



Deferring, Suspending or Cancelling an Overseas Student's Enrolment Policy

Source of Obligation

Standard 2.1 of the National Code requires the School to make available to the overseas student or intending overseas student, comprehensive, current and plain English information on the grounds on which an overseas student's enrolment may be deferred, suspended or cancelled.

Standard 9.1 of the National Code requires the School to have and implement a documented process for assessing, approving and recording a deferment of the commencement of study or suspension of study requested by an overseas student, including maintaining a record of any decisions.

Standard 9.2 states that the School may defer or suspend the enrolment of the student if it believes there are compassionate or compelling circumstances.

Standard 9.3 states that the School may suspend or cancel a student's enrolment including, but not limited to, on the basis of:

- misbehaviour by the student
- the student's failure to pay an amount they were required to pay the School 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 must occur in accordance with Standard 8 (Overseas student visa requirements).

Caulfield Grammar School's Policy

The 'School' in this Policy includes school boarding premises.

An overseas student's enrolment can be deferred, suspended or cancelled for different reasons. The student may initiate a deferment or suspension on the grounds of compassionate or compelling circumstances. The School may suspend or cancel an enrolment due to student misbehaviour, a failure to pay fees or a breach of course progress or attendance requirements.

Any decision to defer, suspend or cancel an overseas student's enrolment must be made in accordance with the requirements of the National Code.

Deferral or Suspension Initiated by Student

An overseas student can apply to defer or suspend their enrolment at the School on the grounds of compassionate or compelling circumstances.



Student Applicant to Defer/Suspend Enrolment

An overseas student must submit an application in writing to the International Student Coordinator detailing their reasons for their request for a deferral or suspension. The application must include suitable documentary evidence to substantiate the overseas student's compassionate or compelling circumstances.

The overseas student's application for deferment/suspension must be submitted to the Head of Campus, Head of House and/or Admissions team for review.

Deferment or Suspension by the School and School Boarding: Compassionate or Compelling Circumstances

The School may agree to defer or suspend an overseas student's enrolment if it believes there are compassionate or compelling circumstances.

The School will consider the following as compassionate and compelling circumstances:

- medical illness or injury of the overseas student or overseas student's close relative which requires hospitalisation or impedes activities of daily living. For example, being affected by COVID-19.
- a mental health condition of the student or a student's close relative that results in hospitalisation or functional impairment.
- death of a close family member
- adverse experience that has impacted on the overseas student which could include:
 - being a witness to or victim of a serious accident
 - being a witness to or victim of a crime, natural disaster, or terrorism event
- a major political upheaval or natural disaster in the overseas student's home country which requires immediate emergency travel.
- inability to begin study in a program on the agreed starting date due to a delay in receiving an overseas student visa.
- where the School and School Boarding is unable to offer a prerequisite unit, or the overseas student has failed a prerequisite unit and therefore faces a shortage of relevant units for which they are eligible to enrol.
- other compassionate or compelling circumstances at the discretion of the School and School Boarding.

There is no maximum period for a deferral for compassionate or compelling reasons, but the deferral must be assessed in accordance with the processes in this Policy.



Suitable Evidence of Compassionate or Compelling Circumstances

In order for the School to grant the overseas student a deferment, suspension or cancellation of their enrolment on the grounds of compassionate and compelling circumstances, the overseas student must provide the School with suitable documentary evidence to prove the compassionate and compelling circumstances. This may include:

- a medical certificate
- death certificate (when possible)
- outside counselling services

If the School becomes aware that the student has provided us with fraudulent evidence or documents given to support a claim of compassionate or compelling circumstances, we may decide to suspend or cancel their enrolment.

If the deferral or suspension is approved by the Head of Campus, Head of House and/or Admission team, they will:

- advise the overseas student in writing of the approved deferral period and their new commencement date, as well as the impact this may have on their visa status; and
- report the change to the overseas student's enrolment under section 19 of the ESOS Act.

If the deferral or suspension is refused by the Head of Campus, Head of House and/or Admission team they will advise the overseas student in writing of the refusal and advise the overseas student of their right to appeal through the School's internal complaints and appeals process, in accordance with Standard 10 (Complaints and appeals) and our Overseas Students Complaints Handling Policy. The overseas student has 20 working days to lodge an appeal of the decision with the School.

Student-Initiated Cancellation

Overseas students may have their enrolment cancelled if the overseas student applies to cancel their enrolment (e.g. transfer to another institution due to serious illness).

Where an overseas student cancels their enrolment, the Refund Policy applies to any refund.

Suspension or Cancellation by the School: Misbehaviour, Failure to Pay Fees, Breach of Course Progress or Attendance Requirements

The School may decide to suspend or cancel an overseas student's enrolment on the basis of, but not limited to:

- misbehaviour by the student
- the student's or the student's parents/guardians failure to pay an amount they were required to pay the School and School Boarding 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 must occur in accordance with Standard 8 (Overseas student Visa requirements).



For breaches of course progress or attendance requirements, a decision to suspend or cancel an overseas student's enrolment for any of the reasons above cannot take effect until both an internal appeals process and any external appeals process is completed, unless the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk. Refer to the Initiating Suspension or Cancellation section below.

Initiating Cancellation or Suspension

If the School initiates a cancellation or suspension of the overseas student's enrolment, before imposing a cancellation or suspension, the School must:

- inform the overseas student and their parents/guardians of that intention and the reasons for doing so, in writing using the Notice to Defer Enrolment letter; and
- advise the overseas student of their right to appeal through the Schools Overseas Students Complaints Handling Policy and Overseas Students Complaints Appeals Policy, within 20 working days.

Accessing Internal and External Appeal Processes

Student Misbehaviour or Fee Non-Payment

If the suspension or cancellation action is due to the overseas student's misbehaviour or non-payment of fees, and the overseas student decides to lodge an internal appeal, the School will wait until the assessment of the appeal is concluded before acting to suspend or cancel the enrolment.

If the overseas student is not successful in its appeal to the School is dissatisfied with the outcome, the School will offer the overseas student access to an external complaints handling and appeals process via the Commonwealth Overseas Students Ombudsman (OSO). For more information about our internal appeals process and accessing the OSO, refer to our Complaints Handling Policy.

The School can take action to cancel or suspend the overseas student's enrolment without waiting for the OSO's investigative process to be completed.

Failure to Meet Course Progress or Course Attendance Requirements

If the overseas student is failing to meet course progress or course attendance requirements and the School has notified them of our intention to report them to PRISMS (via a Letter of Intention to Report) the overseas student can participate in our internal complaints and appeals process. For more information about our internal appeals process, refer to our Complaints Handling Policy.

If the overseas student is not successful in their appeal to the School and is dissatisfied with the outcome, the School will offer the overseas student access to an external complaints handling and appeals process via the OSO. If, as part of the external appeals process, the overseas student has contacted the OSO in accordance with the Complaints Handling Policy, the School must wait for the OSO to conclude its complaint investigation process before taking any action. The School must then only report the overseas student if the OSO concluded at the completion of its investigation that it supports the School in our decision to report.



Deferral, Cancellation or Suspension Action

When there is any deferral, suspension or cancellation action taken by the School, the School will:

- inform the overseas student of the need to seek advice from the Department of Home Affairs on the potential impact on their student visa
- report the change to the overseas student's enrolment under section 19 of the ESOS Act.

Effect on Confirmation of Enrolment - COE

The School must inform overseas students that deferring, suspending or cancelling an enrolment on any grounds may affect their student visa.

Procedural Fairness

The School is committed to ensuring procedural fairness when deferring, suspending or cancelling an overseas student's enrolment with Caulfield Grammar.

Where a decision has been considered to suspend or cancel the enrolment of the student, the Principal or their delegate will:

- Write to the student, and the student's parents/guardians stating:
 - the reasons that the student's enrolment is under consideration for suspension or cancellation
 - the relevant rules, policies, standards of behaviour alleged to be breached.
 - the relevant allegations said to warrant suspension or expulsion.
- allow the student and/or the student's parents/guardians to give a response, either in writing or verbally
- allow the student to have a support person of the student's choosing.
- arrange a meeting with the student, the student's support person where applicable,
- and the student's parents/guardians where possible.
- arrange for an interpreter if one is required.
- ensure that any meetings are documented.

Impact of deferral and suspension on student attendance

If an overseas student's enrolment is deferred or suspended, the period of suspension or deferral of enrolment (as recorded in PRISMS) should not be included in attendance monitoring calculations.



Record Keeping

Each decision relating to overseas students' enrolment, including evidence of any assessments made by the School notifications to the Commonwealth Department of Education through PRISMS, is recorded and maintained on the file.

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