the Department responsible for Immigration.
Provider Registration and International Student Management System (PRISMS)	The system used to process information given to the Secretary of the Department of Education by registered providers.
Suspension of Enrolment	A temporary pause in an international student's course. Can be initiated by the student or the University.

Status and Details

Status	Current
Effective Date	27th March 2023
Review Date	8th January 2027
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Expiry Date	To Be Advised
Custodian	Michelle Lincoln Deputy Vice-Chancellor
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