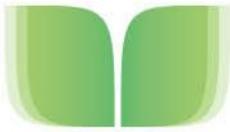


Australia Institute of  
Business & Technology



Australia Institute of  
Business & Technology  
*International*

# DEFERRAL, CANCELLATION AND SUSPENSION OF STUDENT ENROLMENT POLICY AND PROCEDURE



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## 1. Purpose

The purpose of this policy is to outline Australia Institute of Business & Technology and the Australia Institute of Business & Technology International (hereafter referred to as 'AIBT') policy and procedure for deferring, suspending or cancelling an overseas student's (hereafter referred to as 'students') enrolment, to ensure compliance with Standard 9 of the National Code of Practice for Providers of Education and Training for Overseas Students 2018 (**National Code 2018**).

## 2. Scope

This policy relates to all students, who are subject to a student visa and who are studying with AIBT at one of their Australian campuses.

## 3. Policy statement

In accordance with the National Code 2018, AIBT, as a registered provider, is required to have a documented process for assessing, approving and recording a deferment, suspension or cancellation of a student's enrolment, including maintaining a record of any decisions.

## 4. Definitions

Term	Meaning
Appeal	A formal request in writing by a student to have a decision made in relation to that student to be reviewed or reconsidered in relation to a decision to defer, suspend or cancel their enrolment
CoE	Confirmation of Enrolment, which includes the principal course of study and time frame in which the course is to be completed
Compassionate or compelling circumstances	Serious illness or injury, where a medical certificate states that the student was unable to attend classes, bereavement of close family member such as parent or grandparent, 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 such as involvement in or witnessing a serious accident, witnessing or being the victim of a serious crime (should be supported by police or psychologist report), or where AIBT is unable to offer the student a prerequisite unit, or where the student has failed a prerequisite unit and faces a shortage of relevant units for which they are eligible to enroll
Complaints and Appeals Policy and Procedure	Is the AIBT complaints and appeals procedure that students are required to follow when making complaints, appealing decisions of AIBT either internally and externally
CRICOS	Commonwealth Register of Institutions and Courses for Overseas Students. Only CRICOS registered courses can be offered to students studying in Australia on a student visa
ESOS Act	<i>Education Services for Overseas Students Act 2000</i> in conjunction with the National Code determines the requirements for monitoring course attendance and progress of international students



Medical Certificate	A signed statement from a registered medical practitioner, health practitioner or approved health specialist certifying a period of time during which a student is/has been affected by a medical condition impacting on their participation and/or attendance. A medical certificate may be issued by the following medical and health practitioners registered under the Health Practitioner Regulation National Law, including but not limited to general medical practitioner, psychologist, chiropractor, dentist, optometrist, osteopath, physiotherapist, podiatrist and approved other health specialists
National Code	National Code of Practice for Providers of Education and Training to Overseas Students 2018
Notice of Intention to Report	A written notice issued to the student advising of AIBT's intention to defer, suspend or cancel their enrolment and providing the student with 20 working days in which to appeal the decision
Student	Is a person (whether onshore or overseas at the time of enrolment) who holds a student visa to study in Australia
Student Conduct Rules	Sets out the behavioural and learning expectations of students when studying with AIBT

## 5. Deferral, suspension and cancellation of enrolment

1. AIBT may defer or suspend the enrolment of a student if it believes there are compassionate or compelling circumstances.
2. Before AIBT defers or suspends a student's enrolment for compassionate or compelling circumstances, it is to ensure that the student has a valid CoE in PRISMS with a start date that reflects the student's intended date of return to studies.
3. AIBT may suspend or cancel a student's enrolment for reasons, including, but not limited to:
  - (i) misbehaviour by the student, in breach of the Student Conduct Rules
  - (ii) the student's failure to pay an amount he or she was required to pay AIBT to undertake or continue the course as stated in the written agreement
  - (iii) a breach of course progress or attendance requirements by the student, in accordance with Standard 8 of the National Code (see also: AIBT Monitoring Student Attendance and Academic Progress Policy and Procedure).
4. Before deferring, suspending or cancelling a student's enrolment, AIBT is to advise the student in writing that the process may impact their student visa, in particular, if the grounds for the deferral, suspension or cancellation is due to:
  - (i) the conduct of the student
  - (ii) for reasons other than compassionate or compelling circumstances
  - (iii) compassionate or compelling circumstances, where the studies of the student cease to exist
  - (iv) fraudulent evidence or documents provided to AIBT by the student



## 6. Suspension and cancellation of enrolment procedure

1. Where AIBT intends to suspend or cancel a student's enrolment because of conduct referred to at (clause 5 subclause 3 above), AIBT must first issue a Notice of Intention to Report, to the student, which outlines AIBT's reasons for suspending or cancelling the student's enrolment.
2. The Notice of Intention to Report must advise the student of their right to appeal through AIBT's internal complaints and appeals process, in accordance with Standard 10 (see: AIBT Complaints and Appeals Policy and Procedure), within 20 working days.
3. Where after expiry of the appeal period or where an internal appeal lodged by the student, is rejected, AIBT must:
  - (i) inform the student of the need to seek advice from Immigration (Department of Home Affairs) on the potential impact on the student's visa; and
  - (ii) report the change to the student's enrolment in accordance with s 19 of the ESOS Act.
4. If the appeal of the student is related to unsatisfactory course academic progression or non-compliance with course attendance requirements, AIBT is required to wait until both internal and external appeals processes are finalised before proceeding with suspension or cancellation of the student's enrolment.
5. AIBT is not required to wait for an appeal of a student in relation to a suspension or cancellation of a student's enrolment where the student's health or wellbeing or the wellbeing of others, is likely to be at risk, in particular, where the student:
  - (i) refuses to maintain approved care arrangements, if they are 18 years of age
  - (ii) are missing
  - (iii) has medical conditions, severe depression, psychological issues, which leads AIBT to fear for the students or others well being
  - (iv) has engaged or threatens to engage in behaviour that is reasonably believed to endanger the student or others, health and safety
  - (v) is at risk of committing a criminal offence

## 7. Records to be kept

1. AIBT are to keep all records of any decision to defer, suspend or cancel a student's enrolment, including evidence to support matters outlined at clause 6 subclause 5 above.
2. Where a student's enrolment is deferred, suspended or cancelled, AIBT is to notify the Department of Education and Training through PRISMS.

## 8. Appeals process

Students who wish to lodge a complaint or an appeal regarding a decision made under this policy and procedure are to follow the Complaints and Appeals policy and procedure which can be found at:

<https://aibtglobal.edu.au/wp-content/uploads/2018/04/AIBT-Complaints-and-Appeals-Policy.pdf>