

# Korowal School



## Deferment, Suspension or Cancellation of Enrolment

### **Deferring, suspending or cancelling the student's enrolment.**

#### Student Initiated Deferral, Suspension or Cancellation of Enrolment

##### Student Deferral

Students are able to initiate deferral or suspension of their studies during their stay in Australia but the School is only able to temporarily suspend the enrolment of the student on the grounds of compassionate or compelling circumstances. These circumstances could include but are not limited to:

- Serious illness or injury, where a medical certificate states that the student was / is unable to attend classes;
- Bereavement of close family members such as parents or grandparents;
- Major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student's studies;
- Inability to begin studying on the course commencement date due to delay in receiving a student visa.

Please Note: The above are only some of examples of what may be considered compassionate or compelling circumstances. The School will use its judgement and assess each case on its individual merits. When determining whether compassionate or compelling circumstances exist, the School will consider documentary evidence provided to support the claim, and will keep copies of these documents in the student's file.

- Students will be required to complete an 'Application to defer, suspend or cancel enrolment' and submit it to the School. Students will also be required to provide evidence of the compassionate or compelling circumstances in their application. (I.e. a medical certificate or police report, etc.)
- Where a suspension of enrolment is granted the School will suspend an enrolment

for an agreed period of time, to a maximum of 12 months. If the suspension is required for longer than 12 months the student will be required to re-apply once the initial suspension period has expired.

- DIAC\*'s policy is that if a student's enrolment is suspended for a period of 28 days or longer, the student must return home (unless special circumstances exist). Please refer all questions about whether students may remain in Australia during a period of suspension of enrolment to DIAC.
- Students are to be informed in writing of the outcome of their application for suspension and informed that it may affect their student visa.
- All application documentation for the suspension will be kept on the students file and DIAC shall be notified via PRISMS of the decision to suspend the enrolment as a result of the student's request.

### Student Cancellation

Students wishing to cancel their enrolment must complete an 'Application to defer, suspend or cancel enrolment' and submit to the School.

- Students wishing to cancel and transfer their enrolment to another provider prior to completing 6 months of study in their principle course must provide a letter of offer from an alternative provider. This is required under Standard 7 of the National Code'.
- All application documentation for the cancellation will be kept on the students file and DIAC shall be notified via PRISMS of the decision to cancel the enrolment as a result of the student's request.

### Provider Initiated Deferral, Suspension or Cancellation of Enrolment

#### Provider Deferral

The School may defer an enrolment where the course is not being offered at the proposed date, site, or for any other reason. In such cases a refund shall be processed as required or alternative courses may be offered.

#### Provider Suspension

The School may suspend a student's enrolment on the grounds of misconduct. This may include but is not limited to acts of discrimination, sexual harassment, vilification or bullying, as well as acts of cheating or plagiarism. Such acts of misconduct will be classified into one of two categories – Academic Misconduct or General Misconduct.

#### Academic Misconduct

The following gives an indication to the types of behaviour that constitute 'Academic Misconduct' within the School:

Assessment breaches may include:

- Students must not copy or paraphrase any document, audio-visual material, computer-based material or artistic piece from another source except in accordance with the conventions of the field of study.
- Students must not use another person's concepts, results or conclusions and pass them off as their own.
- In cases where the assessment task is intended to be individual work not group work, students must not prepare an assignment collaboratively and then submit work that is substantially the same as another student's assessment.
- Students must not ask another person to produce an assessable item for them.

A student may be excluded from a final assessment in a unit for any of the following reasons:

- unauthorised absence from class.
- failure to meet unit requirements, for example non-submission of assignments or failure to attend class or mid-semester tests.
- academic misconduct.

### General Misconduct

General misconduct is where a student: acts dishonestly; harasses other students or staff; interferes with students or staff; prevents or disrupts learning; disobeys/fails to comply with contractual or legal requirements; misuses, damages or steals School's property or the property of others; alters/defaces the School's documents or records; prejudices the School's good name or otherwise acts in an improper manner.

The following examples indicate the kinds of behaviour which constitute student misconduct. They are for illustrative purposes and are not intended to be exhaustive.

Student misconduct occurs when a student:

- a) contravenes any rules or acts;
- b) prejudices the good name or reputation of the School;
- c) prejudices the good order and governance of the School or interferes with the freedom of other people to pursue their studies, carry out their functions or participate in the life of the School;
- d) fails to comply with conditions agreed in the contract;
- e) wilfully disobeys or disregards any lawful order or direction from the School personnel;
- f) refuses to identify him or herself when lawfully asked to do so by an officer of the School;
- g) fails to comply with any penalty imposed for breach of discipline;
- h) misbehaves in a class, meeting or other activity under the control or supervision of the Seminar, or on its premises or other premises to which the student has access;
- i) obstructs any member of staff in the performance of their duties;
- j) acts dishonestly in relation to admission to the School;
- k) knowingly makes any false or misleading representation about things that concern

the student as a student of the School, or breaches any of its rules;

l) alters any documents or records;

m) harasses or intimidates another student, a member of staff, a visitor to the School, or any other person while the student is engaged in study or other activity as Seminar student, because of race, ethnic or national origin, sex, marital status, sexual preference, disability, age, political conviction, religious belief or for any other reason;

n) breaches any confidence of the School.;

o) misuses any facility in a manner which is illegal or which is or will be detrimental to the rights or property of others. This includes the misuse, in any way, of any computing or communications equipment or capacity to which the student has access at or away from the School's premises while acting as a student in a manner which is illegal or which is or will be detrimental to the rights or property of others;

p) steals, destroys or damages a facility or property of the School or for which the School is responsible; or

q) is guilty of any improper conduct.

Where a student has been identified of Academic or General Misconduct the School will be informed and will make a decision on the penalty and the severity of the penalty.

Where a student has been identified with Academic or General Misconduct the Seminar will ensure the following:

- Students must be treated fairly, with dignity and with due regard to their privacy
- Students are to be regarded as innocent of the alleged misconduct until they have either admitted to it or been found by proper inquiry by the Training Manager to have so behaved.
- Past misconduct is not evidence that a student has behaved in the same manner again.
- Each case is dealt with on its own merits and according to its own circumstances with the provision that the first instance of misconduct will be penalised more leniently than subsequent instances of misconduct.

Students/Parents are able to access the Complaints and Appeals procedure if they feel that the decision is unfair or they have other grounds to appeal the decision.

The penalties the Seminar can impose are:

- a warning,
- a reduction in grades,
- receiving zero for an assessment,
- a charge for any costs that the general misconduct may have caused.
- Temporary exclusion in the form of suspending enrolment for a period of time.
- suspension of enrolment or
- where the severity of misconduct is severe, the School may decide to cancel the enrolment (see below).

Where a student's enrolment is suspended a letter will be sent to the student indicating

them of the suspension and the length of suspension. Students are also required to be informed how to access to complaints and appeals policy and procedure and that they have 20 working days working days to submit any appeal against the decision.

DIAC's policy if a student's enrolment is suspended for a period of 28 days or longer, is that the student must return home (unless special circumstances exist). Please refer all questions about whether students may remain in Australia during a period of suspension of enrolment to DIAC Provider Cancellation.

In some cases where the student's misconduct is severe, the Seminar has the right to cancel the enrolment.

Where the Seminar has decided the misconduct is severe enough for cancellation the following must occur:

- The student must be informed in person (where possible), and in writing of the decision of the Seminar to cancel the student's enrolment
- They must be informed of the fact they have the right to appeal the decision by accessing the relevant procedures and completing this appeal within 20 working days of the notification
- Students must also be informed the Seminar is obliged to inform DEEWR / DIAC via PRISMS after the 20 working days period and that they will be at risk of having their Visa cancelled.

#### Recording and reporting deferments, suspension or cancellation of enrolments.

- All applications of deferment and outcomes are to be kept on the student's file.
- All reports of misconduct, decisions and actions taken in relation to misconduct, and other related documentation must be kept on file.
- Any decisions to initiate deferral, suspension or cancellation of an enrolment must be reported to DEEWR / DIAC via PRISMS.
- Students are to be kept informed of any decisions or outcomes that relate to a deferment, suspension, or cancellation of enrolments.
- All students are to be given the opportunity to access the complaints and appeals procedure before reporting any provider initiated suspensions or cancellations of enrolments via PRISMS occurs. The students have 20 working days to lodge an appeal.
- Where a student decides to access this procedure within 20 working days of notification the Seminar must wait until the process has finished before going ahead with the reporting of the student's enrolment changes via PRISMS.

#### **Breach of Visa Conditions**

Throughout the duration of the Course, the student must comply with the requirements of the Department of Immigration and Citizenship (DIAC) by satisfactorily maintaining academic progress and meeting attendance requirements.

The School's policy in regard to satisfactory academic progress and attendance is attached.

Failure to meet the terms of this policy could result in the cancellation of the students visa

**\*DIAC - Department of Immigration and Citizenship**

**DEEWR/DEST - Department of Education, Employment and Workplace Relations/  
previously known as Department of Education, Science and Training**

**\*\* PRISMS - Provider Registration and International Students Management System**