



Deferral, Suspension and Cancellation Policy & Procedures

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Purpose

The purpose of this policy is to outline the circumstances in which a student can defer, suspend or cancel their enrolment with Ruby Institute and where Ruby Institute can initiate the suspension or cancellation of the student's enrolment.

This ensures compliance with Standard 9 of the *National Code of Practice for Registration Authorities and Providers of Education and Training to Overseas Students 2018*.

Definitions

CoE means Confirmation of Enrolment

DET means Department of Education and Training

DHA means Department of Home Affairs

Deferral means to postpone commencement of studies.

Suspension is a temporary postponement of studies.

PRISMS means Provider Registration and International Student Management System (PRISMS)



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Policy & Procedures

1. Deferral and suspension of studies

- Requests from students for deferral and suspension of studies will only be granted in compassionate or compelling circumstances which are generally those beyond the control of the student and which have an impact upon the student's course progress or wellbeing. These could include, but are not limited to:
 - serious illness or injury, where a medical certificate states that the student was unable to attend classes
 - bereavement of close family members such as parents or grandparents (where possible a death certificate should be provided)
 - major political upheaval or natural disaster in the home country requiring emergency travel and this has impacted on the student's studies
 - a traumatic experience that has impacted on the student which could include involvement in, or witnessing of a serious accident or witnessing or being the victim of a serious crime. Such cases supported by police or psychologists' reports
 - where Ruby Institute is unable to offer a pre-requisite unit
 - inability to begin studying on the course commencement date due to delay in receiving a student VISA

The circumstances listed are example of what may be considered compassionate or compelling circumstances and each case will be assessed on its individual merits.

- When determining whether compassionate or compelling circumstances exist, Ruby Institute considers documentary evidence provided to support the claim, and stores copies of these documents in the student's file.
- A retrospective deferment or suspension may be justified if the student was unable to contact Ruby Institute because of a circumstance such as being involved in a car accident.
- Where a student initiated deferral or suspension of enrolment is granted, Ruby Institute will suspend an enrolment for an agreed period of time - to a maximum of 12 months. If the deferral is required for longer than 12 months, the student's application will be re-assessed. If the suspension period has expired and the student does not return, the student's enrolment will be cancelled.

2. Provider initiated suspension or cancellation

- Ruby Institute may suspend or cancel a student's enrolment including, but not limited to, on the basis of:
 - misbehaviour by the student (including plagiarism, collusion and cheating)
 - the student's failure to pay an amount he or she was required to pay the registered provider to undertake or continue the course as stated in the written agreement
 - a breach of course progress or attendance requirements by the overseas student, which will occur in accordance with Standard 8 (Overseas student VISA requirements) and as specified in Ruby Institute *Course Progress Policy & Procedures*.
- Standards of behaviour required are outlined in the Student Handbook.
- Where Ruby Institute suspends or cancels a student's enrolment, before imposing a suspension or cancellation Ruby Institute will inform the student in writing of that intention and the reasons for doing so and advise the overseas student of their right to appeal through the provider's internal complaints



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and appeals process, in accordance with Standard 10 (Complaints and appeals), within 20 working days.

- Under no circumstances will the suspension or cancellation of the overseas student's enrolment under Standard 9.3 cannot take effect until the internal appeals process is completed, unless the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk.

3. Student initiated cancellation of studies

- Students may initiate cancellation of their studies at any time during their course.
- Students who wish to withdraw within six months of their course to transfer to another provider will be processed as per Ruby Institute Course Transfer Policy and Procedure. Student will need to submit an *Application for Deferral, Suspension and Withdrawal Form*.

4. Visa status

- When there is any deferral, suspension or cancellation action taken under this standard, Ruby Institute will inform the student of the need to seek advice from DHA on the potential impact on their student VISA, as well as the report the change to the overseas student's enrolment under section 19 of the ESOS Act i.e. notification via PRISMS.
- Students are referred to the DHA web site at <https://www.homeaffairs.gov.au> or Phone: 131 881 for information and their local DHA office for advice on how the potential change to enrolment status may impact upon his or her VISA.

5. Complaints and appeals

- Where a student accesses the Complaints and Appeals process, Ruby Institute will not notify DET via PRISMS until the internal appeals process is complete unless the student's health or wellbeing, or the wellbeing of others, is likely to be at risk. Where the student chooses to access an external appeals process, DET will still be notified via PRISMS.

6. Records

- All records relating to deferrals, suspensions and cancellations will be kept on the student's file. This will include all decisions made.

7. Publication

- This policy is provided to students in the Student Handbook, which is provided to students prior to or upon commencement of a course, and also via Ruby Institute's website.