

CP028 International Students – Deferment, Leave of Absence, Suspension or Cancellation of Enrolment Procedure

1. Purpose

The purpose of this procedure is to document the processes and responsibilities associated with the application, assessment and approval of a deferment, leave of absence, suspension or cancellation of enrolment, when instigated by either an International Student or Wodonga TAFE, and subsequent reporting requirements.

2. Scope

This procedure applies to all International Students holding a Confirmation of Enrolment for a CRICOS course with Wodonga TAFE. It also applies to all TAFE staff dealing with deferment, leave of absence, suspension or cancellation of enrolment for international students.

3. Scheduled Review Date

1 July 2012

4. References

Education Services for Overseas Students (ESOS) Act 2000

Education Services for Overseas Students (ESOS) Regulations 2001

National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2007 (The National Code)

CP006 Student Grievance / Appeal Procedure

CP008 Student Discipline Procedure

Learner Charter – Induction Booklet

CF005 Enrolment Variation / Withdrawal Form

CF053 International Student - Request for Deferral / Leave of Absence Form

5. Definitions

See Wodonga TAFE glossary on StaffNet for current definitions.

For the purposes of this procedure:

International student:- a person who holds a student visa as defined by the ESOS Act, but does not include students of a kind prescribed in the ESOS Regulations (as follows) –

“student visa means a visa described in the *Migration Regulations 1994* as a Subclass 560, 562, 563, 570, 571, 572, 573, 574, 575 or 576 visa, whenever granted, other than a visa granted to:

- (a) a person who satisfies the secondary criteria, but not the primary criteria, under those Regulations for the grant of the visa; or
- (b) an exchange student or AusAID student within the meaning of those Regulations; or
- (c) an overseas student who has been approved by the Minister for Defence to undertake a course of study or training under a scholarship scheme or training program approved by the Minister for Defence; or
- (d) an overseas student who has been approved under another scholarship scheme, or an exchange scheme, sponsored by the Commonwealth to undertake a course of study or training in Australia.”

DEEWR:- the Department of Education, Employment and Workplace Relations

DIAC:- the Department of Immigration and Citizenship

CoE:- Confirmation of Enrolment – a document, provided electronically, which is issued by the registered provider to intending international students and which must accompany their application for a student visa. It confirms the international student's eligibility to enrol in the particular course of the registered provider.

PRISMS:- the Provider Registration and International Student Management System which is used to process information given to the Secretary of DEEWR by registered providers.

Deferment:- a request by the student to delay the commencement of studies.

Leave of absence:- a request by the student to temporarily postpone study after the commencement of the study period.

Suspension:- when the enrolment of a student is suspended for a period of time, after which the student may recommence study.

Cancellation:- CoE is cancelled – enrolment is terminated. Student must reapply if they wish to continue studying.

Compassionate or compelling circumstances:- generally those beyond the control of the student and which have an impact on the student's course progress and/or wellbeing. These could include but are not limited to: serious illness, death in the family, major political upheaval or natural disaster in the home country which requires the student to return home, or a traumatic incident.

6. Responsibilities

The **Manager – Learner Services** is responsible for the implementation of the procedure and for assessing and approving a student's request for deferral or leave of absence.

The **Course Information Officer** is responsible for recording all details of deferrals, leaves of absence, suspensions and cancellations on the student's file, and for notifying DEEWR via PRISMS when required.

The **International Student** is responsible for paying their fees within the required timeframe and informing the Course Information Officer of their intentions to defer or continue studies, providing reasons for deferral or leave of absence, and if required providing any supporting documentation.

7. Procedure

Item	Action/Comment	Responsibility
Deferment prior to commencement of course		
1.	Submit a <i>CF053 International Student – Request for Deferral / Leave of Absence Form</i> to the relevant delivery department detailing the reason/s for requesting the deferment of commencement of study.	International Student
2.	Ensure the CF053 has been completed correctly and all supporting evidence is verified and attached.	Delivery Department
3.	Assess the request to determine whether there are defined compassionate or compelling circumstances. Make a decision on the granting of the deferment and notify the student of the decision (<i>see Attachment 1</i>). The notification will include information regarding how the student's visa may be affected as a result of deferment and details for the student to contact DIAC.	Manager – Learner Services

Item	Action/Comment	Responsibility
4.	<p>Enter a deferment of commencement of enrolment through PRISMS within 14 days of the deferment commencement date.</p> <p>If the period of deferment is short and will not affect the end date of the CoE, the deferment will be recorded on PRISMS as a period of deferment.</p> <p>If the period of deferment is so long that it will affect the end date of the CoE, the student's CoE will be cancelled. PRISMS will then offer the option to create a new CoE for the student with revised start and end dates.</p>	Course Information Officer
5.	Notify the delivery Department of the deferment and retain all records regarding the deferment including the notification sent to the student on the student's file.	Course Information Officer
Leave of Absence during the course period		
6.	<p>Submit a <i>CF053 International Student – Request for Deferral / Leave of Absence Form</i> to the relevant delivery department detailing the reason/s for the request.</p> <p>Provide evidence of compassionate or compelling circumstances, such as medical certificates, police reports, psychologist reports etc.</p> <p>Note: <i>A Leave of Absence from studies is only permitted in compassionate or compelling circumstances for a maximum period of one semester (six months).</i></p> <p>Where the student requests a leave of absence for more than six months they will be required to withdraw from their course and reapply when they are ready to return to study. The student's visa will be cancelled and they will need to apply for a new visa.</p> <p>DIAC's policy is that if a student takes a leave of absence for a period of 28 days or longer they must leave Australia (unless special circumstances exist – i.e. natural disaster or political upheaval in the student's home country, student is unfit to travel etc).</p>	International Student
7.	<p>Ensure the CF053 has been completed correctly and all supporting evidence is verified and attached.</p> <p>Determine the impact of the leave of absence on the student's studies and the potential impact this will have on their ability to complete the course within the duration shown on the CoE.</p>	Delivery Department
8.	<p>Assess the request to determine whether there are defined compassionate or compelling circumstances. Make a decision on the granting of the leave of absence and notify the student of the decision (<i>see Attachment 1</i>).</p> <p>Where the leave of absence may impact on the student's visa they will be advised to contact DIAC for advice.</p>	Manager – Learner Services
9.	Record the deferral in PRISMS within 14 days of the leave of absences commencement date and place all records on the student's file.	Course Information Officer
10.	The student is required to keep Wodonga TAFE informed of their intention to continue their studies and must confirm in writing their intention to return to studies at least 4 weeks before the commencement of the semester.	International Student
11.	<p>Where a leave of absence was granted on medical grounds, students are required to provide a clearance to return to studies in the form of a medical practitioner's statement/certificate.</p> <p>The return to study will be subject to the consideration of the medical report, DIAC approval and confirmation from the delivery Department.</p>	International Student

Item	Action/Comment	Responsibility
Withdrawal from all studies		
12.	Note: the student should be aware that if they withdraw from studies this is reported to DIAC and their student visa will be cancelled. Present a <i>CF005 Enrolment Variation / Withdrawal Form</i> to the delivery Department to be signed.	International Student
13.	Once signed by the department submit the withdrawal form to Administration Services for processing.	International Student
14.	Process the withdrawal and provide the student with a copy of the form. Ensure that a copy of the form is passed to the Course Information Officer – this is very important as DIAC must be notified of the withdrawal.	Administration Services
15.	Report the withdrawal on PRISMS within 14 days of the withdrawal date and retain the completed withdrawal form on the student's file.	Course Information Officer
Suspension or Cancellation of enrolment (TAFE initiated)		
16.	Wodonga TAFE's expectations of student conduct are detailed in the Learning Charter which can be found in the <i>International Student Induction Booklet</i> and is displayed on noticeboards around the campus.	International Student
17.	All issues of misconduct will be dealt with in accordance with <i>CP008 Student Discipline Procedure</i> .	Teacher / Department Manager / Learner Services
18.	Where a decision has been made to suspend or cancel the student's enrolment the student will receive written notification of the decision (see Attachment 2). The written notification must: a) inform the student that the suspension or cancellation of their enrolment may affect their student visa b) provide details of the DIAC website, and c) advise the student that they have 20 working days to appeal the decision via Wodonga TAFE's appeals / grievance process. Where a student chooses to appeal the decision, the suspension or cancellation of their enrolment can not take effect until the internal appeal is completed.	Manager – Learner Services
19.	Once the appeal process has been completed and if the appeal finds in favour of the original decision, the suspension or cancellation of enrolment must be reported in PRISMS within 14 days. DIAC will consider the student's circumstances and decide whether to maintain or cancel the student's visa.	Course Information Officer
20.	All documentation must be retained on the student's file.	Course Information Officer

8. Record, Retention and Archiving

Record Title	Retention Requirement	Location of Storage/Archive/Other
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		Requirements
Documentation relating to student grievance / appeal	<p>PROS 02/01, class 9.1.0 - penalty or disciplinary action occurred</p> <p>PROS 02/01, class 9.2.0 –penalty or disciplinary action not occurred</p> <p>PROS 02/01, class 9.3.0 – not proven</p>	<p>Temporary, destroy 15 years following date of decision</p> <p>Temporary, destroy 7 years following date of decision</p> <p>Temporary, destroy if the registrar determines that the record should be erased</p>
CF005 Enrolment Variation / Withdrawal Form	PROS 02/01, class 8.1.0	Temporary, destroy 7 years following date of enrolment
CF053 International Student - Request for Deferral / Leave of Absence Form	PROS 02/01, class 8.1.0	Temporary, destroy 7 years following date of enrolment
Confirmation of Enrolment Form	PROS 02/01, class 8.1.0	Temporary, destroy 7 years following date of enrolment

9. Appendix

Please note the following attachments are sample letters only. If you need to send a letter to a student the template can be found on Engage.

Attachment 1: Letter regarding request for deferral / leave of absence from studies (version 1).

Attachment 2: Letter regarding the suspension / cancellation of a student's enrolment (version 2).

Date:

Name:

Address:

Re: Request for Deferral / Leave of Absence from studies

Dear <name>

Your request for deferral / leave of absence dated <insert date> has been considered and approved. You are granted leave from studies for the teaching period from <insert date> to <insert date>.

You will be expected to commence / resume your studies in <insert month and year>. Wodonga TAFE will notify you of the re-enrolment date.

Wodonga TAFE is obliged to advise the Department of Immigration and Citizenship (DIAC) of the period of your deferral / leave from studies.

Note – this section is optional, remove if not applicable:

<A review of the impact that your deferral / leave of absence will have on your ability to complete your course in the required time frame has identified that it will affect your student visa and you are required to apply for a visa extension to complete your program. The contact phone number for DIAC is 131 881 and the website is www.immi.gov.au>

Please inform Wodonga TAFE if you do not intend to commence / resume your course as soon as possible. If you do not re-enrol on the date advised you will be required to submit a withdrawal form and Wodonga TAFE will advise DIAC of your withdrawal from all studies. This will result in the cancellation of your student visa.

If you have any queries regarding this letter please contact Learner Services on 02 6055 6606 at Wodonga TAFE.

Yours sincerely

Tom Lawson
Manager
Learner Services Department

Date:

Name:

Address:

Re: Suspension / Cancellation of Enrolment

Dear <name>

Your enrolment in the <course name> has been suspended for the period from <insert date> to <insert date> / cancelled for the following reason/s:

<list the reasons>

Wodonga TAFE is obliged to advise the Department of Immigration and Citizenship (DIAC) of the suspension / cancellation of your enrolment.

Note – this section is optional, remove if not applicable:

<A review of the impact that your suspension/cancellation will have on your ability to complete your course in the required time frame has identified that it will affect your student visa and you are required to contact DIAC. The contact phone number for DIAC is 131 881 and the website is www.immi.gov.au>

If you do not agree with the decision to suspend / cancel your enrolment you may access Wodonga TAFE's internal appeals and grievance process. Refer to *CP006 Student Grievance / Appeals Procedure* for details. To commence the appeals process you must complete and submit a *CF052 Request to Appeal a Decision Form* or apply in writing within 20 days from <insert date>.

If you have any queries regarding this letter please contact Learner Services on 02 6055 6606 at Wodonga TAFE.

Yours sincerely

Tom Lawson
Manager
Learner Services Department