

# International Student Deferral, Suspension or Cancellation of Enrolment Policy

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## 1. Background

Gateway Business College (GBC) has an obligation to comply with the ESOS Act and the National Code of Practice for Providers of Education and Training to Overseas Students 2018 (National Code – 2018) in accordance with Commonwealth Register of Institutions and Courses for Overseas Students (CRICOS) registration requirements. This includes the appropriate management of international student enrolment, ensuring all necessary information about enrolments is provided to the relevant government department by maintaining updated information in the Provider Registration and International Student Management System (PRISMS) database.

## 2. Purpose

The *International Student Deferral, Suspension or Cancellation of Enrolment Policy* establishes a framework to ensure that information about international student enrolment is managed appropriately by GBC and maintained in the PRISMS database.

## 3. Scope

This policy applies to GBC staff and international students, external Board and Committee members.

## 4. Definitions

**Education Services for Overseas Students Act 2000 (ESOS Act):** the established legislative requirements and standards for the quality assurance of Australian education and training institutions offering courses to international students who are studying in Australia on a student visa. ESOS provides tuition fee protection for international students.

**International student:** an enrolled student who has been granted a student visa (subclass 500) by the Australian Department of Home Affairs (DOHA), which entitles them to study full-time in Australia.

## 5. Principles

In accordance with CRICOS registration requirements, GBC will comply with all aspects of Standard 9 of the National Code (2018) in relation to deferring, suspending or cancelling the international student's enrolment.

This policy is applied in alignment with the *Admissions Policy, Student Complaints and Appeals Policy, International Student Support Services Policy, Student Academic Misconduct Policy* and *Information to Students Policy*.

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GBC maintains a documented process for assessing, approving and recording international student requests for a deferment of commencement of study or suspension of study, including a record of all decisions and outcomes.

GBC maintains a documented process for assessing, approving and recording the suspension or cancellation of an international student's enrolment in a course, including a record of all evidence, correspondence, decisions, outcomes and appeals.

## 6. Procedures

### 6.1 Deferral or suspension of enrolment

A successful international applicant who has received an Offer Letter and / or accepted the offer may choose to defer their enrolment for a period of no more than two (2) years. The Dean is responsible for advising the applicant of the deferral procedure, and the terms and conditions that apply to deferral of enrolment.

GBC may grant deferral or suspension of enrolment of an international student if there are compassionate or compelling circumstances.

### 6.2 Suspending or Cancelling an international student's enrolment

In accordance with GBC policy and procedures, an international student's enrolment may be suspended or cancelled by GBC for the following reasons, but not limited to:

- Academic or non-academic misconduct by the international student that breaches GBC student code of conduct or GBC policies
- The international student fails to pay course fees to GBC as stated in the written agreement
- Unsatisfactory course progress or unsatisfactory course attendance that breaches international student visa requirements.

GBC may withdraw or cancel an offer of admission or enrolment to an international student if:

- The offer was made based on incomplete, inaccurate or fraudulent application documentation
- The applicant does not provide required or requested documentation to support their admission application
- The applicant does not comply with the enrolment conditions or processes stated in the Offer Letter
- The course is discontinued by GBC or TEQSA.

An applicant whose offer of admission or enrolment is cancelled or withdrawn for the abovementioned reasons will be notified of the change in writing. The reason/s why GBC has made this decision will be included in the letter.

If GBC initiates the suspension or cancellation of an international student's enrolment, before imposing the suspension or cancellation, GBC will:

- Inform the international student of this intention in writing, advising the reasons

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for the intention

- Advise the international student that they have the right to appeal this decision through GBC's internal and external complaints and appeals processes within 20 working days, as per the *Student Complaints and Appeals Policy* and the *External Grievance Resolution Policy*.

Where action is taken by GBC regarding the deferral, suspension or cancellation of an international student's enrolment, GBC will:

- Advise the international student of their need to contact DOHA and seek advice on the potential impact this decision will have on their student visa
- Report the change to the international student's enrolment under section 19 of the ESOS Act, through PRISMS.

In compliance with Standard 9.3 of the National Code, the suspension or cancellation of an international student's enrolment will not take effect until the internal GBC complaints and appeals process is completed, unless the international student's health or wellbeing, or the wellbeing of others, is likely to be at risk.

### 6.3 Tuition fee refunds

In compliance with government legislation, GBC will refund course tuition fees and enrolment fees if the student defers or withdraws from a course or subject before the census date.

If a course is discontinued by GBC or TEQSA, refunds to international students will be granted in accordance with the provisions of the *ESOS Act 2000* and the *ESOS Regulations 2001*.

To request a tuition fee refund due to deferral, leave of absence, change of enrolment or course withdrawal, a student must complete a Refund Request Form online or seek assistance on campus from a Student Administration Officer. The approved tuition fee refund will be transferred to the bank account or credit card that was used to pay the course tuition fee, unless otherwise specified by the student.

No tuition fee refund is payable if a student:

- Withdraws from a course without notifying GBC
- Breaches the conditions of their Student Visa
- Defers or withdraws from a course or subject after the census date
- Changes their enrolment after the census date.

For more information consult the *Tuition Fee Refund and Course Withdrawal Policy* and *Course Teach-Out Policy*.

### 6.4 Recording and reporting

GBC will maintain a record of all data regarding international student enrolment, including the deferral, suspension or cancellation of an international student's enrolment.

This data will be provided to the relevant government department by maintaining updated information on international student enrolments in the PRISMS database.

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## 6.5 Appeals

International students have the right to appeal GBC decisions regarding deferral, suspension or cancellation of enrolment as per GBC's *Student Complaints and Appeals Policy* and procedures framework, and the *External Grievance Resolution Policy*. International students can access the GBC complaints and appeals process within 20 working days.

## 6.6 Information to Students

GBC will ensure all international students have access to relevant information related to the deferral, suspension or cancellation of enrolment – in the Offer Letter, the *Student Handbook* and the GBC website.

GBC will ensure all international student enquiries regarding deferral, suspension or cancellation of enrolment are handled promptly and accurately.

## 6.7 Implementation, Monitoring and Reporting

The Corporate Governance Board delegates responsibility for the day-to-day implementation of this policy to the Academic Board and the Dean and matters of compliance to the GBC CEO and Compliance Officer.

The Academic Board reports to the Corporate Governance Board on matters relating to deferring, suspending or cancelling an international student's enrolment in a GBC course.

GBC reports to the Tertiary Education Quality and Standards Agency (TEQSA) on compliance with all CRICOS registration requirements.

## 7. Records

Records associated with this policy will be maintained according to the Records Management Policy.

## 8. Related legislation

- Tertiary Education Quality and Standards Agency (TEQSA) Act 2011
- TEQSA Higher Education Standards Framework (Threshold Standards) 2021
- Australian Qualifications Framework (AQF).
- The National Code of Practice for Providers of Education and Training to Overseas Students 2018 (the National Code 2018)

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## 9. Review

This policy will be reviewed by the Academic Board every three years, or more frequently should the Board deem it necessary.

### Version Control

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