



## **Deferral, Suspension, and Cancellation Policy (CRICOS)**

### **1. Purpose**

1.1 The purpose of this policy and associated procedures is to outline RBIT's approach to managing the enrolment of overseas students, specifically in relation to deferral, suspension, and cancellation. The policy ensures that all necessary information about enrolments is entered into PRISMS (Provider Registration and International Student Management System).

This policy and its procedures adhere to the requirements of the National Code 2018 [Standard 9](#) to ensure that deferral, suspension, or cancellation of enrolment is conducted in a fair and consistent manner.

### **1.2 Definitions**

- Deferral: Refers to the temporary delay of the commencement of study for an overseas student.
- Suspension: Refers to the temporary interruption or pause of an overseas student's study.
- Enrolment cancellation: Refers to the termination of an overseas student's enrolment in a course.
- Compassionate or Compelling reasons: Please refer to RBIT's internal document [Compassionate or Compelling reasons](#) for further details

### **2. Policy**

#### **2.1 Student-initiated Deferral, Suspension, and Cancellation**

Overseas students may defer or suspend their studies by submitting a written request with appropriate evidence of compassionate or compelling circumstances.

- Deferrals and leaves of absence will be approved for a period of up to 6-12 months. However, if the deferral or leave of absence extends beyond this period, the student's enrolment will be cancelled.
- Overseas students may withdraw from their course at any time and request to cancel their enrolment if they have completed more than 6 months of study.
- If an overseas student has not completed six months of their principal course of study and wishes to cancel their enrolment, their application will be assessed based on the [Overseas Student Transfer Policy](#) and Associated Procedures.

#### **2.2 RBIT-initiated Deferral, Suspension, and Cancellation**

RBIT reserves the right to suspend or cancel a student's enrolment, including but not limited to the following circumstances:

- Misbehavior by the student as outlined in the Student Code of Conduct in the Student Handbook.
- Non-payment of course fees as specified in the Letter of Offer.
- Breach of the [Course Progress and Completion Policy](#) as outlined in Standard 8 and the factsheet on Overseas student visa requirements.
- The compassionate or compelling circumstances have ended and no longer exist.
- In cases where an overseas student fails to start the course on the agreed starting day or fails to return after term breaks/holidays without notifying and being unreachable. Refer to Procedure 3.3b) below for further details.
- Any student who breaches the [Student Code of Conduct](#) or the ESOS Act will be immediately suspended. Their case will be considered during the suspension period, and the student may be reinstated or have their enrolment cancelled. RBIT is required to report any changes to the overseas student's enrolment under section 19 of the ESOS Act.



## 2.3 Special Circumstances when students unable to appeal

The overseas student does not have to be given the opportunity to appeal a provider-initiated deferral, suspension, or cancellation of enrolment when the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk. The registered provider must keep evidence to support this. This may include, but is not limited to when the overseas student:

- Refuses to maintain approved care arrangements if they are under 18 years of age.
- Has medical concerns, severe depression, or psychological issues that lead the provider to fear for the overseas student's wellbeing.
- Has engaged or threatens to engage in behavior that is reasonably believed to endanger the overseas student or others.
- Is at risk of committing a criminal offense.
- Is missing. (The above exceptions are extracted from National Code Standard 9 Fact Sheet.)

## 2.4 Notification and Appeals Process

- The overseas student must be informed of their right to appeal when their enrolment is suspended or cancelled.
- The student must be provided with written notification of the intention and reasons for the suspension or cancellation.
- The suspension or cancellation of an overseas student's enrolment under Standard 9.3 cannot take effect until the internal appeals process is completed, unless there is a risk to the student's health or wellbeing, or the wellbeing of others.
- The overseas student does not have to be given the opportunity to appeal a provider-initiated deferral, suspension, or cancellation of enrolment when the overseas student's health or wellbeing, or the wellbeing of others, is likely to be at risk. The registered provider must keep evidence to support this. (National Code Standard 9 - Fact Sheets.)

## 2.5 Impact on Student Visa and Reporting Requirements

RBIT must inform the overseas student of the need to seek advice from the Department of Home Affairs (DHA) on the potential impact of deferment, suspension, or cancellation on their student visa. Any changes to an overseas student's enrolment status, including deferment, suspension, or cancellation, must be reported via PRISMS to the relevant authorities under section 19 of the ESOS Act. If the overseas student is under the age of 18, the cancellation of a CoE does not cancel a Confirmation of Appropriate Accommodation and Welfare (CAAW), and RBIT is still responsible for welfare arrangements until one of the conditions of Standard 5.6 is met.

## 3. Procedures

Template: [Intention to Suspend and Cancel Enrolment](#)

### 3.1 Student-initiated - Assessing and Approving Deferment or Suspension Requests

1. The overseas student submits a written request for deferment or suspension of enrolment.
2. RBIT reviews the request and assesses its eligibility based on compassionate or compelling circumstances.
3. If the deferment or suspension request is approved, RBIT informs the student in writing, specifying the duration and any conditions associated with the decision.
4. If the application is not approved, RBIT informs the student in writing about the decision, including the reasons and their right to appeal within 20 working days.



5. The approval and details of the deferment or suspension must be recorded in the Student Portfolio and PRISMS (via PRISMS Student Course Variation (SCV) process) within 14 days for students under 18, and within 31 days for other students.
6. Issue the updated Confirmation of Enrolment (CoE) to the student, where applicable.

### **3.2 Student-initiated - Cancellations**

#### **Notification request by student**

- RBIT receives written notification of the cancellation of enrolment from the student (or parent, if applicable) and processes it as per the cancellation procedure.

### **3.3 RBIT Initiating Suspension or Cancellation of Enrolment**

#### **a) Step by step procedure**

1. If circumstances arise that warrant suspension or cancellation of an overseas student's enrolment, the decision shall be made by the Principal Executive Officer (PEO).
2. Prior to suspending or cancelling the enrolment, RBIT must: a) Provide written notice to the student (within 14 days if under 18, within 31 days if above 18), explaining the intention to report and reasons for the suspension or cancellation. b) Inform the student of their right to appeal through the provider's internal complaints and appeals process within 20 working days.
3. RBIT must ensure that the student has a reasonable opportunity to respond to the proposed suspension or cancellation before a final decision is made.
4. If a student misbehaves (contravenes the Student Code of Conduct), immediately investigate the incident.
5. If the incident is considered serious and warrants further investigation, inform the student in writing of the suspension, including the reasons and dates from which the suspension applies, as well as their right to appeal the decision within 20 working days.
6. Further investigate the student's misbehavior.
7. Inform any other relevant agencies of the issue concerning the student, such as in cases of fraud or violence.
8. If the investigation deems the student can be reinstated, advise the student in writing that their suspension is lifted.
9. If the investigation deems the student's behavior so serious that they cannot be reinstated, advise the student in writing of the cancellation of their enrolment, including the reasons for the decision.

#### **b) Procedure when student failed to turn up**

1. Identify any overseas students who have failed to resume studies after a vacation break or period of suspension.
2. Contact the student (or parent, if applicable) to confirm whether the student is returning. Maintain records and evidence of all attempts to contact the student (or parent, if applicable).
3. Advise the student (or parent, if applicable) in writing that if confirmation of enrolment status is not received within 14 days of the expected date of return, RBIT intends to cancel the enrolment.
4. After 14 days from the resumption date and no response from the student, RBIT may cancel the enrolment in PRISMS.
5. Notify the student (or parent, if applicable) in writing that the enrolment has been cancelled. Note: In cases of cancellation due to no notification, RBIT is not required to offer access to an appeals process (No notification from student and uncontactable resulting in RBIT taking actions).



## 3.4 Internal Appeals Process and Procedure

1. If an overseas student wishes to appeal a decision regarding the suspension or cancellation of their enrolment, they must follow the internal complaints and appeals process and submit a written appeal outlining the grounds for their appeal, along with any supporting evidence.
2. RBIT shall review the appeal, consider the student's arguments and evidence, and provide a written response within 20 days.
3. If the appeal is successful, the suspension or cancellation shall be revoked, and the student's enrolment status shall be reinstated accordingly. If the appeal is denied, the suspension or cancellation shall take effect as previously communicated to the student.

## 3.5 Impact on COE, Student Visa, and Reporting Requirements

1. Whenever a deferment, suspension, or cancellation of enrolment occurs, RBIT must promptly notify the overseas student of the potential impact on their student visa and advise them to seek advice from the Department of Home Affairs (DHA).
2. RBIT must ensure that the relevant change in enrolment status is reported to the appropriate authorities under section 19 of the ESOS Act within the required timeframe.
3. Regardless of the reason, if an overseas student's enrolment is deferred or suspended, the period of suspension of enrolment (as entered in PRISMS) should not be included in attendance monitoring calculations.

## 4.0 Record-Keeping

1. RBIT will maintain accurate and up-to-date records of all Deferment, Suspension, and Cancellation requests received, assessment outcomes, and decision documents.
2. These records will be securely stored for a minimum period of two years following the completion or cessation of the student's enrolment.

## 5.0 Responsibilities

The Principal Executive Officer (PEO):

- Approve or reject student applications for deferment or suspension of study.
- Assess the impact of any deferment or suspension on a student's ability to complete the intended course of study (in accordance with their CoE and visa).
- Make decisions to exclude from class or suspend or cancel a student's enrolment as per the college's Student Code of Conduct provided in pre-enrolment information to the student.

The PEO and Compliance Manager:

- Investigate student misbehavior.
- Make decisions regarding student misbehavior and cancellation of CoE.

The Registrar:

- Report decisions on PRISMS regarding provider-initiated suspension and cancellation.
- Re-issue and approve new CoE.
- Record Student Course Variation (SCV) via PRISMS.
- Prepare the Intention to report letter for the PEO.

The Administration Officer:

- Assess deferment requests and report deferrals on PRISMS.
- Assess suspension requests and report suspensions on PRISMS.



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- Process withdrawals.
- Monitor student's new arrival date (related to deferment). If the student is further delayed, amend PRISMS with any new arrival date(s).
- Monitor student departure and return dates (related to suspension) and amend PRISMS, as required.
- Record and advise the student (or parents) of the outcome of the request for deferment or suspension of study, and if approved, advise the student that deferment or suspension of enrolment may affect their visa.
- Ensure all records for all steps above are kept in the student's file