

International Students Deferment, Suspension and Cancellation of Enrolment Policy and Procedure

1. PURPOSE

This policy outlines the policy and procedures of Kingswood College for assessing, approving and recording a deferment of commencement of studies or suspension or cancellation of study by an international student.

Kingswood College Ltd is listed on the Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS Provider No. 001550G) and is required to adhere to the Education Services for Overseas Student (ESOS) Act 2000 and National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code).

2. SCOPE

This policy applies to all current and future international students of Kingswood College and their parents and/or legal guardians.

3. PROCEDURES FOR APPLICATION FOR DEFERMENT OF COMMENCEMENT OF STUDIES

Kingswood College will only grant a deferment of commencement of studies on compassionate and compelling grounds. Such circumstances must be deemed unavoidable and may include but not limited to:

- (a) Student illness validated by a Medical Certificate;
- (b) Significant family crisis eg Bereavement of an immediate family member;
- (c) A major political issue or natural disaster in the home country rendering international travel to be impractical;
- (d) Personal or Mental Health issues of a confidential nature.

Procedure

- The parent/local support person or agent of the student is required to submit the *Application for Deferment of Studies form* to the College Registrar and attach certified copies of evidence of circumstances and documentary evidence of the travel details, if any, in and out of Australia;
- Consideration of the application will be undertaken by the Registrar in consultation with the International Student Coordinator;
- A written response will be provided to the parent/local support person of the student from the Registrar as soon as practicable;
- In circumstances where the deferment is approved by the College, a course variation will be recorded on PRISMS by the Registrar;
- In circumstances where the deferment is not approved by the College, written notice of intention to cancel the students Confirmation of Enrolment is then issued to the parent.

4. PROCEDURES FOR TEMPORARY SUSPENSION OF STUDIES – REQUESTED BY PARENT

Kingswood College acknowledges that circumstances may arise of an unavoidable, compassionate or compelling nature warranting temporary suspension of studies. Such circumstances must be deemed unavoidable but none the less rendering immediate continuation of studies to be impractical.

Such circumstances may include but shall not be limited to:

- (a) Student illness validated by a medical certificate;
- (b) Significant family crisis eg bereavement of an immediate family member;
- (c) A major political or national issue in the home country requiring the student to return to their home country at the request of parents or Government Authorities;
- (d) Emergence of student personal or mental health issues of a confidential nature.

Procedure

- The parent/local support person of the student is required to submit the *Application for Temporary Suspension of Studies* form to the International Student Coordinator including attachment of any supporting documentation. Such documentation would include certified copies of evidence of circumstances and documentary evidence of the travel details, if any, in and out of Australia;
- Consideration of the application will be undertaken by the Deputy Principal in consultation with the International Student Coordinator and Registrar;
- A written response will be provided to the parent/local support person of the student from the Registrar as soon as practicable;
- In circumstances where the temporary suspension of studies is approved by the College a course variation will be recorded on PRISMS by the College Registrar.

5. PROCEDURES FOR TEMPORARY SUSPENSION OF STUDIES – IMPOSED BY KINGSWOOD COLLEGE

Grounds for Temporary Suspension of Studies include but are not necessarily limited to:

- (a) Significant breaches of the Student Code of Conduct at Kingswood College by the student as a holder of a student visa;
- (b) Significant breach of a condition attached to the student visa;
- (c) Failure to pay fees to Kingswood College after every effort has been made by the College to instruct the nominated account payee of their obligation.

Procedure

- As a matter of course, Kingswood College undertakes to counsel the student on any such breaches and then provide the parent/local support person with a Notice of Intention to Suspend Studies including an explanation of their right to access the Complaints and Appeals Process. The Notice of Intention to Suspend Studies shall include an explanation of the grounds for suspension and duration of such suspension;
- Such Notification of Intention to Suspend shall advise the student/parent that they have 20 working days to appeal that decision to suspend and that the student must continue to abide by the conditions of their student visa throughout that period of consideration;
- In the interests of student and College community safety, the Kingswood College Principal may choose to exclude the student from class or from attendance at the College entirely for a

specified period while all matters are being resolved. Such a decision by the College Principal will be communicated as soon as practicable to the student and parent/local support person;

- Kingswood College shall continue to fulfill its responsibilities under the Confirmation of Approved Accommodation and Welfare during such a period;
- Decisions to implement suspension of studies by Kingswood College shall be recorded on PRISMS.

6. PROCEDURES FOR CANCELLATION OF ENROLMENT – PRIOR TO STUDENT COMMENCEMENT

Grounds for cancellation of Enrolment by Kingswood College Prior to Student Commencement may include but shall not be limited to:

- Proven or suspected material non-disclosure of information that the College is required by law to obtain relating to the student, by the parent or their agent.
- Non-disclosure of information about the student and his or her ability to participate in the course that the College requires or would reasonably require to assess the application for enrolment and the student's suitability for education at the College.

Procedure

- In the event of any such circumstance the College shall notify the parent/agent in writing as soon as practicable including instructions on the Kingswood College International Student Transfer Policy and Procedures and directing the parent/agent to the Kingswood College International Student Refund Policy and Procedures. Advice will be provided that the parent has a maximum of 20 working days to lodge an appeal against this decision.
- Once the appeal lodgment period has expired the College will then consult directly with the parent/agent in determining the most appropriate date for cancellation of the Confirmation of Enrolment, with respect to the expressed intent of the parent to accept an offer with an alternative Education Provider or for their child to return to the home country.
- The Registrar will then record the cancellation of the Confirmation of Enrolment on PRISMS.

7. PROCEDURES FOR CANCELLATION OF STUDENT ENROLMENT – AFTER STUDENT HAS COMMENCED STUDIES

Grounds for Cancellation of Enrolment after Student Commencement of Studies may include, but shall not be limited to:

- (a) Unsatisfactory student attendance;
- (b) Unsatisfactory course progress within a semester;
- (c) A decision by the College that the student has not qualified for transition to the next year of study and therefore an inability of the College to offer the student a course of study that allows them to complete their study program within the timeframe permitted by their Confirmation of Enrolment;
- (d) Serious breach of the Kingswood College Student Code of Conduct;
- (e) Serious breach of the provisions of the Confirmation of Approved Accommodation and Welfare;
- (f) Failure by the parents to maintain their contractual obligations to Kingswood College;
- (g) Proven or suspected material non-disclosure of information that the College is by law required to obtain relating to the student, by the parent or their agent;

- (h) Non-disclosure of information about the student and his or her ability to participate in the course that the College requires or would reasonably require to assess the application for enrolment and the student's suitability for education at the College.

Procedure

- In the event of any such circumstance the College shall have been in communication on such concerns with the parent directly or via the local support person in an effort to correct the situation and to implement appropriate intervention strategies.
- Once all opportunities for redemption are deemed to have been exhausted and unsuccessful, the College shall notify the parent/local support person in writing with a Notification of Intention to Cancel Enrolment, as soon as practicable, including instructions on the Kingswood College *International Student Complaints and Appeals (Grievance) Process*, Kingswood College *International Student Transfer Policy and Procedures* and directing the parent/local support person to the Kingswood College *International Student Refund Policy and Procedures*. Advice will be provided that the parent has a maximum of 20 working days to lodge an appeal against this decision.
- Once the appeal lodgment period has expired the College will then consult directly with the parent/local support person in determining the most appropriate date for cancellation of the Confirmation of Enrolment, with respect to the expressed intent of the parent to accept an offer with an alternative Education Provider or for their child to return to the home country.
- The College Registrar will then record the cancellation of the Confirmation of Enrolment on PRISMS and notify the parents/local support person of this in writing.

8. APPEAL PROCESSES AGAINST KINGSWOOD COLLEGE DECISION TO SUSPEND OR CANCEL ENROLMENT AND CONTINUATION OF STUDENT WELFARE ARRANGEMENTS

- (a) Kingswood College acknowledges its responsibility to inform the student of its intention to terminate, suspend or cancel the student enrolment where the termination, suspension or cancellation is not initiated by the student and notify the student in writing that they have 20 working days to access the Kingswood College *International Student Complaints and Appeals Policy Process*.
- (b) If the College initiates a suspension or cancellation of enrolment of a student under the age of 18 years for whom it has approved welfare and accommodation arrangements, the College will continue to meet all CAAW responsibilities until:
- (i) The student is accepted by another Education Provider and that Education Provider has issued a CAAW that becomes effective on a specified date that does not allow any gap in welfare responsibility in transition between the Education Providers;
 - (ii) The student is assisted in the process of leaving Australia;
 - (iii) Other suitable arrangements are made that satisfy migration regulations;
 - (iv) Kingswood College reports to the Department of Immigration and Border Protection that it can no longer approve the welfare arrangements of the student arising from non-compliant conduct by that student.
- (c) If the student accesses the Kingswood College *International Student Complaints and Appeals Policy and Process*, the termination, suspension or cancellation of enrolment will not be affected until the complaints and appeals process is completed, unless extenuating circumstances relating to the welfare of the student or other members of the College community apply. Such extenuating circumstances may include but are not limited to:
- (i) The student refuses to maintain College approved welfare and accommodation arrangements;

- (ii) The student cannot be located;
 - (iii) The College has reasonable grounds to believe that the student has significant medical concerns or psychological issues which lead the College to fear for the students' well-being;
 - (iv) The student has engaged or has threatened to engage in behaviour that is reasonably believed to endanger the student or others;
 - (v) The student is at risk of committing a criminal offence; or
 - (vi) The student is the subject of investigation relating to criminal matters.
- (d) In such cases of extenuating circumstances, as deemed existent by the Principal or Deputy Principal the parent/local support person of the student would be first informed and advice would be sought from Department of Immigration and Border Protection.

9. ACCOMMODATION, SUPPORT AND GENERAL WELFARE ARRANGEMENTS

If the College has taken on responsibility for approving the accommodation, support and general welfare arrangements for a student and the College suspends or cancels the student's enrolment, the College must continue to approve the welfare arrangements for the student until any of the following applies:

- the student has alternative welfare arrangements approved by another CRICOS registered school;
- care of the student by a parent or nominated relative is approved by Immigration;
- the student leaves Australia;
- the College has notified Immigration that it is no longer able to approve the student's welfare arrangements or that it has taken the required action after not being able to contact the student.

10. RELATED POLICIES AND DOCUMENTS

- Application for Deferment of Studies
- Application for Temporary Suspension of Studies
- International Student Fee Schedule (for current year fees);
- International Students Enrolment Agreement (Written Agreement)
- International Student Request for a Refund form;
- International Student Enrolment Policy and Procedures;
- International Student Fee Refund Policy and Procedures;
- International Students Monitoring Academic Progress and Attendance Policy and Procedure
- International Student Transfer Request Policy and Procedures;
- Student Accommodation and Welfare Arrangements Policy and Procedures;
- International Student Complaints and Appeals Policy and Procedures

11. REFERENCES

ESOS National Code Standard 9. - Deferring, suspending or cancelling the overseas student enrolment